

As Amended by Senate Committee

Session of 2010

SENATE BILL No. 574

By Committee on Ways and Means

3-11

10 AN ACT concerning the interstate water litigation fund; amending
11 K.S.A. 82a-1802 and repealing the existing section.

12

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

14 Section 1. K.S.A. 82a-1802 is hereby amended to read as follows:
15 82a-1802. (a) There is hereby established in the state treasury the inter-
16 state water litigation fund, to be administered by the attorney general.

17 (b) Revenue from the following sources shall be credited to the in-
18 terstate water litigation fund:

19 (1) Amounts provided for by K.S.A. 82a-1801, *and amendments*
20 *thereto*; and

21 (2) moneys received from any source by the state in the form of gifts,
22 grants, reimbursements or appropriations for use for the purposes of the
23 fund.

24 (c) From the moneys first credited to the interstate water litigation
25 fund, persons or entities that contributed moneys to the court cost fund
26 account of the office of the attorney general for use in the litigation de-
27 scribed in subsection (b)(1) shall be reimbursed the amount contributed.
28 The balance of moneys credited to the fund shall be expended only for
29 the purpose of paying expenses incurred by the state in:

30 (1) Current or future litigation or preparation for future litigation
31 with another state, the federal government or an Indian nation to resolve
32 a dispute concerning water; or

33 (2) monitoring or enforcing compliance with the terms of an inter-
34 state water compact or a settlement, judgment or decree in past or future
35 litigation to resolve a dispute with another state, the federal government
36 or an Indian nation concerning water.

37 (d) Interest attributable to moneys in the interstate water litigation
38 fund shall be credited to the state general fund as provided by K.S.A. 75-
39 4210a, and amendments thereto.

40 (e) All expenditures from the interstate water litigation fund shall be
41 made in accordance with appropriation acts upon warrants of the director
42 of accounts and reports issued pursuant to vouchers approved by the
43 attorney general or a person designated by the attorney general.

1 ~~(f) Unless the attorney general certifies to the director of accounts~~
2 ~~and reports as of June 30, 2001, that there is on-going litigation or prep-~~
3 ~~aration for litigation between the state of Kansas and another state, the~~
4 ~~federal government or an Indian nation to resolve a dispute concerning~~
5 ~~water, on July 1, 2001: (1) The director of accounts and reports shall~~
6 ~~transfer and credit all moneys in the interstate water litigation fund to~~
7 ~~the state general fund, and (2) the interstate water litigation fund shall~~
8 ~~thereupon be abolished.~~

9 *(f) (1) On July 1, 2011, or as soon thereafter as moneys are available,*
10 *the director of accounts and reports shall transfer \$2,000,000 from the*
11 *state ~~water plan~~ **general** fund to the interstate water litigation fund of*
12 *the attorney general.*

13 *(2) On July 1, 2012, or as soon thereafter as moneys are available,*
14 *the director of accounts and reports shall transfer \$3,000,000 from the*
15 *state ~~water plan~~ **general** fund to the interstate water litigation fund of*
16 *the attorney general.*

17 *(3) On July 1, 2013, or as soon thereafter as moneys are available,*
18 *the director of accounts and reports shall transfer \$3,000,000 from the*
19 *state ~~water plan~~ **general** fund to the interstate water litigation fund of*
20 *the attorney general.*

21 *(4) On July 1, 2014, or as soon thereafter as moneys are available,*
22 *the director of accounts and reports shall transfer \$3,000,000 from the*
23 *state ~~water plan~~ **general** fund to the interstate water litigation fund of*
24 *the attorney general.*

25 *(5) On July 1, 2015, or as soon thereafter as moneys are available,*
26 *the director of accounts and reports shall transfer \$3,000,000 from the*
27 *state ~~water plan~~ **general** fund to the interstate water litigation fund of*
28 *the attorney general.*

29 *(6) On July 1, 2016, or as soon thereafter as moneys are available,*
30 *the director of accounts and reports shall transfer \$3,000,000 from the*
31 *state ~~water plan~~ **general** fund to the interstate water litigation fund of*
32 *the attorney general.*

33 Sec. 2. K.S.A. 82a-1802 is hereby repealed.

34 Sec. 3. This act shall take effect and be in force from and after its
35 publication in the statute book.