

2021 Kansas Statutes

82a-1370. Purchase of water supply storage, financing of; pooled money investment board loan; water supply storage acquisition financing fund. (a) To provide financing to acquire conservation water supply storage in federal reservoirs, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office, upon request therefor, sufficient funds for such purpose. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments, of the state of Kansas to provide funds for such loan. On the loan date of such loan, the pooled money investment board shall transfer the loan amount to the director of the Kansas water office by depositing the same in the state treasury to the credit of the water supply storage acquisition financing fund.

(b) Such loan shall bear interest from the date of the loan at an annual rate of interest which is not less than the average yield before taxes received on 91-day United States treasury bills as determined by the federal reserve banks as fiscal agents of the United States at its most recent public offering of such bills in effect on January 1 of such year. The principal and interest thereon shall be payable in accordance with subsection (c). Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the Constitution of the state of Kansas.

(c) The principal and interest on any loan made under this section, shall be payable in accordance with appropriations acts from the following sources, in descending order of priority:

- (1) Amounts received under contracts entered into pursuant to the state water plan storage act or the water assurance program act, if the water supply storage capacity purchased with the loan proceeds is to be used to service such contracts;
- (2) state water plan fund created by K.S.A. 82a-951, and amendments thereto;
- (3) the state economic development initiatives fund created by K.S.A. 79-4804, and amendments thereto; and
- (4) the state general fund.

(d) There is hereby created in the state treasury the water supply storage acquisition financing fund. On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the water supply storage acquisition financing fund interest earnings based on:

- (1) The average daily balance of moneys in the water supply storage acquisition financing fund for the preceding month; and
- (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(e) All expenditures from the water supply storage acquisition financing fund shall be made for the purpose of financing the acquisition of water supply storage in federal reservoirs and for the purpose of paying the principal and interest on the loan received under this section in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the director of the Kansas water office or by a person designated by the director.

History: L. 1994, ch. 175, § 2; L. 1998, ch. 123, § 8; July 1.