

SENATE BILL No. 327

By Committee on Ways and Means

3-17

9 AN ACT concerning tobacco; relating to the master settlement agree-
10 ment; creating the master settlement agreement compliance fund;
11 amending K.S.A. 38-2101 and repealing the existing section.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 New Section 1. (a) There is hereby established in the state treasury
15 the tobacco master settlement agreement compliance fund.

16 (b) Moneys in the tobacco master settlement agreement compliance
17 fund shall be expended for the administration and enforcement of the
18 provisions of K.S.A. 50-6a01, et seq., and amendments thereto, and any
19 other tobacco related laws.

20 (c) All expenditures from the tobacco master settlement agreement
21 compliance fund shall be made in accordance with appropriation acts
22 upon warrants of the director of accounts and reports issued pursuant to
23 vouchers approved by the attorney general or the attorney general's
24 designee.

25 Sec. 2. K.S.A. 38-2101 is hereby amended to read as follows: 38-
26 2101. (a) There is hereby established in the state treasury the Kansas
27 endowment for youth fund which shall constitute a trust fund and shall
28 be invested, managed and administered in accordance with the provisions
29 of this act by the board of trustees of the Kansas public employees re-
30 tirement system established by K.S.A. 74-4905 and amendments thereto.

31 (b) All of the moneys received by the state pursuant to the tobacco
32 litigation settlement agreements entered into by the attorney general on
33 behalf of the state of Kansas, or pursuant to any judgment rendered,
34 regarding the litigation against tobacco industry companies and related
35 entities, shall be deposited in the state treasury and *for fiscal year 2010*
36 *and each fiscal year thereafter, the director of accounts and reports shall*
37 *credit the first \$900,000 of such receipts to the tobacco master settlement*
38 *agreement compliance fund established by section 1, and amendments*
39 *thereto. All such remaining moneys received for the remainder of each*
40 *such fiscal year shall be credited to the Kansas endowment for youth*
41 *fund. All such remaining moneys shall constitute an endowment which*
42 *shall remain credited to the Kansas endowment for youth fund except as*
43 *provided in this section or in K.S.A. 38-2102 and amendments thereto*

1 for transfers to the children's initiatives fund. Expenditures may be made
2 from the Kansas endowment for youth fund for the payment of the op-
3 erating expenses of the Kansas children's cabinet and the board of trus-
4 tees, including the expenses of investing and managing the moneys, which
5 are attributable to the Kansas endowment for youth fund. *Except as oth-*
6 *erwise provided by this section* all moneys credited to the Kansas endow-
7 ment for youth fund shall be invested to provide an ongoing source of
8 investment earnings available for periodic transfer to the children's ini-
9 tiatives fund in accordance with this act. All expenditures from the Kansas
10 endowment for youth fund shall be made in accordance with appropria-
11 tion acts upon warrants of the director of accounts and reports issued
12 pursuant to vouchers approved by the chairperson of the board of trustees
13 of the Kansas public employees retirement system or by the chairperson's
14 designee.

15 ~~(c) On the effective date of this act, the director of accounts and~~
16 ~~reports shall transfer all moneys credited to the children's health care~~
17 ~~programs fund to the Kansas endowment for youth fund and the chil-~~
18 ~~children's health care programs fund is hereby abolished. On and after July~~
19 ~~1, 1999, whenever the children's health care programs fund, or words of~~
20 ~~like effect, is referred to or designated by statute, contract or other doc-~~
21 ~~ument, such reference or designation shall be deemed to apply to the~~
22 ~~Kansas endowment for youth fund.~~

23 Sec. 3. K.S.A. 38-2101 is hereby repealed.

24 Sec. 4. This act shall take effect and be in force from and after its
25 publication in the statute book.