

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2009, June 30, 2010 and June 30, 2011, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing; amending K.S.A. 2008 Supp. 55-193, 79-2978, 79-2979, 79-3425i, 79-34,156, 79-4801 and 82a-953a and repealing the existing sections.

20 Be it enacted by the Legislature of the State of Kansas:

21 Section 1. (a) For the fiscal years ending June 30, 2009, June 30,  
22 2010, and June 30, 2011, appropriations are hereby made, restrictions  
23 and limitations are hereby imposed, and transfers, capital improvement  
24 projects, fees, receipts, disbursements and acts incidental to the foregoing  
25 are hereby directed or authorized as provided in this act.

26 (b) The agencies named in this act are hereby authorized to initiate  
27 and complete the capital improvement projects specified and authorized  
28 by this act or for which appropriations are made by this act, subject to  
29 the restrictions and limitations imposed by this act.

30 (c) This act shall not be subject to the provisions of subsection (a) of  
31 K.S.A. 75-6702, and amendments thereto.

32 (d) The appropriations made by this act shall not be subject to the  
33 provisions of K.S.A. 46-155, and amendments thereto.

34 Sec. 2.

35 ABSTRACTERS' BOARD OF EXAMINERS

36 (a) On the effective date of this act, the expenditure limitation estab-  
37 lished for the fiscal year ending June 30, 2009, by section 68(a) of chapter  
38 167 of the 2007 Session Laws of Kansas on the abstracters' fee fund is  
39 hereby decreased from \$21,814 to \$21,160.

40 Sec. 3.

41 BOARD OF ACCOUNTANCY

42 (a) On the effective date of this act, the expenditure limitation estab-  
43 lished for the fiscal year ending June 30, 2009, by the state finance council  
H Sub for Sub SB 23—Am. by HCW

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on the board of accountancy fee fund is hereby decreased from \$315,697

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to \$306,197.

2

Sec. 4.

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STATE BANK COMMISSIONER

4

(a) On the effective date of this act, the expenditure limitation estab-

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lished for the fiscal year ending June 30, 2009, by the state finance council

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on the bank commissioner fee fund is hereby decreased from \$8,389,041

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to \$8,131,730.

8  
9 Sec. 5.

10 KANSAS BOARD OF BARBERING

11 (a) On the effective date of this act, the expenditure limitation estab-  
12 lished for the fiscal year ending June 30, 2009, by the state finance council  
13 on the board of barbering fee fund is hereby decreased from \$155,851  
14 to \$142,692.

15 Sec. 6.

16 BEHAVIORAL SCIENCES REGULATORY BOARD

17 (a) On the effective date of this act, the expenditure limitation estab-  
18 lished for the fiscal year ending June 30, 2009, by the state finance council  
19 on the behavioral sciences regulatory board fee fund is hereby decreased  
20 from \$625,213 to \$610,371.

21 Sec. 7.

22 STATE BOARD OF HEALING ARTS

23 (a) During the fiscal year ending June 30, 2009, the director of the  
24 budget and the director of the legislative research department shall con-  
25 sult periodically and review the balance credited to and the estimated  
26 receipts to be credited to the healing arts fee fund during the fiscal year  
27 2009, and, upon a finding by the director of the budget in consultation  
28 with the director of the legislative research department that the total of  
29 the unencumbered balance and estimated receipts to be credited to the  
30 healing arts fee fund during fiscal year 2009 are insufficient to finance  
31 the authorized budgeted expenditures in accordance with the provisions  
32 of appropriation acts, the director of the budget shall certify such finding  
33 to the director of accounts and reports. Upon receipt of any such certi-

34 fication, the director of accounts and reports shall transfer the amount of  
35 money as certified from the state general fund to the healing arts fee fund  
36 that is required, in accordance with the certification by the director of  
37 the budget under this subsection, to fund the authorized budgeted ex-  
38 penditures for fiscal year 2009 in accordance with the provisions of ap-  
39 propriation acts, as specified by the director of the budget pursuant to  
40 such certification. On or before June 30, 2009, the director of accounts  
41 and reports shall transfer from the healing arts fee fund to the state gen-  
42 eral fund the amount of money equal to the aggregate of all amounts  
43 transferred during fiscal year 2009 pursuant to this section to reimburse

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the state general fund.

1 (b) On the effective date of this act, the expenditure limitation estab-  
2 lished for the fiscal year ending June 30, 2009, by the state finance council  
3 on the healing arts fee fund is hereby decreased from \$3,669,562 to  
4 \$3,601,944.

5 Sec. 8.

#### 6 KANSAS STATE BOARD OF COSMETOLOGY

7 (a) On the effective date of this act, the expenditure limitation estab-  
8 lished for the fiscal year ending June 30, 2009, by the state finance council  
9 on the cosmetology fee fund is hereby decreased from \$806,356 to  
10 \$782,165.

11 Sec. 9.

#### 12 STATE DEPARTMENT OF CREDIT UNIONS

13 (a) On the effective date of this act, the expenditure limitation estab-  
14 lished for the fiscal year ending June 30, 2009, by the state finance council

15 on the credit union fee fund is hereby decreased from \$894,662 to  
16 \$867,822.

17 Sec. 10.

18 KANSAS DENTAL BOARD

19 (a) On the effective date of this act, the expenditure limitation estab-  
20 lished for the fiscal year ending June 30, 2009, by the state finance council  
21 on the dental board fee fund is hereby decreased from \$382,560 to  
22 \$380,950.

23 Sec. 11.

24 STATE BOARD OF MORTUARY ARTS

25 (a) On the effective date of this act, the expenditure limitation estab-  
26 lished for the fiscal year ending June 30, 2009, by the state finance council  
27 on the mortuary arts fee fund is hereby decreased from \$276,605 to  
28 \$268,307.

29 Sec. 12.

30 KANSAS BOARD OF EXAMINERS IN FITTING AND

31 DISPENSING OF HEARING INSTRUMENTS

32 (a) On the effective date of this act, the expenditure limitation estab-  
33 lished for the fiscal year ending June 30, 2009, by the state finance council  
34 on the hearing instrument board fee fund is hereby decreased from  
35 \$29,511 to \$28,626.

36 Sec. 13.

37 BOARD OF NURSING

38 (a) On the effective date of this act, the expenditure limitation estab-  
39 lished for the fiscal year ending June 30, 2009, by the state finance council  
40

on the board of nursing fee fund is hereby decreased from \$1,854,916 to  
\$1,817,328.

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Sec. 14.

#### BOARD OF EXAMINERS IN OPTOMETRY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the optometry fee fund is hereby decreased from \$130,411 to \$126,499.

Sec. 15.

#### STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the state board of pharmacy fee fund is hereby decreased from \$764,201 to \$694,115.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 81(a) of chapter 167 of the 2007 Session Laws of Kansas on the official hospitality account of the state board of pharmacy fee fund is hereby increased from \$500 to \$750.

Sec. 16.

#### REAL ESTATE APPRAISAL BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the appraiser fee fund is hereby decreased from \$326,818 to \$316,050.

Sec. 17.

23 KANSAS REAL ESTATE COMMISSION

24 (a) On the effective date of this act, the expenditure limitation estab-  
25 lished for the fiscal year ending June 30, 2009, by the state finance council  
26 on the real estate fee fund is hereby decreased from \$1,103,162 to  
27 \$1,007,347.

28 (b) On the effective date of this act, there is appropriated for the above  
29 agency from the following special revenue fund or funds for the fiscal  
30 year ending June 30, 2009, all moneys now or hereafter lawfully credited  
31 to and available in such fund or funds, except that expenditures other  
32 than refunds authorized by law shall not exceed the following:

33 Background investigation fee fund ..... No limit

34  
35 Provided, That, on and after the effective date of this act during fiscal  
36 year 2009, notwithstanding the provisions of K.S.A. 58-3039, and amend-  
37 ments thereto, moneys collected for the purpose of reimbursing the Kan-  
38 sas real estate commission for the cost of fingerprinting and the criminal  
39 history record check shall be deposited in the state treasury and credited  
40 to the background investigation fee fund.

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Sec. 18.

1 OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

2 (a) On the effective date of this act, the expenditure limitation estab-  
3 lished for the fiscal year ending June 30, 2009, by the state finance council  
4 on the securities act fee fund is hereby decreased from \$2,874,245 to  
5 \$2,794,096.

6 Sec. 19.

7  
8 STATE BOARD OF TECHNICAL PROFESSIONS

9 (a) On the effective date of this act, the expenditure limitation estab-  
10 lished for the fiscal year ending June 30, 2009, by the state finance council  
11 on the technical professions fee fund is hereby decreased from \$576,909  
12 to \$559,584.

13 (b) On the effective date of this act, the position limitation established  
14 for the fiscal year ending June 30, 2009, by section 88 of chapter 167 of  
15 the 2007 Session Laws of Kansas for the state board of technical profes-  
16 sions is hereby decreased from 6.00 to 5.00.

17 Sec. 20.

18 STATE BOARD OF VETERINARY EXAMINERS

19 (a) On the effective date of this act, the expenditure limitation estab-  
20 lished for the fiscal year ending June 30, 2009, by the state finance council  
21 on the veterinary examiners fee fund is hereby decreased from \$268,925  
22 to \$260,690.

23 Sec. 21.

24 GOVERNMENTAL ETHICS COMMISSION

25 (a) On the effective date of this act, of the \$511,910 appropriated for  
26 the above agency for the fiscal year ending June 30, 2009, by section 87(a)  
27 of chapter 167 of the 2007 Session Laws of Kansas from the state general  
28 fund in the operating expenditures account, the sum of \$41,696 is hereby  
29 lapsed.

30 (b) On the effective date of this act, the expenditure limitation estab-  
31 lished for the fiscal year ending June 30, 2009, by the state finance council  
32 on the governmental ethics commission fee fund is hereby increased from

\$161,092 to \$186,925.

Sec. 22.

#### KANSAS HOME INSPECTORS REGISTRATION BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Home inspectors registration fee fund.....	No limit
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Sec. 23.

#### LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$572,467 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 68(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the legislative coordinating council — operations account, the sum of \$29,496 is hereby lapsed.

(b) On the effective date of this act, of the \$3,528,548 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 68(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the legislative research department — operations account, the sum of \$118,650 is hereby lapsed.

(c) On the effective date of this act, of the \$3,210,602 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 68(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the office of revisor of statutes — operations account, the sum of



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\$106,458 is hereby lapsed.

17  
Sec. 24.

18  
LEGISLATURE

19  
(a) On the effective date of this act, of the \$18,525,483 appropriated  
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for the above agency for the fiscal year ending June 30, 2009, by section  
21  
69(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
22  
general fund in the operations (including official hospitality) account, the  
23  
sum of \$565,343 is hereby lapsed.

24  
Sec. 25.

25  
DIVISION OF POST AUDIT

26  
(a) On the effective date of this act, of the \$2,400,599 appropriated for  
27  
the above agency for the fiscal year ending June 30, 2009, by section 70(a)  
28  
of chapter 131 of the 2008 Session Laws of Kansas from the state general  
29  
fund in the operations (including legislative post audit committee) ac-  
30  
count, the sum of \$86,250 is hereby lapsed.

31  
Sec. 26.

32  
STATE FINANCE COUNCIL

33  
(a) On the effective date of this act, of the \$38,575,818 appropriated  
34  
for the above agency for the fiscal year ending June 30, 2009, by section  
35  
2(a) of chapter 159 of the 2008 Session Laws of Kansas from the state  
36  
general fund for the purposes of salaries and compensation for state of-  
37  
ficers and employees, the sum of \$374,599 is hereby lapsed.

38  
(b) On the effective date of this act, of the \$229,430 appropriated for  
39  
the above agency for the fiscal year ending June 30, 2009, by section  
40  
2(c)(1) of chapter 159 of the 2008 Session Laws of Kansas from the state  
41

economic development initiatives fund for the purposes of salaries and

compensation for state officers and employees, the sum of \$8,789 is

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hereby lapsed.

(c) On the effective date of this act, of the \$47,029 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

2(d)(1) of chapter 159 of the 2008 Session Laws of Kansas from the state

water plan fund for the purposes of salaries and compensation for state

officers and employees, the sum of \$2,776 is hereby lapsed.

Sec. 27.

#### GOVERNOR'S DEPARTMENT

(a) On the effective date of this act, of the \$2,558,096 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section 71(a)

of chapter 131 of the 2008 Session Laws of Kansas from the state general

fund in the governor's department account, the sum of \$77,931 is hereby

lapsed.

(b) On the effective date of this act, of the \$1,625,243 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section 71(a)

of chapter 131 of the 2008 Session Laws of Kansas from the state general

fund in the domestic violence prevention grants account, the sum of

\$113,035 is hereby lapsed.

(c) On the effective date of this act, of the \$2,525,000 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section 71(a)

of chapter 131 of the 2008 Session Laws of Kansas from the state general

fund in the enhancement outreach account, the sum of \$56,518 is hereby

lapsed.

23 (d) There is appropriated for the above agency from the following spe-  
24 cial revenue fund or funds for the fiscal year ending June 30, 2009, all  
25 moneys now or hereafter lawfully credited to and available in such fund  
26 or funds, except that expenditures other than refunds authorized by law  
27 shall not exceed the following:  
28 Hispanic and Latino American affairs fee fund ..... No limit  
29

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Sec. 28.

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#### LIEUTENANT GOVERNOR

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(a) On the effective date of this act, of the \$213,795 appropriated for  
3 the above agency for the fiscal year ending June 30, 2009, by section 72(a)  
4 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
5 fund in the operations account, the sum of \$7,631 is hereby lapsed.

6

Sec. 29.

7

#### ATTORNEY GENERAL

8

(a) On the effective date of this act, of the \$4,872,744 appropriated for  
9 the above agency for the fiscal year ending June 30, 2009, by section 73(a)  
10 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
11 fund in the operating expenditures account, the sum of \$334,128 is hereby  
12 lapsed.

13

(b) On the effective date of this act, or as soon thereafter as moneys  
14 are available, notwithstanding the provisions of K.S.A. 21-3851, and  
15 amendments thereto, or any other statute, the director of accounts and  
16 reports shall transfer \$1,500,000 from the medicaid fraud reimbursement  
17 fund of the attorney general to the state general fund: Provided, That the

18 transfer of such amount shall be in addition to any other transfer from  
19 the medicaid fraud reimbursement fund to the state general fund as pre-  
20 scribed by law: Provided further, That the amount transferred from the  
21 medicaid fraud reimbursement fund to the state general fund pursuant  
22 to this subsection is to reimburse the state general fund for accounting,  
23 auditing, budgeting, legal, payroll, personnel and purchasing services and  
24 any other governmental services which are performed on behalf of the  
25 attorney general by other state agencies which receive appropriations  
26 from the state general fund to provide such services.

27 (c) On the effective date of this act, or as soon thereafter as moneys  
28 are available, notwithstanding the provisions of K.S.A. 82a-1802, and  
29 amendments thereto, or any other statute, the director of accounts and  
30 reports shall transfer \$1,560,000 from the interstate water litigation fund  
31 of the attorney general to the state general fund: Provided, That the trans-  
32 fer of such amount shall be in addition to any other transfer from the  
33 interstate water litigation fund to the state general fund as prescribed by  
34 law: Provided further, That the amount transferred from the interstate  
35 water litigation fund to the state general fund pursuant to this subsection  
36 is to reimburse the state general fund for accounting, auditing, budgeting,  
37 legal, payroll, personnel and purchasing services and any other govern-  
38 mental services which are performed on behalf of the attorney general  
39 by other state agencies which receive appropriations from the state gen-  
40 eral fund to provide such services.

41 (d) On the effective date of this act, the expenditure limitation estab-  
42 lished for the fiscal year ending June 30, 2009, by the state finance council  
43

on the crime victims compensation fund for state operations is hereby

increased from \$459,307 to \$480,994.

Sec. 30.

STATE TREASURER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the state treasurer operating fund is hereby decreased from \$1,594,042 to \$1,564,173.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Special qualified industrial manufacturer fund ..... No limit

Provided, That, notwithstanding the provisions of K.S.A. 2008 Supp. 74-50,122, and amendments thereto, or any other statute, the special qualified industrial manufacturer fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of the qualified industrial manufacturer act: Provided further, That on the 15th day of each month that commences during fiscal year 2009, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified industrial manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time

25 as such certification is transmitted to the director of accounts and reports,  
26 shall transmit a copy of such certification to the director of the budget  
27 and the director of legislative research: And provided further, That, upon  
28 receipt of each such certification, the director of accounts and reports  
29 shall transfer the amount certified from the state general fund to the  
30 special qualified industrial manufacturer fund established by this subsec-  
31 tion: And provided further, That, on or before the 10th day of each month  
32 commencing during fiscal year 2009, the director of accounts and reports  
33 shall transfer from the state general fund to the special qualified industrial  
34 manufacturer fund interest earnings based on: (1) The average daily bal-  
35 ance of moneys in the special qualified industrial manufacturer fund es-  
36 tablished by this subsection for the preceding month; and (2) the net  
37 earnings rate of the pooled money investment portfolio for the preceding  
38 month: And provided further, That the moneys credited to the special  
39 qualified industrial manufacturer fund from the withholding taxes paid  
40 by a qualified industrial manufacturer shall be paid by the state treasurer  
41 to such qualified industrial manufacturer on such dates as are mutually  
42 agreed to by the secretary of commerce and the state treasurer, serving

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as paying agent in accordance with the terms of the agreement entered  
1 into pursuant to K.S.A. 2008 Supp. 74-50, 122, and amendments thereto,  
2 by the secretary of commerce and such qualified industrial manufacturer:  
3 And provided further, That not more than \$2,000,000 shall be paid from  
4 the special qualified industrial manufacturer fund established by this sub-  
5 section by the state treasurer to a qualified industrial manufacturer: And  
6

provided further, That the words and phrases used in these provisos to  
appropriation of moneys in the special qualified industrial manufacturer  
fund shall have the meanings respectively ascribed thereto by K.S.A. 2008  
Supp. 74- 50,121, and amendments thereto, unless the context requires  
otherwise.

Cessna bonds fund ..... No limit

Provided, That on the 15th day of each month that commences during  
fiscal year 2009, the secretary of revenue shall determine the amount of  
revenue received by the state during the preceding month from with-  
holding taxes paid with respect to an eligible project by each taxpayer  
that is an eligible business for which bonds have been issued under K.S.A.  
2008 Supp. 74-50,136, and amendments thereto, and shall certify the  
amount so determined to the director of accounts and reports and, at the  
same time as such certification is transmitted to the director of accounts  
and reports, shall transmit a copy of such certification to the director of  
the budget and the director of legislative research: Provided further, That,  
upon receipt of each such certification, the director of accounts and re-  
ports shall transfer the amount certified from the state general fund to  
the cessna bonds fund: And provided further, That, on or before the 10th  
day of each month commencing during fiscal year 2009, the director of  
accounts and reports shall transfer from the state general fund to the  
cessna bonds fund interest earnings based on: (1) The average daily bal-  
ance of moneys in the cessna bonds fund for the preceding month; and  
(2) the net earnings rate of the pooled money investment portfolio for  
the preceding month: And provided further, That the moneys credited  
to the cessna bonds fund from the withholding taxes paid by an eligible

32 business and the interest earnings thereon shall be transferred by the  
33 state treasurer from the cessna bonds fund to the special economic re-  
34 vitalization fund administered by the state treasurer in accordance with  
35 K.S.A. 2008 Supp. 74-50,136, and amendments thereto.

36 Sec. 31.

37 HEALTH CARE STABILIZATION FUND BOARD  
38 OF GOVERNORS

39 (a) On the effective date of this act, the expenditure limitation estab-  
40 lished for the fiscal year ending June 30, 2009, by the state finance council  
41 on the health care stabilization fund is hereby decreased from \$1,335,926  
42 to \$1,333,033.

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Sec. 32.

1 JUDICIAL COUNCIL

2 (a) On the effective date of this act, of the \$150,000 appropriated for  
3 the above agency for the fiscal year ending June 30, 2009, by section 78(a)  
4 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
5 fund in the recodification commission account, the sum of \$3,000 is  
6 hereby lapsed.

7 Sec. 33.

8 STATE BOARD OF INDIGENTS' DEFENSE SERVICES

9 (a) On the effective date of this act, of the \$11,011,077 appropriated  
10 for the above agency for the fiscal year ending June 30, 2009, by section  
11 79(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
12 general fund in the operating expenditures account, the sum of \$218,606  
13



is hereby lapsed.

(b) On the effective date of this act, of the \$9,600,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 79(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the assigned counsel expenditures account, the sum of \$35,000 is hereby lapsed.

(c) On the effective date of this act, of the \$1,822,764 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 79(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the capital defense operations account, the sum of \$101,141 is hereby lapsed.

(d) On the effective date of this act, of the \$396,514 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 79(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the legal services for prisoners account, the sum of \$107,930 is hereby lapsed.

Sec. 34.

#### KANSAS HUMAN RIGHTS COMMISSION

(a) On the effective date of this act, of the \$1,710,065 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 82(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$52,923 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the above agency for the fiscal year ending June 30, 2009, by section 82(a) of chapter 131 of the 2008 Session Laws of Kansas, on

39 expenditures for official hospitality from the operating expenditures ac-  
40 count of the state general fund is hereby increased from \$150 to \$200.

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Sec. 35.

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## STATE CORPORATION COMMISSION

2

3 (a) On the effective date of this act, the aggregate expenditure limita-  
4 tion established for the fiscal year ending June 30, 2009, by the state  
5 finance council on the public service regulation fund, the motor carrier  
6 license fees fund, and the conservation fee fund is hereby increased from  
7 \$17,001,258 to \$17,007,823.

7

8 (b) On the effective date of this act, or as soon thereafter as moneys  
9 are available, notwithstanding the provisions of any other statute, the di-  
10 rector of accounts and reports shall transfer \$1,000,000 from the KETA  
11 development fund of the state corporation commission to the state gen-  
12 eral fund: Provided, That the transfer of such amount shall be in addition  
13 to any other transfer from the KETA development fund to the state gen-  
14 eral fund as prescribed by law: Provided further, That the amount trans-  
15 ferred from the KETA development fee fund to the state general fund  
16 pursuant to this subsection is to reimburse the state general fund for  
17 accounting, auditing, budgeting, legal, payroll, personnel and purchasing  
18 services and any other governmental services which are performed on  
19 behalf of the state corporation commission by other state agencies which  
20 receive appropriations from the state general fund to provide such serv-  
21 ices.

21

Sec. 36.

22

CITIZENS' UTILITY RATEPAYER BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the utility regulatory fee fund is hereby decreased from \$803,448 to \$779,348.

Sec. 37.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:

Long-term care ombudsman ..... \$34,173

(b) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the financial management system account, the sum of \$19,755 is hereby lapsed.

(c) On the effective date of this act, of the \$1,129,504 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the general administration account, the sum of \$34,333 is hereby lapsed.

(d) On the effective date of this act, of the \$1,385,833 appropriated for H Sub for Sub SB 23—Am. by HCW

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the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the budget analysis account, the sum of \$42,543 is hereby lapsed.

(e) On the effective date of this act, of the \$1,954,455 appropriated for

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26  
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29

the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the personnel services account, the sum of \$61,807 is hereby lapsed.

(f) On the effective date of this act, of the \$512,136 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the purchasing account, the sum of \$17,019 is hereby lapsed.

(g) On the effective date of this act, of the \$68,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the facilities management account, the sum of \$2,040 is hereby lapsed.

(h) On the effective date of this act, of the \$1,977,022 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the accounts and reports account, the sum of \$64,509 is hereby lapsed.

(i) On the effective date of this act, of the \$196,847 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the policy analysis initiatives account, the sum of \$5,905 is hereby lapsed.

(j) On the effective date of this act, of the \$75,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 4(a) of

chapter 159 of the 2008 Session Laws of Kansas from the state general

30

fund in the implementation of new pay plans account, the sum of \$2,250

31

is hereby lapsed.

32

(k) On the effective date of this act, of the \$2,684,329 appropriated for

33

the above agency for the fiscal year ending June 30, 2009, by section 85(a)

34

of chapter 131 of the 2008 Session Laws of Kansas from the state general

35

fund in the department of administration systems account, the sum of

36

\$80,530 is hereby lapsed.

37

(l) On the effective date of this act, of the \$2,249,447 appropriated for

38

the above agency for the fiscal year ending June 30, 2009, by section 85(a)

39

of chapter 131 of the 2008 Session Laws of Kansas from the state general

40

fund in the public broadcasting council grants account, the sum of

41

\$67,476 is hereby lapsed.

42

(m) On the effective date of this act, of the \$3,000,000 appropriated

43

H Sub for Sub SB 23—Am. by HCW

14

for the above agency for the fiscal year ending June 30, 2009, by section

1

137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

2

general fund in the capitol complex repair and rehabilitation account, the

3

sum of \$90,000 is hereby lapsed.

4

(n) On the effective date of this act, of the \$200,000 appropriated for

5

the above agency for the fiscal year ending June 30, 2009, by section

6

137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

7

general fund in the rehabilitation and repair for state facilities account,

8

the sum of \$6,000 is hereby lapsed.

9

(o) On the effective date of this act, of the \$100,000 appropriated for

10

the above agency for the fiscal year ending June 30, 2009, by section

11 137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
12 general fund in the judicial center rehabilitation and repair account, the  
13 sum of \$3,000 is hereby lapsed.

14 (p) There is appropriated for the above agency from the state institu-  
15 tions building fund for the fiscal year ending June 30, 2009, the following:  
16 SIBF — state building insurance ..... \$15,844

17 (q) There is appropriated for the above agency from the correctional  
18 institutions building fund for the fiscal year ending June 30, 2009, the  
19 following:

20 CIBF — state building insurance ..... \$1,454

21 (r) On the effective date of this act, the \$475,000 appropriated for the  
22 above agency for the fiscal year ending June 30, 2009, by section 85(m)  
23 of chapter 131 of the 2008 Session Laws of Kansas from the Kansas  
24 educational building fund in the EBF — state building insurance account,  
25 is hereby lapsed.

26 (s) On the effective date of this act, of the \$407,813 appropriated for  
27 the above agency for the fiscal year ending June 30, 2009, by section  
28 137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
29 general fund in the energy conservation improvements — debt service  
30 account, the sum of \$352,500 is hereby lapsed.

31 (t) On the effective date of this act, of the \$36,146,303 appropriated  
32 for the above agency for the fiscal year ending June 30, 2009, by section  
33 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
34 general fund in the KPERS bonds debt service account, the sum of  
35 \$10,070,000 is hereby lapsed.

36 (u) On the effective date of this act, of the \$611,376 appropriated for

37 the above agency for the fiscal year ending June 30, 2009, by section 85(a)

38 of chapter 131 of the 2008 Session Laws of Kansas from the state general

39 fund in the public broadcasting digital conversion debt service account,

40 the sum of \$315,000 is hereby lapsed.

41 (v) On the effective date of this act, of the \$10,052,858 appropriated

42 for the above agency for the fiscal year ending June 30, 2009, by section

43 H Sub for Sub SB 23—Am. by HCW

15

137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

1 general fund in the statehouse improvements— debt service account,

2 the sum of \$1,190,000 is hereby lapsed.

3 Sec. 38.

#### 4 STATE COURT OF TAX APPEALS

5 (a) On the effective date of this act, of the \$1,773,780 appropriated for

6 the above agency for the fiscal year ending June 30, 2009, by section 30(a)

7 of chapter 184 of the 2008 Session Laws of Kansas from the state general

8 fund in the operating expenditures account, the sum of \$200,244 is hereby

9 lapsed.

10 (b) On the effective date of this act, the expenditure limitation estab-

11 lished for the fiscal year ending June 30, 2009, by section 30(b) of chapter

12 184 of the 2008 Session Laws of Kansas on the COTA filing fee fund is

13 hereby increased from \$496,234 to \$641,234.

14 Sec. 39.

#### 15 DEPARTMENT OF REVENUE

16 (a) On the effective date of this act, of the \$20,547,871 appropriated

17 for the above agency for the fiscal year ending June 30, 2009, by section

18  
87(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
19  
general fund in the operating expenditures account, the sum of \$643,170  
20  
is hereby lapsed.

21  
(b) On the effective date of this act, the expenditure limitation estab-  
22  
lished for the fiscal year ending June 30, 2009, by the state finance council  
23  
on the division of vehicles operating fund is hereby decreased from  
24  
\$45,859,624 to \$45,327,045.

25  
(c) There is appropriated for the above agency from the following spe-  
26  
cial revenue fund or funds for the fiscal year ending June 30, 2009, all  
27  
moneys now or hereafter lawfully credited to and available in such fund  
28  
or funds, except that expenditures other than refunds authorized by law  
29  
shall not exceed the following:

30  
Division of vehicles modernization fund ..... No limit

31  
(d) On the effective date of this act, or as soon thereafter as moneys  
32  
are available, notwithstanding the provisions of K.S.A. 2008 Supp. 79-  
33  
34,156, 79-34,157 or 79-34,158, and amendments thereto, or any other  
34  
statute, the director of accounts and reports shall transfer \$500,000 from  
35  
the Kansas qualified biodiesel fuel producer incentive fund of the de-  
36  
partment of revenue to the state general fund: Provided, That the transfer  
37  
of such amount shall be in addition to any other transfer from the Kansas  
38  
qualified biodiesel fuel producer incentive fund to the state general fund  
39  
as prescribed by law: Provided further, That the amount transferred from  
40  
the Kansas qualified biodiesel fuel producer incentive fund to the state  
41  
general fund pursuant to this subsection is to reimburse the state general  
42  
fund for accounting, auditing, budgeting, legal, payroll, personnel and  
43



purchasing services and any other governmental services which are per-  
formed on behalf of the department of revenue by other state agencies  
which receive appropriations from the state general fund to provide such  
services.

Sec. 40.

#### KANSAS LOTTERY

(a) On the effective date of this act, the amount authorized by section  
88(b) of chapter 131 of the 2008 Session Laws of Kansas to be transferred  
from the lottery operating fund to the state gaming revenues fund during  
the fiscal year ending June 30, 2009, is hereby decreased from  
\$73,040,000 to \$72,540,000.

Sec. 41.

#### KANSAS RACING AND GAMING COMMISSION

(a) On the effective date of this act, the position limitation established  
for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131  
of the 2008 Session Laws of Kansas for the Kansas racing and gaming  
commission — state racing operations and expanded lottery act regulation  
division is hereby decreased from 95.50 to 56.00.

(b) On the effective date of this act, the expenditure limitation estab-  
lished for the fiscal year ending June 30, 2009, by the state finance council  
on the state racing fund of the Kansas racing and gaming commission is  
hereby decreased from \$2,057,457 to \$729,296.

(c) On the effective date of this act, there is appropriated for the above  
agency from the following special revenue fund or funds for the fiscal  
year ending June 30, 2009, all moneys now or hereafter lawfully credited

25 to and available in such fund or funds, except that expenditures other  
26 than refunds authorized by law shall not exceed the following:

27 Gaming machine examination fund ..... No limit

28 Horse purse fund ..... No limit

29 (d) On the effective date of this act, the pooled money investment  
30 board is authorized and directed to extend the repayment date and to  
31 modify any related provisions of the loan agreement entered into with  
32 the Kansas racing and gaming commission pursuant to section 89(h) of  
33 chapter 131 of the 2008 Session Laws of Kansas to the effect that the  
34 repayment date under such loan agreement is extended from June 30,  
35 2009, to June 30, 2010.

36 Sec. 42.

37 DEPARTMENT OF COMMERCE

38 (a) On the effective date of this act, the position limitation established  
39 for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131  
40 of the 2008 Session Laws of Kansas for the department of commerce is  
41 hereby decreased from 418.74 to 314.75.

42 (b) On the effective date of this act, of the \$233,078 appropriated for

43 H Sub for Sub SB 23—Am. by HCW  
17

the above agency for the fiscal year ending June 30, 2009, by section 90(a)  
1 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
2 fund in the Kansas commission on disability concerns account, the sum  
3 of \$4,821 is hereby lapsed.

4 (c) On the effective date of this act, of the \$375,000 appropriated for  
5 the above agency for the fiscal year ending June 30, 2009, by section 90(a)  
6

of chapter 131 of the 2008 Session Laws of Kansas from the state general  
fund in the strong military bases program account, the sum of \$7,544 is  
hereby lapsed.

(d) On the effective date of this act, of the \$330,676 appropriated for  
the above agency for the fiscal year ending June 30, 2009, by section  
90(b) of chapter 131 of the 2008 Session Laws of Kansas from the state  
economic development initiatives fund in the older Kansans employment  
program account, the sum of \$28,159 is hereby lapsed.

(e) On the effective date of this act, of the \$2,106,471 appropriated for  
the above agency for the fiscal year ending June 30, 2009, by section  
90(b) of chapter 131 of the 2008 Session Laws of Kansas from the state  
economic development initiatives fund in the rural opportunity program  
account, the sum of \$199,546 is hereby lapsed.

(f) On the effective date of this act, of the \$15,745,418 appropriated  
for the above agency for the fiscal year ending June 30, 2009, by section  
90(b) of chapter 131 of the 2008 Session Laws of Kansas from the state  
economic development initiatives fund in the operating grant (including  
official hospitality) account, the sum of \$2,180,858 is hereby lapsed.

(g) In addition to the other purposes for which expenditures may be  
made by the above agency from the Wagner Peyser — federal fund for  
fiscal year 2009, expenditures may be made by the above agency from  
the following capital improvement account or accounts of the Wagner  
Peyser — federal fund during the fiscal year 2009, for the following capital  
improvement project or projects, subject to the expenditure limitations  
prescribed therefor:

Kansas city workforce building roof replacement ..... \$65,000

32 (h) In addition to the other purposes for which expenditures may be  
33 made by the above agency from the reimbursement and recovery fund  
34 for fiscal year 2009, expenditures may be made by the above agency from  
35 the following capital improvement account or accounts of the reimburse-  
36 ment and recovery fund during the fiscal year 2009, for the following  
37 capital improvement project or projects, subject to the expenditure lim-  
38 itations prescribed therefor:

39 Kansas city workforce building roof replacement ..... \$45,000

40 (i) On the effective date of this act, or as soon thereafter as moneys are  
41 available, the director of accounts and reports shall transfer \$81,250 from  
42 the Kansas economic opportunity initiatives fund to the state general

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18

fund.

1 Sec. 43.

2 KANSAS, INC.

3 (a) On the effective date of this act, the position limitation established  
4 for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131  
5 of the 2008 Session Laws of Kansas for Kansas, Inc. is hereby decreased  
6 from 4.50 to 4.00.

7 (b) On the effective date of this act, of the \$409,976 appropriated for  
8 the above agency for the fiscal year ending June 30, 2009, by section 91(a)  
9 of chapter 131 of the 2008 Session Laws of Kansas from the state eco-  
10 nomic development initiatives fund in the operations (including official  
11 hospitality) account, the sum of ~~\$107,070~~ [**\$16,614**] is hereby lapsed.

12 Sec. 44.

13 KANSAS TECHNOLOGY ENTERPRISE CORPORATION  
14

15 (a) On the effective date of this act, of the \$12,506,811 appropriated  
16 for the above agency for the fiscal year ending June 30, 2009, by section  
17 92(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
18 economic development initiatives fund in the operations, assistance and  
19 grants (including official hospitality) account, the sum of \$798,172 is  
20 hereby lapsed.

21 Sec. 45.

22 DEPARTMENT OF LABOR

23 (a) On the effective date of this act, of the \$569,266 appropriated for  
24 the above agency for the fiscal year ending June 30, 2009, by section 93(a)  
25 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
26 fund in the operating expenditures account, the sum of \$32,768 is hereby  
27 lapsed.

28 Sec. 46.

29 KANSAS COMMISSION ON VETERANS AFFAIRS

30 (a) On the effective date of this act, of the \$445,194 appropriated for  
31 the above agency for the fiscal year ending June 30, 2009, by section 94(a)  
32 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
33 fund in the operating expenditures — administration account, the sum of  
34 \$15,848 is hereby lapsed.

35 (b) On the effective date of this act, of the \$1,154,764 appropriated for  
36 the above agency for the fiscal year ending June 30, 2009, by section 94(a)  
37 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
38 fund in the operating expenditures — veteran services account, the sum  
39 of \$36,727 is hereby lapsed.

40 (c) On the effective date of this act, of the \$2,546,207 appropriated for  
41 the above agency for the fiscal year ending June 30, 2009, by section 94(a)  
42 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
43 fund in the operating expenditures — Kansas soldiers' home account, the  
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19

sum of \$80,012 is hereby lapsed.

1

(d) On the effective date of this act, of the \$2,952,488 appropriated for  
the above agency for the fiscal year ending June 30, 2009, by section 94(a)  
of chapter 131 of the 2008 Session Laws of Kansas from the state general  
fund in the operating expenditures — Kansas veterans' home account,  
the sum of \$96,170 is hereby lapsed.

6

(e) On the effective date of this act, the \$4,000 appropriated for the  
above agency for the fiscal year ending June 30, 2009, by section 94(a) of  
chapter 131 of the 2008 Session Laws of Kansas from the state general  
fund in the operating expenditures — Persian Gulf War veterans health

10

initiatives account, is hereby lapsed.

(f) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures — Persian Gulf War veterans health initiatives account, the sum of \$3,884 is hereby lapsed.

(g) On the effective date of this act, of the \$544,778 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operations — state veterans cemeteries account, the sum of \$17,690 is hereby lapsed.

(h) On the effective date of this act, of the \$457,465 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the additional operating expenditures — veterans homes and cemeteries account, the sum of \$13,995 is hereby lapsed.

(i) On the effective date of this act, of the \$550,875 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the veterans claim assistance program — service grants account, the sum of \$16,527 is hereby lapsed.

(j) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131 of the 2008 Session Laws of Kansas for the Kansas commission on veterans affairs is hereby decreased from 536.75 to 522.00.

(k) There is appropriated for the above agency from the following spe-

36

cial revenue fund or funds for the fiscal year ending June 30, 2009, all

37

moneys now or hereafter lawfully credited to and available in such fund

38

or funds, except that expenditures other than refunds authorized by law

39

shall not exceed the following:

40

Soldiers home medicare fund..... No limit

41

(l) During the fiscal year ending June 30, 2009, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2009, from the state general fund for the Kansas commission on veterans affairs or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs to another item of appropriation for fiscal year 2009 from the state general fund for the Kansas commission on veterans affairs or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(m) (1) During the fiscal year ending June 30, 2009, notwithstanding the provisions of K.S.A. 73-1231, 73-1906, 73-1953 or 75-3728g, and amendments thereto, or K.S.A. 2008 Supp. 73-1233, and amendments thereto, or any other statute, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs to another special revenue fund of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection (m), “special revenue fund” means the soldiers’ home fee fund, veterans’ home fee fund, soldiers’ home outpatient clinic fund, soldiers’ home benefit fund, soldiers’ home work therapy fund, veterans’ home canteen fund, veterans’ home benefit fund, Persian Gulf War veterans health initiative fund, state veterans cemeteries fee fund, state veterans cemeteries donations and contributions fund, and Kansas veterans memorials fund.

(n) (1) During the fiscal year ending June 30, 2009, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget and subject to the applicable restrictions and limitations or other provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas commission on veterans affairs to another federal fund of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection (n), “federal fund” means the VA burial reimbursement fund — federal, veterans home federal fund, soldiers home federal fund, commission on veterans affairs federal fund, and outpatient clinic patient federal reimbursement fund — federal.

Sec. 47.

DEPARTMENT OF HEALTH AND ENVIRONMENT—

DIVISION OF HEALTH

(a) On the effective date of this act, of the \$4,387,916 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$229,728 is hereby lapsed.

(b) On the effective date of this act, of the \$4,588,103 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) — health account, the sum of \$87,209 is hereby lapsed.

(c) On the effective date of this act, of the \$5,051,807 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the aid to local units account, the sum of \$22,425 is hereby lapsed.

(d) On the effective date of this act, of the \$537,660 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the teen pregnancy prevention activities account, the sum of \$1,873 is hereby lapsed.

(e) On the effective date of this act, of the \$869,598 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general



fund in the vaccine purchases account, the sum of \$801 is hereby lapsed.

(f) On the effective date of this act, of the \$400,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the pregnancy maintenance initiative account, the sum of \$100,000 is hereby lapsed.

(g) On the effective date of this act, of the \$550,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the immunization programs account, the sum of \$44,129 is hereby lapsed.

(h) On the effective date of this act, of the \$350,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the youth mentoring program account, the sum of \$36,495 is hereby lapsed.

(i) On the effective date of this act, of the \$3,771,305 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a)

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21

of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the infant and toddler program account, the sum of \$85,809 is hereby lapsed.

(j) On the effective date of this act, of the \$2,500,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 7(a) of chapter 184 of the 2008 Session Laws of Kansas from the state general fund in the aid to local units — primary health projects account, the sum

7  
of \$338,957 is hereby lapsed.

8  
(k) There is appropriated for the above agency from the following spe-  
9  
cial revenue fund or funds for the fiscal year ending June 30, 2009, all  
10  
moneys now or hereafter lawfully credited to and available in such fund  
11  
or funds, except that expenditures other than refunds authorized by law  
12  
shall not exceed the following:

13  
Real ID — federal fund ..... \$25,000

14  
H Sub for Sub SB 23—Am. by HCW  
22

Sec. 48.

7  
DEPARTMENT OF HEALTH AND ENVIRONMENT—  
8  
DIVISION OF ENVIRONMENT  
9

(a) On the effective date of this act, of the \$4,924,193 appropriated for  
10  
the above agency for the fiscal year ending June 30, 2009, by section 96(a)  
11  
of chapter 131 of the 2008 Session Laws of Kansas from the state general  
12  
fund in the operating expenditures (including official hospitality) account,  
13  
the sum of \$104,000 is hereby lapsed.

14  
(b) On the effective date of this act, of the \$3,962,899 appropriated for  
15  
the above agency for the fiscal year ending June 30, 2009, by section 96(a)  
16  
of chapter 131 of the 2008 Session Laws of Kansas from the state general  
17  
fund in the operating expenditures (including official hospitality) — lab-  
18  
oratories account, the sum of \$81,972 is hereby lapsed.

19  
(c) On the effective date of this act, of the \$274,827 appropriated for  
20  
the above agency for the fiscal year ending June 30, 2009, by section 96(a)  
21  
of chapter 131 of the 2008 Session Laws of Kansas from the state general  
22

fund in the use attainability analyses account, the sum of \$5,600 is hereby  
lapsed.

(d) On the effective date of this act, any unencumbered balance in the  
following account of the state general fund is hereby lapsed: Treece buy-  
out.

(e) On the effective date of this act, of the \$976,151 appropriated for  
the above agency for the fiscal year ending June 30, 2009, by section 96(c)  
of chapter 131 of the 2008 Session Laws of Kansas from the state water  
plan fund in the contamination remediation account, the sum of \$195,924  
is hereby lapsed.

(f) On the effective date of this act, of the \$800,000 appropriated for  
the above agency for the fiscal year ending June 30, 2009, by section 96(c)  
of chapter 131 of the 2008 Session Laws of Kansas from the state water  
plan fund in the watershed restoration and protection plan account, the  
sum of \$229,011 is hereby lapsed.

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23

(g) On the effective date of this act, of the amount reappropriated for  
the above agency for the fiscal year ending June 30, 2009, by section 96(a)  
of chapter 131 of the 2008 Session Laws of Kansas from the state general  
fund in the newborn screening account, the sum of \$3,251 is hereby  
lapsed.

(h) (1) The director of accounts and reports shall not make the transfer  
of \$250,000 prescribed to be transferred from the state general fund to  
the waste tire management fund of the department of health and envi-  
ronment — division of environment by section 13(a)(4) of chapter 3 of

13 the 2003 Session Laws of Kansas, which was directed to be made on or  
14 before June 30, 2009, on a date certified by the director of the budget  
15 for the purpose of repaying 25% of the amount transferred from the waste  
16 tire management fund to the state general fund pursuant to section  
17 13(a)(1) of chapter 3 of the 2003 Session Laws of Kansas. On the effective  
18 date of this act, the provisions of section 13(a)(4) of chapter 3 of the 2003  
19 Session Laws of Kansas are hereby declared to be null and void and shall  
20 have no force and effect.

21 (2) On or before June 30, 2011, during fiscal year 2011, on a date  
22 certified by the director of the budget, the director of accounts and re-  
23 ports shall transfer \$250,000 from the state general fund to the waste tire  
24 management fund of the department of health and environment — di-  
25 vision of environment for the purpose of repaying 25% of the amount  
26 transferred to the state general fund pursuant to section 13(a) of chapter  
27 3 of the 2003 Session Laws of Kansas: Provided, That, at the same time  
28 that such certification is made by the director of the budget to the director  
29 of accounts and reports under this subsection (j)(2), the director of the  
30 budget shall deliver a copy of such certification to the director of the  
31 legislative research department.

32 (i) (1) The director of accounts and reports shall not make the transfer  
33 of \$2,500,000 prescribed to be transferred from the state general fund to  
34 the underground petroleum storage tank release trust fund of the de-  
35 partment of health and environment — division of environment by sec-  
36 tion 13(b)(4) of chapter 3 of the 2003 Session Laws of Kansas, which was  
37 directed to be made on or before June 30, 2009, on a date certified by  
38

39 the director of the budget for the purpose of repaying 25% of the amount  
40 transferred from the underground petroleum storage tank release trust  
41 fund to the state general fund pursuant to section 13(b)(1) of chapter 3  
42 of the 2003 Session Laws of Kansas. On the effective date of this act, the  
43 provisions of section 13(b)(4) of chapter 3 of the 2003 Session Laws of  
H Sub for Sub SB 23—Am. by HCW

24

Kansas are hereby declared to be null and void and shall have no force  
1 and effect.

2 (2) On or before June 30, 2011, during fiscal year 2011, on a date  
3 certified by the director of the budget, the director of accounts and re-  
4 ports shall transfer \$2,500,000 from the state general fund to the under-  
5 ground petroleum storage tank release trust fund of the department of  
6 health and environment — division of environment for the purpose of  
7 repaying 25% of the amount transferred to the state general fund pur-  
8 suant to section 13(b) of chapter 3 of the 2003 Session Laws of Kansas:

9 Provided, That, at the same time that such certification is made by the  
10 director of the budget to the director of accounts and reports under this  
11 subsection (k)(2), the director of the budget shall deliver a copy of such  
12 certification to the director of the legislative research department.

13 Sec. 49.

14

#### DEPARTMENT ON AGING

15

(a) On the effective date of this act, of the \$946,781 appropriated for  
16 the above agency for the fiscal year ending June 30, 2009, by section 97(a)  
17 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
18 fund in the administration account, the sum of \$6,450 is hereby lapsed.

19

(b) On the effective date of this act, of the \$148,204 appropriated for

20 the above agency for the fiscal year ending June 30, 2009, by section 97(a)  
21 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
22 fund in the administration — assessments account, the sum of \$2,962 is  
23 hereby lapsed.

24 (c) On the effective date of this act, of the \$287,870 appropriated for  
25 the above agency for the fiscal year ending June 30, 2009, by section 97(a)  
26 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
27 fund in the administration — assessments — Level I care account, the  
28 sum of \$5,423 is hereby lapsed.

29 (d) On the effective date of this act, of the \$1,643,427 appropriated for  
30 the above agency for the fiscal year ending June 30, 2009, by section 97(a)  
31 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
32 fund in the administration — medicaid account, the sum of \$10,198 is  
33 hereby lapsed.

34 (e) On the effective date of this act, of the \$3,410,000 appropriated for  
35 the above agency for the fiscal year ending June 30, 2009, by section 97(a)  
36 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
37 fund in the senior care act account, the sum of \$615,562 is hereby lapsed.

38 (f) On the effective date of this act, of the \$3,569,403 appropriated for  
39 the above agency for the fiscal year ending June 30, 2009, by section 97(a)  
40 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
41 fund in the program grants — nutrition — state match account, the sum  
42 of \$46,122 is hereby lapsed.

43 H Sub for Sub SB 23—Am. by HCW

(g) On the effective date of this act, of the \$2,612,627 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section 97(a)  
of chapter 131 of the 2008 Session Laws of Kansas from the state general  
fund in the LTC — medicaid assistance — TCM/FE account, the sum  
of \$736,306 is hereby lapsed.

(h) On the effective date of this act, of the \$2,818,146 appropriated for  
the above agency for the fiscal year ending June 30, 2009, by section 97(a)  
of chapter 131 of the 2008 Session Laws of Kansas from the state general  
fund in the LTC — medicaid assistance — PACE account, the sum of  
\$2,716,085 is hereby lapsed.

(i) On the effective date of this act, of the \$1,035,440 appropriated for  
the above agency for the fiscal year ending June 30, 2009, by section 97(a)  
of chapter 131 of the 2008 Session Laws of Kansas from the state general  
fund in the nursing facilities regulation — title XIX account, the sum of  
\$4,968 is hereby lapsed.

(j) On the effective date of this act, or as soon thereafter as moneys are  
available, notwithstanding the provisions of K.S.A. 2008 Supp. 75-4265,  
and amendments thereto, or any other statute, the director of accounts  
and reports shall transfer \$600,000 from the loans account of the long-  
term care loan and grant fund of the department on aging to the state  
general fund: Provided, That the transfer of such amount shall be in  
addition to any other transfer from the loans account of the long-term  
care loan and grant fund to the state general fund as prescribed by law:  
Provided further, That the amount transferred from the loans account of  
the long-term care loan and grant fund to the state general fund pursuant  
to this subsection is to reimburse the state general fund for accounting,  
auditing, budgeting, legal, payroll, personnel and purchasing services and

27 any other governmental services which are performed on behalf of the  
28 department on aging by other state agencies which receive appropriations  
29 from the state general fund to provide such services.  
30

31 (k) On the effective date of this act, or as soon thereafter as moneys  
32 are available, notwithstanding the provisions of K.S.A. 2008 Supp. 75-  
33 4265, and amendments thereto, or any other statute, the director of ac-  
34 counts and reports shall transfer \$205,000 from the grants account of the  
35 long-term care loan and grant fund of the department on aging to the  
36 state general fund: Provided, That the transfer of such amount shall be  
37 in addition to any other transfer from the grants account of the long-term  
38 care loan and grant fund to the state general fund as prescribed by law:

39 Provided further, That the amount transferred from the grants account  
40 of the long-term care loan and grant fund to the state general fund pur-  
41 suant to this subsection is to reimburse the state general fund for ac-  
42 counting, auditing, budgeting, legal, payroll, personnel and purchasing  
43 services and any other governmental services which are performed on

H Sub for Sub SB 23—Am. by HCW

26

behalf of the department on aging by other state agencies which receive  
1 appropriations from the state general fund to provide such services.  
2

Sec. 50.

#### KANSAS HEALTH POLICY AUTHORITY

4 (a) On the effective date of this act, of the \$22,814,018 appropriated  
5 for the above agency for the fiscal year ending June 30, 2009, by section  
6 98(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
7 general fund in the operating expenditures account, the sum of  
8



\$2,162,595 is hereby lapsed.

9

(b) On the effective date of this act, the \$400,000 appropriated for the

10

above agency for the fiscal year ending June 30, 2009, by section 98(a) of

11

chapter 131 of the 2008 Session Laws of Kansas from the state general

12

fund in the generic drug program account, is hereby lapsed.

13

(c) On the effective date of this act, of the \$18,551,261 appropriated

14

for the above agency for the fiscal year ending June 30, 2009, by section

15

98(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

16

general fund in the children's health insurance program account, the sum

17

of \$2,513,551 is hereby lapsed.

18

(d) On the effective date of this act, of the \$14,037,000 appropriated

19

for the above agency for the fiscal year ending June 30, 2009, by section

20

41(a) of chapter 184 of the 2008 Session Laws of Kansas from the state

21

general fund in the other medical assistance account, the sum of

22

\$9,297,907 is hereby lapsed.

23

(e) On the effective date of this act, the expenditure limitation estab-

24

lished for the fiscal year ending June 30, 2009, by section 98(b) of chapter

25

131 of the 2008 Session Laws of Kansas on the medical programs fee

26

fund is hereby increased from \$38,500,000 to \$41,000,000.

27

(f) There is appropriated for the above agency from the state general

28

fund for the fiscal year ending June 30, 2009, the following:

29

Independence in employment ..... \$538,000

30

(g) On the effective date of this act, of the \$500,000 appropriated for

31

the above agency for the fiscal year ending June 30, 2009, by section 98(c)

32

of chapter 131 of the 2008 Session Laws of Kansas from the children's

33

initiatives fund in the immunization outreach account, the sum of

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\$222,124 is hereby lapsed.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas on the salaries and wages and other operating expenditures account of the state workers compensation self- insurance fund is hereby decreased from \$3,788,047 to \$3,514,525.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas on the salaries and wages and H Sub for Sub SB 23—Am. by HCW

27

other operating expenditures account of the non-state employer group benefit fund is hereby decreased from \$186,130 to \$167,885.

(j) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas on the salaries and wages and other operating expenditures account of the cafeteria benefits fund is hereby decreased from \$2,244,540 to \$2,071,005.

(k) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas on the salaries and wages and other operating expenditures account of the dependent care assistance program fund is hereby decreased from \$56,773 to \$50,892.

(l) On and after the effective date of this act, in addition to the other purposes for which expenditures may be made by the Kansas health policy authority from the medical programs fee fund for the fiscal year ending

June 30, 2009, as authorized by section 98(b) of chapter 131 of the 2008

Session Laws of Kansas or by this or other appropriation act of the 2009

regular session of the legislature, expenditures may be made by the Kan-

sas health policy authority from the medical programs fee fund for fiscal

year 2009 for payment of contingent fees for medicaid estate recovery

services provided under a contingent fee for services contract: Provided,

That expenditures for contingent fees for medicaid estate recovery serv-

ices shall be in addition to any expenditure limitation imposed on the

medical programs fee fund for fiscal year 2009.

Sec. 51.

#### DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) On the effective date of this act, of the \$7,000,000 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section 99(a)

of chapter 131 of the 2008 Session Laws of Kansas from the state general

fund in the community mental health centers supplemental funding ac-

count, the sum of \$1,800,000 is hereby lapsed.

(b) There is appropriated for the above agency from the state general

fund for the fiscal year ending June 30, 2009, the following:

H Sub for Sub SB 23—Am. by HCW

28

Community based services..... \$6,538,435

(c) On the effective date of this act, of the \$3,208,938 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section 99(c)

of chapter 131 of the 2008 Session Laws of Kansas from the children's

initiatives fund in the community services for child welfare account, the

sum of \$72,004 is hereby lapsed.

(d) There is appropriated for the above agency from the children's

7 initiatives fund for the fiscal year ending June 30, 2009, the following:

8 Family preservation ..... \$72,004

9 (e) On the effective date of this act, the expenditure limitation estab-  
10 lished for the fiscal year ending June 30, 2009, by the state finance council  
11 on the social welfare fund is hereby increased from \$20,681,682 to  
12 \$26,203,099.

13 (f) On the effective date of this act, of the \$3,907,100 appropriated for  
14 the above agency for the fiscal year ending June 30, 2009, by section  
15 140(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
16 institutions building fund in the debt service— new state security hospital  
17 account, the sum of \$339,403 is hereby lapsed.

18 (g) On the effective date of this act, of the \$2,585,000 appropriated for  
19 the above agency for the fiscal year ending June 30, 2009, by section  
20 140(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
21 institutions building fund in the debt service— state hospitals rehabili-  
22 tation and repair account, the sum of \$193,064 is hereby lapsed.

23 (h) There is appropriated for the above agency from the state general  
24 fund for the fiscal year ending June 30, 2009, the following:

25 Larned state hospital — sexual predator treatment  
26 program ..... \$323,928

27 (i) On the effective date of this act, the expenditure limitation estab-  
28 lished for the fiscal year ending June 30, 2009, by section 99(b) of chapter  
29 131 of the 2008 Session Laws of Kansas on the Larnedstate hospital fee  
30 fund is hereby increased from \$3,465,843 to \$3,887,929.

31 (j) On the effective date of this act, or as soon thereafter as moneys are  
32

available, notwithstanding the provisions of K.S.A. 76-1201c, and amend-

ments thereto, or any other statute, the director of accounts and reports

shall transfer \$541,202 from the Osawatomie state hospital fee fund of

the department of social and rehabilitation services to the state general

fund: Provided, That the transfer of such amount shall be in addition to

any other transfer from the Osawatomie state hospital fee fund to the

state general fund as prescribed by law: Provided further That the

amount transferred from the Osawatomie state hospital fee fund to the

state general fund pursuant to this subsection is to reimburse the state

general fund for accounting, auditing, budgeting, legal, payroll, personnel

and purchasing services and any other governmental services which are

H Sub for Sub SB 23—Am. by HCW

29

performed on behalf of the department of social and rehabilitation serv-

ices by other state agencies which receive appropriations from the state

general fund to provide such services.

(k) On the effective date of this act, the expenditure limitation estab-

lished for the fiscal year ending June 30, 2009, by the state finance council

on the Osawatomie state hospital fee fund is hereby increased from

\$4,843,177 to \$5,212,495.

(l) On the effective date of this act, the expenditure limitation estab-

lished for the fiscal year ending June 30, 2009, by the state finance council

on the Rainbow mental health facility fee fund is hereby increased from

\$1,005,558 to \$1,059,523.

(m) On the effective date of this act, of the \$28,783,932 appropriated

for the above agency for the fiscal year ending June 30, 2009, by section

99(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

14 general fund in the Larned state hospital — operating expenditures ac-  
15 count, the sum of \$422,086 is hereby lapsed.

16 (n) On the effective date of this act, of the \$16,629,385 appropriated  
17 for the above agency for the fiscal year ending June 30, 2009, by section  
18 99(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
19 general fund in the Osawatimie state hospital — operating expenditures  
20 account, the sum of \$1,638,118 is hereby lapsed.

21 (o) On the effective date of this act, of the \$5,107,986 appropriated for  
22 the above agency for the fiscal year ending June 30, 2009, by section 99(a)  
23 of chapter 131 of the 2008 Session Laws of Kansas from the state general  
24 fund in the Rainbow mental health facility — operating expenditures  
25 account, the sum of \$53,965 is hereby lapsed.

26 (p) On the effective date of this act, or as soon thereafter as moneys  
27 are available, notwithstanding the provisions of K.S.A. 2008 Supp. 79-  
28 4805, and amendments thereto, or any other statute, the director of ac-  
29 counts and reports shall transfer \$5,200 from the problem gambling and  
30 addiction grant fund to the state general fund.

31 H Sub for Sub SB 23—Am. by HCW

30

Sec. 52.

## KANSAS GUARDIANSHIP PROGRAM

34  
35 (a) On the effective date of this act, of the \$1,297,557 appropriated for  
36 the above agency for the fiscal year ending June 30, 2009, by section  
37 100(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
38 general fund in the Kansas guardianship program account, the sum of  
39 \$101,169 is hereby lapsed.

40

Sec. 53.

DEPARTMENT OF EDUCATION

(a) On the effective date of this act, of the \$2,187,377,000 appropriated

H Sub for Sub SB 23—Am. by HCW

31

for the above agency for the fiscal year ending June 30, 2009, by section

1

30(a) of chapter 197 of the 2006 Session Laws of Kansas from the state

2

general fund in the general state aid account, the sum of ~~\$41,761,064~~

3

4 **[\$27,840,710]** is hereby lapsed.

5 (b) On the effective date of this act, of the \$54,500,455 appropriated  
6 for the above agency for the fiscal year ending June 30, 2009, by section  
7 101(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
8 general fund in the special education services aid account, the sum of  
9 ~~\$6,524,744~~ **[\$4,464,507]** is hereby lapsed.

10 (c) On the effective date of this act, of the \$7,934,825 appropriated for  
11 the above agency for the fiscal year ending June 30, 2009, by section  
12 101(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
13 general fund in the school district juvenile detention facilities and Flint  
14 Hills job corps center grants account, the sum of \$1,249,370 is hereby  
15 lapsed.

16 (d) On the effective date of this act, of the \$292,891,000 appropriated  
17 for the above agency for the fiscal year ending June 30, 2009, by section  
18 30(a) of chapter 197 of the 2006 Session Laws of Kansas from the state  
19 general fund in the supplemental general state aid account, the sum of  
20 \$8,530,369 is hereby lapsed.

21 (e) On the effective date of this act, of the \$420,120 appropriated for  
22 the above agency for the fiscal year ending June 30, 2009, by section 34(a)  
23 of chapter 201 of the 2007 Session Laws of Kansas from the state general  
24 fund in the Kansas career pipeline grant account, the sum of \$8,305 is  
25 hereby lapsed.

26 (f) On the effective date of this act, the \$37,170,000 appropriated for  
27 the above agency for the fiscal year ending June 30, 2010, by section 10  
28 (a) of chapter 172 of the 2008 Session Laws of Kansas from the state  
29 general fund in the general state aid account is hereby lapsed.

30 (g) (1) On the effective date of this act, notwithstanding the provisions  
31 of section 11 of chapter 172 of the 2008 Session Laws of Kansas, or any  
32 other statute, the director of accounts and reports shall transfer all moneys  
33 in the keeping education promises trust fund to the state general fund.  
34 On the effective date of this act, the keeping education promises trust  
35 fund is hereby abolished.

36 (2) The director of accounts and reports shall not make the transfer of  
37 \$37,170,000 prescribed to be transferred from the keeping education  
38 promises trust fund to the state general fund by section 11(c) of chapter  
39 172 of the 2008 Session Laws of Kansas, which was directed to be made  
40 on July 1, 2009. On July 1, 2009, the provisions of section 11(c) of chapter

41 172 of the 2008 Session Laws of Kansas are hereby declared to be null  
42 and void and shall have no force and effect.

43 (h) On the effective date of this act, of the \$200,000 appropriated for  
H Sub for Sub SB 23—Am. by HCW

32

the above agency for the fiscal year ending June 30, 2009, by section

1

101(c) of chapter 131 of the 2008 Session Laws of Kansas from the chil-

2

dren's initiatives fund in the grant to the Kansas optometric association

3

for vision study account, the sum of \$100,000 is hereby lapsed.

4

Sec. 54.

20

#### STATE LIBRARY

21

(a) On the effective date of this act, of the \$2,393,562 appropriated for

22

the above agency for the fiscal year ending June 30, 2009, by section

23

102(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

24

general fund in the grants to libraries and library systems — grants-in-

25

aid account, the sum of \$166,289 is hereby lapsed.

26

(b) On the effective date of this act, the position limitation established

27

for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131

28

of the 2008 Session Laws of Kansas for the state library is hereby de-

29

creased from 27.00 to 26.00.

30

Sec. 55.

31

#### KANSAS ARTS COMMISSION

32

(a) On the effective date of this act, of the \$354,601 appropriated for

33

the above agency for the fiscal year ending June 30, 2009, by section

34

103(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

35

general fund in the operating expenditures account, the sum of \$59,344

36

is hereby lapsed.

37

(b) On the effective date of this act, of the \$1,399,196 appropriated for

38



the above agency for the fiscal year ending June 30, 2009, by section

103(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the arts programming grants and challenge grants ac-

count, the sum of \$210,527 is hereby lapsed.

H Sub for Sub SB 23—Am. by HCW

33

Sec. 56.

#### KANSAS STATE SCHOOL FOR THE BLIND

(a) On the effective date of this act, of the \$5,658,707 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

104(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the operating expenditures account, the sum of \$148,191

is hereby lapsed.

Sec. 57.

#### KANSAS STATE SCHOOL FOR THE DEAF

(a) On the effective date of this act, of the \$9,112,020 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

105(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the operating expenditures account, the sum of \$215,793

is hereby lapsed.

Sec. 58.

#### STATE HISTORICAL SOCIETY

(a) On the effective date of this act, of the \$6,027,353 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

106(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the operating expenditures account, the sum of \$329,751

is hereby lapsed.

(b) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 145(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the rehabilitation and repair projects account, the sum of \$50,199 is hereby lapsed.

(c) On the effective date of this act, of the \$81,830 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 106(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Kansas humanities council account, the sum of \$1,637 is hereby lapsed.

Sec. 59.

#### EMPORIA STATE UNIVERSITY

(a) On the effective date of this act, of the \$33,865,048 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 111(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$1,056,090 is hereby lapsed.

(b) On the effective date of this act, of the \$242,889 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 111(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the reading recovery program account, the sum of \$7,287 is hereby lapsed.

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34

(c) On the effective date of this act, of the \$145,766 appropriated for the above agency for the fiscal year ending June 30, 2009, by section

111(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
general fund in the Nat'l Board Cert/Future Teacher Academy account,  
the sum of \$4,373 is hereby lapsed.

Sec. 60.

#### FORT HAYS STATE UNIVERSITY

(a) On the effective date of this act, of the \$35,720,190 appropriated  
for the above agency for the fiscal year ending June 30, 2009, by section  
107(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
general fund in the operating expenditures (including official hospitality)  
account, the sum of \$1,112,844 is hereby lapsed.

(b) On the effective date of this act, of the \$150,000 appropriated for  
the above agency for the fiscal year ending June 30, 2009, by section  
107(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
general fund in the master's-level nursing capacity account, the sum of  
\$4,500 is hereby lapsed.

(c) On the effective date of this act, of the \$309,430 appropriated for  
the above agency for the fiscal year ending June 30, 2009, by section  
107(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
general fund in the Kansas wetlands education center at Cheyenne bot-  
toms account, the sum of \$9,283 is hereby lapsed.

Sec. 61.

#### KANSAS STATE UNIVERSITY

(a) On the effective date of this act, of the \$113,487,252 appropriated  
for the above agency for the fiscal year ending June 30, 2009, by section  
108(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
general fund in the operating expenditures (including official hospitality)

28  
account, the sum of \$3,511,398 is hereby lapsed.

29  
(b) On the effective date of this act, of the \$150,000 appropriated for  
30  
the above agency for the fiscal year ending June 30, 2009, by section  
31  
108(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
32  
general fund in the midwest institute for comparative stem cell biology  
33  
account, the sum of \$4,500 is hereby lapsed.

34  
Sec. 62.

35  
KANSAS STATE UNIVERSITY EXTENSION SYSTEMS  
36  
AND AGRICULTURE RESEARCH PROGRAMS

37  
(a) On the effective date of this act, of the \$696,754 appropriated for  
38  
the above agency for the fiscal year ending June 30, 2009, by section  
39  
109(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
40  
general fund in the operating expenditures (including official hospitality)  
41  
account, the sum of \$26,007 is hereby lapsed.

42  
(b) On the effective date of this act, of the \$20,514,007 appropriated

43  
H Sub for Sub SB 23—Am. by HCW  
35  
for the above agency for the fiscal year ending June 30, 2009, by section  
1  
109(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
2  
general fund in the cooperative extension service (including official hos-  
3  
pitality) account, the sum of \$638,476 is hereby lapsed.

4  
(c) On the effective date of this act, of the \$32,727,735 appropriated  
5  
for the above agency for the fiscal year ending June 30, 2009, by section  
6  
109(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
7  
general fund in the agricultural experiment stations (including official  
8  
hospitality) account, the sum of \$1,019,230 is hereby lapsed.

(d) On the effective date of this act, of the \$300,000 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

109(c) of chapter 131 of the 2008 Session Laws of Kansas from the state

economic development initiatives fund in the agricultural experiment sta-

tions account, the sum of \$19,500 is hereby lapsed.

Sec. 63.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) On the effective date of this act, of the \$10,927,680 appropriated

for the above agency for the fiscal year ending June 30, 2009, by section

110(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the operating expenditures (including official hospitality)

account, the sum of \$338,618 is hereby lapsed.

Sec. 64.

PITTSBURG STATE UNIVERSITY

(a) On the effective date of this act, of the \$37,197,366 appropriated

for the above agency for the fiscal year ending June 30, 2009, by section

112(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the operating expenditures (including official hospitality)

account, the sum of \$1,157,566 is hereby lapsed.

(b) On the effective date of this act, of the \$326,999 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

151(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the armory/classroom/recreation center debt service ac-

count, the sum of \$160,000 is hereby lapsed.

Sec. 65.

UNIVERSITY OF KANSAS

35

(a) On the effective date of this act, of the \$142,852,221 appropriated

36

for the above agency for the fiscal year ending June 30, 2009, by section

37

113(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

38

general fund in the operating expenditures (including official hospitality)

39

account, the sum of \$4,408,520 is hereby lapsed.

40

(b) On the effective date of this act, of the \$6,571,267 appropriated for

41

the above agency for the fiscal year ending June 30, 2009, by section

42

113(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

43

H Sub for Sub SB 23—Am. by HCW

36

general fund in the geological survey account, the sum of \$202,794 is

1

hereby lapsed.

2

(c) On the effective date of this act, of the \$150,000 appropriated for

3

the above agency for the fiscal year ending June 30, 2009, by section

4

113(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

5

general fund in the umbilical cord matrix project account, the sum of

6

\$4,500 is hereby lapsed.

7

(d) On the effective date of this act, of the \$1,000,000 appropriated for

8

the above agency for the fiscal year ending June 30, 2009, by section

9

152(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

10

general fund in the school of pharmacy expansion planning account, the

11

sum of \$30,000 is hereby lapsed.

12

(e) On the effective date of this act, of the \$40,000 appropriated for

13

the above agency for the fiscal year ending June 30, 2009, by section

14

113(d) of chapter 131 of the 2008 Session Laws of Kansas from the state

15

water plan fund in the geological survey account, the sum of \$8,000 is

16

hereby lapsed.

Sec. 66.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) On the effective date of this act, of the \$111,465,815 appropriated

for the above agency for the fiscal year ending June 30, 2009, by section

114(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the operating expenditures (including official hospitality)

account, the sum of \$3,472,009 is hereby lapsed.

(b) On the effective date of this act, of the \$1,000,000 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

114(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the Wichita center for graduate medical education ac-

count, the sum of \$75,000 is hereby lapsed.

(c) On the effective date of this act, of the \$908,000 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

153(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the energy conservation debt service account, the sum of

\$27,240 is hereby lapsed.

(d) On the effective date of this act, of the \$5,000,000 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

114(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the cancer center account, the sum of \$150,000 is hereby

lapsed.

H Sub for Sub SB 23—Am. by HCW

37

(e) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:

Wichita center for graduate medical education . . . . . \$2,900,000

Sec. 67.

WICHITA STATE UNIVERSITY

(a) On the effective date of this act, of the \$71,758,241 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 115(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$2,229,691 is hereby lapsed.

(b) On the effective date of this act, of the \$2,500,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 115(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the aviation infrastructure account, the sum of \$75,000 is hereby lapsed.

(c) On the effective date of this act, of the \$5,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 115(d) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the aviation research account, the sum of \$325,133 is hereby lapsed.

(d) On the effective date of this act, of the \$2,500,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 115(d) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the aviation infrastructure account, the sum of \$162,500 is hereby lapsed.

Sec. 68.

STATE BOARD OF REGENTS

(a) On the effective date of this act, of the \$3,385,455 appropriated for



36 the above agency for the fiscal year ending June 30, 2009, by section  
37 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
38 general fund in the operating expenditures (including official hospitality)  
39 account, the sum of \$104,087 is hereby lapsed.

40 (b) On the effective date of this act, of the \$106,265,068 appropriated  
41 for the above agency for the fiscal year ending June 30, 2009, by section  
42 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
43

H Sub for Sub SB 23—Am. by HCW  
38

general fund in the community college operating grant account, the sum  
1 of \$3,289,566 is hereby lapsed.

2 (c) On the effective date of this act, of the \$2,000,000 appropriated for  
3 the above agency for the fiscal year ending June 30, 2009, by section  
4 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
5 general fund in the KAN-ED operating expenditures account, the sum  
6 of \$60,138 is hereby lapsed.

7 (d) On the effective date of this act, of the \$34,010,397 appropriated  
8 for the above agency for the fiscal year ending June 30, 2009, by section  
9 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
10 general fund in the postsecondary aid for vocational education account,  
11 the sum of \$1,052,834 is hereby lapsed.

12 (e) On the effective date of this act, of the \$779,687 appropriated for  
13 the above agency for the fiscal year ending June 30, 2009, by section  
14 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
15 general fund in the postsecondary technical education authority account,  
16 the sum of \$23,794 is hereby lapsed.

17

(f) On the effective date of this act, of the \$12,126,216 appropriated

for the above agency for the fiscal year ending June 30, 2009, by section

116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the municipal university operating grant account, the sum

of \$375,382 is hereby lapsed.

(g) On the effective date of this act, of the \$441,040 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the technology equipment at community colleges and

Washburn university account, the sum of \$13,653 is hereby lapsed.

(h) On the effective date of this act, of the \$10,000,000 appropriated

for the above agency for the fiscal year ending June 30, 2009, by section

116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the postsecondary education operating grant account, the

sum of \$81,758 is hereby lapsed.

(i) There is appropriated for the above agency from the state general

fund for the fiscal year ending June 30, 2009, the following:

Vocational education capital outlay aid..... \$79,305

Provided, That expenditures from the vocational education capital outlay

aid account for each grant of vocational education capital outlay aid shall

be matched by the area vocational school, the area vocational-technical

school or the technical college awarded such grant in an amount which

is equal to 50% of the grant.

(j) There is appropriated for the above agency from the Kansas edu-

cational building fund for the fiscal year ending June 30, 2009, the fol-

lowing:

43

H Sub for Sub SB 23—Am. by HCW

39

EBF — state building insurance..... \$475,000

1

Provided, That, notwithstanding the provisions of K.S.A. 76-6b02, and

2

amendments thereto, expenditures may be made by the above agency

3

from the EBF — state building insurance account of the Kansas educa-

4

tional building fund for state educational institutions building insurance

5

premiums.

6

(k) On the effective date of this act, of the \$2,565,000 appropriated for

7

the above agency for the fiscal year ending June 30, 2009, by section

8

116(g) of chapter 131 of the 2008 Session Laws of Kansas from the state

9

economic development initiatives fund in the SEDIF — vocational ed-

10

ucation capital outlay aid account, the sum of \$166,725 is hereby lapsed.

11

(l) On the effective date of this act, of the \$180,500 appropriated for

12

the above agency for the fiscal year ending June 30, 2009, by section

13

116(g) of chapter 131 of the 2008 Session Laws of Kansas from the state

14

economic development initiatives fund in the SEDIF — technology in-

15

novation and internship program account, the sum of \$16,137 is hereby

16

lapsed.

17

(m) There is appropriated for the above agency from the state general

18

fund for the fiscal year ending June 30, 2009, the following:

19

Payment to KPERS ..... \$1,755

20

Sec. 69.

21

## DEPARTMENT OF CORRECTIONS

22

(a) On the effective date of this act, of the \$19,069,339 appropriated

23

for the above agency for the fiscal year ending June 30, 2009, by section

24

117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
general fund in the operating expenditures account, the sum of  
\$1,718,455 is hereby lapsed.

(b) On the effective date of this act, of the \$19,548,912 appropriated  
for the above agency for the fiscal year ending June 30, 2009, by section  
117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
general fund in the community corrections account, the sum of  
\$1,000,000 is hereby lapsed.

(c) On the effective date of this act, of the \$7,531,429 appropriated for  
the above agency for the fiscal year ending June 30, 2009, by section  
117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
general fund in the day reporting centers and reentry programs account,  
the sum of \$857,118 is hereby lapsed.

(d) On the effective date of this act, of the \$3,371,324 appropriated for  
the above agency for the fiscal year ending June 30, 2009, by section  
117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
general fund in the community correctional conservation camps account,  
the sum of \$563,000 is hereby lapsed.

(e) On the effective date of this act, of the \$54,717,573 appropriated  
H Sub for Sub SB 23—Am. by HCW

40

for the above agency for the fiscal year ending June 30, 2009, by section  
117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
general fund in the treatment and programs account, the sum of  
\$2,139,447 is hereby lapsed.

(f) On the effective date of this act, of the \$13,913,121 appropriated  
for the above agency for the fiscal year ending June 30, 2009, by section

6  
117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
7  
general fund in the facilities operations account, the sum of \$454,436 is  
8  
hereby lapsed.

9  
(g) On the effective date of this act, of the \$1,549,000 appropriated for  
10  
the above agency for the fiscal year ending June 30, 2009, by section  
11  
156(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
12  
general fund in the debt service payment for the infrastructure projects  
13  
bond issue account, the sum of \$798,000 is hereby lapsed.

14  
(h) On the effective date of this act, of the \$35,891,511 appropriated  
15  
for the above agency for the fiscal year ending June 30, 2009, by section  
16  
117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
17  
general fund in the Lansing correctional facility — facilities operations  
18  
account, the sum of \$175,000 is hereby lapsed.

19  
(i) On the effective date of this act, or as soon thereafter as moneys are  
20  
available, the director of accounts and reports shall transfer \$1,122,096  
21  
from the correctional industries fund to the department of corrections —  
22  
general fees fund.

23  
(j) On the effective date of this act, of the \$23,410,329 appropriated  
24  
for the above agency for the fiscal year ending June 30, 2009, by section  
25  
117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
26  
general fund in the El Dorado correctional facility — facilities operations  
27  
account, the sum of \$199,000 is hereby lapsed.

28  
(k) On the effective date of this act, of the \$1,401,000 appropriated for  
29  
the above agency for the fiscal year ending June 30, 2009, by section  
30  
156(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
31

32 general fund in the debt service payment for the reception and diagnostic  
unit relocation bond issue account, the sum of \$40,000 is hereby lapsed.

33 Sec. 70.

34 JUVENILE JUSTICE AUTHORITY

35 (a) On the effective date of this act, of the \$20,188,218 appropriated  
36 for the above agency for the fiscal year ending June 30, 2009, by section  
37 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
38 general fund in the operating expenditures account, the sum of \$309,424  
39 is hereby lapsed.

40 (b) On the effective date of this act, of the \$1,000,000 appropriated for  
41 the above agency for the fiscal year ending June 30, 2009, by section  
42 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
43 H Sub for Sub SB 23—Am. by HCW

41  
general fund in the incentive funding account, the sum of \$547,000 is  
1 hereby lapsed.

2  
3 (c) On the effective date of this act, of the \$14,999,886 appropriated  
4 for the above agency for the fiscal year ending June 30, 2009, by section  
5 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
6 general fund in the Kansas juvenile correctional complex facility opera-  
7 tions account, the sum of \$127,270 is hereby lapsed.

8 (d) On the effective date of this act, of the \$5,603,011 appropriated for  
9 the above agency for the fiscal year ending June 30, 2009, by section  
10 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
11 general fund in the Atchison juvenile correctional facility operations ac-  
count, the sum of \$1,960,029 is hereby lapsed.

12 (e) On the effective date of this act, of the \$4,003,018 appropriated for

13 the above agency for the fiscal year ending June 30, 2009, by section  
14 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
15 general fund in the Beloit juvenile correctional facility operations account,  
16 the sum of \$68,780 is hereby lapsed.

17 (f) On the effective date of this act, of the \$8,315,291 appropriated for  
18 the above agency for the fiscal year ending June 30, 2009, by section  
19 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
20 general fund in the Larned juvenile correctional facility operations ac-  
21 count, the sum of \$160,486 is hereby lapsed.

22 (g) There is appropriated for the above agency from the state general  
23 fund for the fiscal year ending June 30, 2009, the following:

24 Purchase of services..... \$961,059

25 (h) During the fiscal year ending June 30, 2009, the commissioner of  
26 juvenile justice, with the approval of the director of the budget, may  
27 transfer any part of any item of appropriation for the fiscal year ending  
28 June 30, 2009, from the children's initiatives fund for the juvenile justice  
29 authority to another item of appropriation for fiscal year 2009 from the  
30 children's initiatives fund for the juvenile justice authority. The commis-  
31 sioner of juvenile justice shall certify each such transfer to the director of  
32 accounts and reports and shall transmit a copy of each such certification  
33 to the director of legislative research.

34 (i) On the effective date of this act, the expenditure limitation estab-  
35 lished for the fiscal year ending June 30, 2009, by section 118(c) of chapter  
36 131 of the 2008 Session Laws of Kansas on the juvenile detention facilities  
37 fund is hereby increased from \$3,995,690 to \$4,899,190.

38

39 (j) On the effective date of this act, of the \$3,997,763 appropriated for

40 the above agency for the fiscal year ending June 30, 2009, by section

41 157(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

42 institutions building fund in the debt service— Topeka complex and

43 Larned juvenile correctional facility account, the sum of \$6,173 is hereby

44 H Sub for Sub SB 23—Am. by HCW

42

lapsed.

12 Sec. 71.

# 13 ADJUTANT GENERAL

14 (a) (1) On the effective date of this act, the \$37,296 appropriated for

15 the above agency for the fiscal year ending June 30, 2009, by section

16 119(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

17 general fund in the NG life insurance premium reimbursement account,

18 is hereby lapsed.

19 (2) On the effective date of this act, of the amount reappropriated for

20 the above agency for the fiscal year ending June 30, 2009, by section

21 119(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

22 general fund in the NG life insurance premium reimbursement account,

23 the sum of \$56,889 is hereby lapsed.

24 (b) On the effective date of this act, of the \$477,097 appropriated for

25 the above agency for the fiscal year ending June 30, 2009, by section

26 160(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

27 general fund in the rehabilitation and repair projects account, the sum of

28 \$1,406 is hereby lapsed.

29 (c) On the effective date of this act, the \$100,000 appropriated for the



above agency for the fiscal year ending June 30, 2009, by section 160(a)  
of chapter 131 of the 2008 Session Laws of Kansas from the state general  
fund in the regional training center spoke 1 planning account, is hereby  
lapsed.

(d) On the effective date of this act, or as soon thereafter as moneys  
are available, notwithstanding the provisions of K.S.A. 48-281, and  
amendments thereto, or any other statute, the director of accounts and  
reports shall transfer \$319,657 from the national guard life insurance  
premium reimbursement fund of the adjutant general to the state general  
fund: Provided, That the transfer of such amount shall be in addition to  
any other transfer from the national guard life insurance premium re-  
imbursement fund to the state general fund as prescribed by law. Pro-  
vided further, That the amount transferred from the national guard life  
insurance premium reimbursement fund to the state general fund pur-

H Sub for Sub SB 23—Am. by HCW

43

suant to this subsection is to reimburse the state general fund for ac-  
counting, auditing, budgeting, legal, payroll, personnel and purchasing  
services and any other governmental services which are performed on  
behalf of the adjutant general by other state agencies which receive ap-  
propriations from the state general fund to provide such services.

(e) On the effective date of this act, or as soon thereafter as moneys  
are available, notwithstanding the provisions of any other statute, the di-  
rector of accounts and reports shall transfer \$1,883,892 from the adjutant  
general expense fund-hazardous mitigation of the adjutant general to the  
state general fund: Provided, That the transfer of such amount shall be  
in addition to any other transfer from the adjutant general expense fund-

11 hazardous mitigation to the state general fund as prescribed by law: Pro-  
12 vided further, That the amount transferred from the adjutant general  
13 expense fund-hazardous mitigation to the state general fund pursuant to  
14 this subsection is to reimburse the state general fund for accounting,  
15 auditing, budgeting, legal, payroll, personnel and purchasing services and  
16 any other governmental services which are performed on behalf of the  
17 adjutant general by other state agencies which receive appropriations  
18 from the state general fund to provide such services.

19 (f) There is appropriated for the above agency from the state general  
20 fund for the fiscal year ending June 30, 2009, the following:

21 NG death benefits ..... \$250,000  
22 Operating expenditures ..... \$25,212

23 (g) On the effective date of this act, the expenditure limitation estab-  
24 lished for the fiscal year ending June 30, 2009, by section 14(d) of chapter  
25 184 of the 2008 Session Laws of Kansas on the national guard museum  
26 assistance fund is hereby decreased from no limit to \$0.

27 (h) On the effective date of this act, of the \$2,226,807 appropriated for  
28 the above agency for the fiscal year ending June 30, 2009, by section  
29 160(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
30 general fund in the debt service — rehabilitation and repair of the state-  
31 wide armories account, the sum of \$1,140,000 is hereby lapsed.

32 (i) On the effective date of this act, of the \$115,188 appropriated for  
33 the above agency for the fiscal year ending June 30, 2009, by section  
34 160(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
35 general fund in the debt service — armory/classroom/recreation center  
36

at PSU account, the sum of \$55,000 is hereby lapsed.

Sec. 72.

#### STATE FIRE MARSHAL

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the fire marshal fee fund is hereby decreased from \$3,935,859 to \$3,770,616.

H Sub for Sub SB 23—Am. by HCW

44

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the hazardous material program fund is hereby decreased from \$385,032 to \$377,330.

(c) On the effective date of this act, the amount of \$189,979.50 authorized by section 120(b) of chapter 131 of the 2008 Session Laws of Kansas to be transferred by the director of accounts and reports from the fire marshal fee fund to the hazardous material program fund of the state fire marshal on January 1, 2009, is hereby decreased to \$138,649.50: Provided, That on the effective date of this act, or as soon after as moneys are available, the director of accounts and reports shall reverse part of such transfer of moneys from the fire marshal fee fund to the hazardous material program fund of the state fire marshal made prior to the effective date of this act pursuant to such section by transferring \$51,330 from the hazardous material program fund of the state fire marshal to the fire marshal fee fund: Provided further, That reversing entries shall be entered upon the accounting records of the state treasurer therefor.

(d) On the effective date of this act, the expenditure limitation estab-

18 lished for the fiscal year ending June 30, 2009, by the state finance council  
19 on the state fire marshal liquefied petroleum gas fee fund is hereby in-  
20 creased from \$162,487 to \$171,613.

21 Sec. 73.

#### 22 KANSAS PAROLE BOARD

23 (a) On the effective date of this act, of the \$494,582 appropriated for  
24 the above agency for the fiscal year ending June 30, 2009, by section  
25 121(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
26 general fund in the parole from adult correctional institutions account,  
27 the sum of \$20,231 is hereby lapsed.

28 Sec. 74.

#### 29 KANSAS HIGHWAY PATROL

30 (a) On the effective date of this act, of the \$36,301,567 appropriated  
31 for the above agency for the fiscal year ending June 30, 2009, by section  
32 122(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
33 general fund in the operating expenditures account, the sum of  
34 \$1,124,973 is hereby lapsed.

35 (b) On the effective date of this act, the expenditure limitation estab-  
36 lished for the fiscal year ending June 30, 2009, by the state finance council  
37 on the Kansas highway patrol operations fund is hereby increased from  
38 \$19,982,339 to \$20,140,639.

39 (c) On the effective date of this act, the amount of \$7,825,391.75 au-  
40 thorized by section 122(i) of chapter 131 of the 2008 Session Laws of  
41 Kansas to be transferred by the director of accounts and reports from the  
42 state highway fund of the department of transportation to the state gen-  
43

eral fund on April 1, 2009, is hereby increased to \$7,897,947.75.

Sec. 75.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

(a) On the effective date of this act, of the \$16,335,662 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 123(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$907,607 is hereby lapsed.

(b) On the effective date of this act, of the \$100,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 158(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the rehabilitation and repair projects account, the sum of \$50,000 is hereby lapsed.

(c) On the effective date of this act, of the \$311,850 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 158(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the debt service — headquarters building account, the sum of \$285,000 is hereby lapsed.

Sec. 76.

EMERGENCY MEDICAL SERVICES BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the emergency medical services operating fund is hereby decreased from \$1,469,242 to \$1,422,165.

(b) On the effective date of this act, the amount of \$150,000 authorized

25 by section 124(d) of chapter 131 of the 2008 Session Laws of Kansas to  
26 be transferred by the director of accounts and reports from the emer-  
27 gency medical services operating fund to the educational incentive grant  
28 payment fund of the emergency medical services board on January 1,  
29 2009, is hereby decreased to \$144,000: Provided, That on the effective  
30 date of this act, or as soon after as moneys are available, the director of  
31 accounts and reports shall reverse part of such transfer of moneys from  
32 the emergency medical services operating fund to the educational incen-  
33 tive grant payment fund of the emergency medical services board made  
34 prior to the effective date of this act pursuant to such section by trans-  
35 ferring \$6,000 from the educational incentive grant payment fund of the  
36 emergency medical services board to the emergency medical services  
37 operating fund: Provided further, That reversing entries shall be entered  
38 upon the accounting records of the state treasurer therefor.  
39

40 Sec. 77.

#### 41 KANSAS SENTENCING COMMISSION

42 (a) On the effective date of this act, of the \$718,511 appropriated for  
43 the above agency for the fiscal year ending June 30, 2009, by section  
44 H Sub for Sub SB 23—Am. by HCW  
45 125(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
46 general fund in the operating expenditures account, the sum of \$79,791  
1 is hereby lapsed.  
2  
3 (b) On the effective date of this act, of the \$8,900,000 appropriated for  
4 the above agency for the fiscal year ending June 30, 2009, by section  
5 125(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
6

7 general fund in the substance abuse treatment programs account, the sum  
8 of \$612,298 is hereby lapsed.

9 Sec. 78.

#### 10 KANSAS COMMISSION ON PEACE OFFICERS'

#### 11 STANDARDS AND TRAINING

12 (a) On the effective date of this act, the expenditure limitation estab-  
13 lished for the fiscal year ending June 30, 2009, by the state finance council  
14 on the Kansas commission on peace officers' standards and training fund  
15 is hereby decreased from \$722,502 to \$643,000.

16 Sec. 79.

#### 17 KANSAS DEPARTMENT OF AGRICULTURE

18 (a) On the effective date of this act, of the \$11,454,531 appropriated  
19 for the above agency for the fiscal year ending June 30, 2009, by section  
20 127(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
21 general fund in the operating expenditures account, the sum of \$540,033  
22 is hereby lapsed.

23 (b) On the effective date of this act, of the \$739,996 appropriated for  
24 the above agency for the fiscal year ending June 30, 2009, by section  
25 127(c) of chapter 131 of the 2008 Session Laws of Kansas from the state  
26 water plan fund in the basin management account, the sum of \$28,849 is  
27 hereby lapsed.

28 (c) On the effective date of this act, of the \$60,000 appropriated for  
29 the above agency for the fiscal year ending June 30, 2009, by section  
30 127(c) of chapter 131 of the 2008 Session Laws of Kansas from the state  
31 water plan fund in the water use account, the sum of \$12,000 is hereby  
lapsed.

32 (d) On the effective date of this act, of the \$576,577 appropriated for  
33 the above agency for the fiscal year ending June 30, 2009, by section  
34 127(c) of chapter 131 of the 2008 Session Laws of Kansas from the state  
35 water plan fund in the interstate water issues account, the sum of \$49,463  
36 is hereby lapsed.

37 Sec. 80.

#### 38 KANSAS ANIMAL HEALTH DEPARTMENT

39 (a) On the effective date of this act, of the \$911,876 appropriated for  
40 the above agency for the fiscal year ending June 30, 2009, by section  
41 128(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
42 general fund in the operating expenditures account, the sum of \$28,238

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47 is hereby lapsed.

1 Sec. 81.

#### 2 STATE FAIR BOARD

3 (a) On the effective date of this act, of the \$50,000 appropriated for  
4 the above agency for the fiscal year ending June 30, 2009, by section  
5 129(c) of chapter 131 of the 2008 Session Laws of Kansas from the state  
6 economic development initiatives fund in the ticket marketing account,  
7 the sum of \$4,459 is hereby lapsed.

8 (b) On the effective date of this act, of the \$1,540,821 appropriated for  
9 the above agency for the fiscal year ending June 30, 2009, by section  
10 129(b) of chapter 131 of the 2008 Session Laws of Kansas from the state  
11 general fund in the state fair debt service account, the sum of \$410,000  
12 is hereby lapsed.



Sec. 82.

STATE CONSERVATION COMMISSION

(a) On the effective date of this act, of the \$887,594 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

130(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the operating expenditures account, the sum of \$27,341

is hereby lapsed.

(b) On the effective date of this act, of the \$3,414,907 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state

water plan fund in the water resources cost share account, the sum of

\$322,092 is hereby lapsed.

(c) On the effective date of this act, of the \$3,623,754 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state

water plan fund in the nonpoint source pollution assistance account, the

sum of \$783,542 is hereby lapsed.

(d) On the effective date of this act, of the \$1,055,000 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state

water plan fund in the watershed dam construction account, the sum of

\$234,623 is hereby lapsed.

(f) On the effective date of this act, of the \$350,000 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state

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water plan fund in the Kansas water quality buffer initiatives account, the  
sum of \$90,802 is hereby lapsed.

(g) On the effective date of this act, of the \$251,782 appropriated for  
the above agency for the fiscal year ending June 30, 2009, by section  
130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state  
water plan fund in the riparian and wetland program account, the sum of  
\$60,650 is hereby lapsed.

(h) On the effective date of this act, of the amount reappropriated for  
the above agency for the fiscal year ending June 30, 2009, by section  
130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state  
water plan fund in the water transition assistance program account, the  
sum of \$1,228,078 is hereby lapsed.

(i) On the effective date of this act, of the amount reappropriated for  
the above agency for the fiscal year ending June 30, 2009, by section 4(a)  
of chapter 184 of the 2008 Session Laws of Kansas from the state water  
plan fund in the conservation reserve enhancement program account, the  
sum of \$307,427 is hereby lapsed.

Sec. 83.

#### KANSAS WATER OFFICE

(a) On the effective date of this act, of the \$2,302,856 appropriated for  
the above agency for the fiscal year ending June 30, 2009, by section  
131(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
general fund in the water resources operating expenditures account, the  
sum of \$88,489 is hereby lapsed.

(b) On the effective date of this act, of the \$860,000 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

131(c) of chapter 131 of the 2008 Session Laws of Kansas from the state

water plan fund in the assessment and evaluation account, the sum of

\$180,035 is hereby lapsed.

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(e) On the effective date of this act, of the \$624,919 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

131(c) of chapter 131 of the 2008 Session Laws of Kansas from the state

water plan fund in the technical assistance to water users account, the

sum of \$158,230 is hereby lapsed.

(f) On the effective date of this act, of the \$84,000 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

131(c) of chapter 131 of the 2008 Session Laws of Kansas from the state

water plan fund in the water resource education account, the sum of

\$24,300 is hereby lapsed.

(g) On the effective date of this act, of the \$100,000 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section

131(c) of chapter 131 of the 2008 Session Laws of Kansas from the state

water plan fund in the weather stations account, the sum of \$20,000 is

hereby lapsed.

Sec. 84.

#### DEPARTMENT OF WILDLIFE AND PARKS

(a) On the effective date of this act, of the amount reappropriated for

the above agency for the fiscal year ending June 30, 2009, by section

162(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

36 general fund in the state parks capital improvement projects account, the  
37 sum of \$1,005,329 is hereby lapsed.

38 (b) On the effective date of this act, of the \$1,500,000 appropriated for  
39 the above agency for the fiscal year ending June 30, 2009, by section  
40 162(a) of chapter 131 of the 2008 Session Laws of Kansas from the state  
41 general fund in the parks ongoing rehabilitation account, the sum of  
42 \$264,671 is hereby lapsed.

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(c) On the effective date of this act, of the \$40,000 appropriated for  
1 the above agency for the fiscal year ending June 30, 2009, by section  
2 132(c) of chapter 131 of the 2008 Session Laws of Kansas from the state  
3 water plan fund in the stream monitoring account, the sum of \$8,000 is  
4 hereby lapsed.

5 Sec. 85.

6 DEPARTMENT OF TRANSPORTATION

7 (a) On the effective date of this act, the expenditure limitation estab-  
8 lished for the fiscal year ending June 30, 2009, by the state finance council  
9 on the agency operations account of the state highway fund is hereby  
10 decreased from \$277,020,766 to \$269,758,653.

11 (b) On the effective date of this act, or as soon thereafter as moneys  
12 are available, the director of accounts and reports shall transfer \$967,929  
13 from the homeland security interoperability grant account of the state  
14 general fund of the Kansas highway patrol to the other federal grants  
15 fund of the department of transportation.

16 (c) On the effective date of this act, the position limitation established  
17

for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131  
of the 2008 Session Laws of Kansas for the department of transportation  
is hereby decreased from 3,150.50 to 3,113.50.

Sec. 86. (a) On the effective date of this act, the director of accounts  
and reports shall transfer all moneys credited in each Kansas savings incentive program account in the state general fund of each state agency to the state general fund. On the effective date of this act, all liabilities of each such Kansas savings incentive program account in the state general fund are hereby transferred to and imposed on the state general fund. On the effective date of this act, the Kansas savings incentive program is hereby suspended for the remainder of the fiscal year ending June 30, 2009, and the director of accounts and reports shall not process payments from any Kansas savings incentive program accounts of any special revenue funds of a state agency for the remainder of the fiscal year ending June 30, 2009.

(b) On the effective date of this act, notwithstanding the provisions of subsection (j) of K.S.A. 40-3403, and amendments thereto, or any other statute, the aggregate amount of moneys transferred pursuant to the provisions of subsection (j) of K.S.A. 40-3403, and amendments thereto, or any other statute, from the state general fund to the health care stabilization fund for the fiscal year ending June 30, 2009, shall not exceed \$2,805,000.

(c) On the effective date of this act, notwithstanding the provisions of K.S.A. 2008 Supp. 79-34,171, and amendments thereto, or any other statute, the director of accounts and reports shall not make any transfers pursuant to the provisions of K.S.A. 2008 Supp. 79-34,171, and amend-

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ments thereto, or any other statute, from the state general fund to the

1

Kansas retail dealer incentive fund during the fiscal year ending June 30,

2

2009: Provided further, That any transfers of moneys from the state gen-

3

eral fund to the Kansas retail dealer incentive fund during the fiscal year

4

ending June 30, 2009, pursuant to the provisions of K.S.A. 2008 Supp.

5

79-34,171, and amendments thereto, or any other statute, that have been

6

made prior to the effective date of this act shall be reversed by the director

7

of accounts and reports and reversing entries shall be entered upon the

8

accounting records of the state treasurer therefor.

9

(d) (1) The director of accounts and reports shall not make the transfer

10

of \$23,652,162 prescribed to be transferred from the state general fund

11

to the state highway fund of the department of transportation by section

12

19(b)(3) of chapter 3 of the 2003 Session Laws of Kansas, which was

13

directed to be made on or before June 30, 2009, on a date certified by

14

the director of the budget for the purpose of repaying 25% of the amount

15

transferred from the state highway fund to the state general fund pursuant

16

to section 40(a) of chapter 205 of the 2002 Session Laws of Kansas. On

17

the effective date of this act, the provisions of section 19(b)(3) of chapter

18

3 of the 2003 Session Laws of Kansas are hereby declared to be null and

19

void and shall have no force and effect.

20

(2) On or before June 30, 2011, during the fiscal year ending June 30,

21

2011, on a date certified by the director of the budget, the director of

22

accounts and reports shall transfer \$23,652,162 from the state general

23

fund to the state highway fund for the purpose of repaying 25% of the

24

amount transferred to the state general fund pursuant to section 40(a) of  
chapter 205 of the 2002 Session Laws of Kansas: Provided, That, at the  
same time that such certification is made by the director of the budget  
to the director of accounts and reports under this subsection (d)(2), the  
director of the budget shall deliver a copy of such certification to the  
director of the legislative research department.

(e) (1) The director of accounts and reports shall not make the transfer  
of \$7,220,145 prescribed to be transferred from the state general fund to  
the state highway fund of the department of transportation by section  
73(k)(3) of chapter 138 of the 2003 Session Laws of Kansas, which was  
directed to be made on or before June 30, 2009, on a date certified by  
the director of the budget for the purpose of repaying 25% of the amount  
transferred from the state highway fund to the state general fund pursuant  
to section 73(j) of chapter 138 of the 2003 Session Laws of Kansas. On  
the effective date of this act, the provisions of section 73(k)(3) of chapter  
138 of the 2003 Session Laws of Kansas are hereby declared to be null  
and void and shall have no force and effect.

(2) On or before June 30, 2011, during the fiscal year ending June 30,  
2011, on a date certified by the director of the budget, the director of

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accounts and reports shall transfer \$7,220,145 from the state general fund  
to the state highway fund for the purpose of repaying 25% of the amount  
transferred to the state general fund pursuant to section 73(j) of chapter  
138 of the 2003 Session Laws of Kansas: Provided, That, at the same time  
that such certification is made by the director of the budget to the director  
of accounts and reports under this subsection (e)(2), the director of the

6 budget shall deliver a copy of such certification to the director of the  
7 legislative research department.

8 (f) (1) The director of accounts and reports shall not make the transfer  
9 of \$23,901.75 prescribed to be transferred from the state general fund to  
10 the state highway fund of the department of transportation by section  
11 19(c)(4) of chapter 160 of the 2003 Session Laws of Kansas, which was  
12 directed to be made on or before June 30, 2009, on a date certified by  
13 the director of the budget for the purpose of repaying 25% of the amount  
14 transferred from the state highway fund to the state general fund pursuant  
15 to section 19(c) of chapter 160 of the 2003 Session Laws of Kansas. On  
16 the effective date of this act, the provisions of section 19(c)(4) of chapter  
17 160 of the 2003 Session Laws of Kansas are hereby declared to be null  
18 and void and shall have no force and effect.

19 (2) On or before June 30, 2011, during the fiscal year ending June 30,  
20 2011, on a date certified by the director of the budget, the director of  
21 accounts and reports shall transfer \$23,901.75 from the state general fund  
22 to the state highway fund for the purpose of repaying 25% of the amount  
23 transferred to the state general fund pursuant to section 19(c) of chapter  
24 160 of the 2003 Session Laws of Kansas: Provided, That, at the same time  
25 that such certification is made by the director of the budget to the director  
26 of accounts and reports under this subsection (f)(2), the director of the  
27 budget shall deliver a copy of such certification to the director of the  
28 legislative research department.

29 (g) On the effective date of this act, notwithstanding the provisions of  
30 subsection (g) of K.S.A. 2008 Supp 79-4804, and amendments thereto,  
31



32 or any other statute, the amount directed to be transferred by the director  
33 of accounts and reports from the state economic development initiatives  
34 fund to the state water plan fund by subsection (g) of K.S.A. 79-4804,  
35 and amendments thereto, which was directed to be made on or before  
36 January 15, 2009, is hereby decreased from \$1,000,000 to \$802,141.

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1 (h) On the effective date of this act, notwithstanding the provisions of  
2 K.S.A. 2008 Supp. 74-99b34, and amendments thereto, or any other stat-  
3 ute, the aggregate amount equal to (1) the annual amount equal to 95%  
4 of withholding above the base, as certified or estimated and reconciled  
5 by the secretary of revenue, plus (2) annual interest earnings based on  
6 the average daily balance of moneys in the bioscience development and  
7 investment fund and the net earnings rate of the pooled money invest-  
8 ment portfolio, that is directed to be transferred during the fiscal year  
9 ending June 30, 2009, from the state general fund to the bioscience de-  
10 velopment and investment fund by K.S.A. 2008 Supp. 74-99b34, and  
11 amendments thereto, is hereby decreased from such aggregate amount,  
12 which would otherwise be transferred pursuant to K.S.A. 2008 Supp. 74-  
13 99b34, and amendments thereto, to the aggregate annual amount of  
14 \$39,000,000: Provided, That not more than \$39,000,000 shall be trans-  
15 ferred from the state general fund to the bioscience development and  
16 investment fund during the fiscal year ending June 30, 2009, pursuant to  
17 K.S.A. 2008 Supp. 74-99b34, and amendments thereto: Provided further,  
18 That the state treasurer shall certify to the director of the budget and the  
19 director of legislative research when \$39,000,000 has been transferred

from the state general fund to the bioscience development and invest-  
ment fund during the fiscal year ending June 30, 2009, pursuant to K.S.A.  
2008 Supp. 74-99b34, and amendments thereto.

(i) (1) The director of accounts and reports shall not make the transfer  
of \$1,000,000 prescribed to be transferred from the state general fund to  
the workers compensation fund of the insurance department by section  
10(a)(4) of chapter 3 of the 2003 Session Laws of Kansas, which was  
directed to be made on or before June 30, 2009, on a date certified by  
the director of the budget for the purpose of repaying 25% of the amount  
transferred from the workers compensation fund to the state general fund  
pursuant to section 10(a)(1) of chapter 3 of the 2003 Session Laws of  
Kansas. On the effective date of this act, the provisions of section 10(a)(4)  
of chapter 3 of the 2003 Session Laws of Kansas are hereby declared to  
be null and void and shall have no force and effect.

(2) On or before June 30, 2011, during fiscal year 2011, on a date  
certified by the director of the budget, the director of accounts and re-  
ports shall transfer \$1,000,000 from the state general fund to the workers  
compensation fund of the insurance department for the purpose of re-  
paying 25% of the amount transferred to the state general fund pursuant  
to section 10(a) of chapter 3 of the 2003 Session Laws of Kansas: Pro-  
vided, That, at the same time that such certification is made by the di-  
rector of the budget to the director of accounts and reports under this  
subsection (i)(2), the director of the budget shall deliver a copy of such  
certification to the director of the legislative research department.

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1 is hereby amended to read as follows: 55-193. On July 15, 1996, and on  
2 the 15th day of each calendar quarter thereafter before July 1, 2016, the  
3 director of accounts and reports shall transfer \$100,000 from the state  
4 general fund, \$100,000 from the state water plan fund established by  
5 K.S.A. 82a-951 and amendments thereto and \$100,000 from the conser-  
6 vation fee fund established by K.S.A. 55-143 and amendments thereto to  
7 the abandoned oil and gas well fund established by K.S.A. 55-192 and  
8 amendments thereto, except that: (a) No transfers shall be made pursuant  
9 to this section from the state general fund to the abandoned oil and gas  
10 well fund during state fiscal year 2009; and (b) the aggregate of the trans-  
11 fers made pursuant to this section from the state water plan fund to the  
12 abandoned oil and gas well fund during ~~state~~ fiscal year 2009 shall not  
13 exceed ~~\$400,000~~ \$320,000.

14  
15 Sec. 88. On the effective date of this act, K.S.A. 2008 Supp. 79-2978  
16 is hereby amended to read as follows: 79-2978. (a) There is hereby es-  
17 tablished in the state treasury the business machinery and equipment tax  
18 reduction assistance fund which shall be administered by the state trea-  
19 surer. All expenditures from the business machinery and equipment tax  
20 reduction assistance fund shall be for the payments to counties for dis-  
21 tribution to taxing subdivisions levying ad valorem taxes within the county  
22 in accordance with this section.

23 (b) The secretary of revenue shall adopt a policy using the most current  
24 information that is available, and that is determined to be practicable by  
25 the secretary for this purpose and shall calculate the following:

26 (1) On January 31, 2008, the secretary shall calculate for each county  
27 an amount equal to the difference in total ad valorem taxes levied by the  
28 county on commercial and industrial machinery and equipment for all  
29 taxing subdivisions within the county imposing ad valorem taxes on com-  
30 mercial and industrial machinery and equipment for tax year 2005, and  
31 the total of such ad valorem taxes levied for tax year 2007 not including  
32 any such ad valorem taxes on commercial and industrial machinery and  
33 equipment that were abated or exempted prior to July 1, 2006, and which  
34 such abatement or exemption expired after July 1, 2006. On or before  
35 February 15, 2008, subject to the provisions of subsection (d), the state  
36 treasurer shall pay to the county treasurer of each county an amount equal  
37 to 90% of such difference for distribution as provided in subsection (e).

38 (2) On January 31, 2009, the secretary shall calculate for each county

39 an amount equal to the difference in total ad valorem taxes levied by the  
40 county on commercial and industrial machinery and equipment for all  
41 taxing subdivisions within the county imposing ad valorem taxes on com-  
42 mercial and industrial machinery and equipment for tax year 2005, and  
43 the total of such ad valorem taxes levied for tax year 2008 not including  
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any such ad valorem taxes on commercial and industrial machinery and  
1 equipment that were abated or exempted prior to July 1, 2006, and which  
2 such abatement or exemption expired after July 1, 2006. On

3 March 2, 2009, and on June 1, 2009, subject to the provisions of subsection (d) and sub-  
4 section (g), the state treasurer shall pay to the county treasurer of each  
5 county an amount equal to 70% of such difference for distribution as  
6 provided in subsection (e).  
7

(3) On January 31, 2010, the secretary shall calculate for each county  
8 an amount equal to the difference in total ad valorem taxes levied by the  
9 county on commercial and industrial machinery and equipment for all  
10 taxing subdivisions within the county imposing ad valorem taxes on com-  
11 mercial and industrial machinery and equipment for tax year 2005, and  
12 the total of such ad valorem taxes levied for tax year 2009 not including  
13 any such ad valorem taxes on commercial and industrial machinery and  
14 equipment that were abated or exempted prior to July 1, 2006, and which  
15 such abatement or exemption expired after July 1, 2006. On or before  
16 February 15, 2010, subject to the provisions of subsection (d), the state  
17 treasurer shall pay to the county treasurer of each county an amount equal  
18 to 50% of such difference for distribution as provided in subsection (e).  
19

(4) On January 31, 2011, the secretary shall calculate for each county  
20 an amount equal to the difference in total ad valorem taxes levied by the  
21 county on commercial and industrial machinery and equipment for all  
22

23 taxing subdivisions within the county imposing ad valorem taxes on com-  
24 mercial and industrial machinery and equipment for tax year 2005, and  
25 the total of such ad valorem taxes levied for tax year 2010 not including  
26 any such ad valorem taxes on commercial and industrial machinery and  
27 equipment that were abated or exempted prior to July 1, 2006, and which  
28 such abatement or exemption expired after July 1, 2006. On or before  
29 February 15, 2011, subject to the provisions of subsection (d), the state  
30 treasurer shall pay to the county treasurer of each county an amount equal  
31 to 30% of such difference for distribution as provided in subsection (e).

32 (5) On January 31, 2012, the secretary shall calculate for each county  
33 an amount equal to the difference in total ad valorem taxes levied by the  
34 county on commercial and industrial machinery and equipment for all  
35 taxing subdivisions within the county imposing ad valorem taxes on com-  
36 mercial and industrial machinery and equipment for tax year 2005, and  
37 the total of such ad valorem taxes levied for tax year 2011 not including  
38 any such ad valorem taxes on commercial and industrial machinery and  
39 equipment that were abated or exempted prior to July 1, 2006, and which  
40 such abatement or exemption expired after July 1, 2006. On or before  
41 February 15, 2012, subject to the provisions of subsection (d), the state  
42 treasurer shall pay to the county treasurer of each county an amount equal  
43 to 10% of such difference for distribution as provided in subsection (e).

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1 (6) There shall be no payments made pursuant to this section after the  
2 payments made by the state treasurer on or before February 15, 2012,  
3 and the provisions of this section shall expire at such time.

(c) The calculations required by subsection (b) shall be based upon a

4 certification made by the county clerk on or before November 15 of the  
5 tax year and submitted to the director of property valuation. Such certi-  
6 fication shall be in a format devised and prescribed by the director of  
7 property valuation. Such certification shall report the total ad valorem  
8 taxes levied by the county on commercial and industrial machinery and  
9 equipment for all taxing subdivisions within the county imposing ad va-  
10 lorem taxes on commercial and industrial machinery and equipment. The  
11 county clerk shall provide a copy of such certification to the county trea-  
12 surer for the purpose of determining the distribution of moneys pursuant  
13 to the provisions of subsection (e)(2) paid to the county pursuant to sub-  
14 section (b) by the state treasurer.

15 (d) If the amount calculated for the difference in subsections (b)(1)  
16 through (b)(5) is negative, the amount calculated for such county for such  
17 year shall be deemed to be zero and no amount shall be paid to the county  
18 treasurer of such county as otherwise provided in subsection (b). Nothing  
19 in this section shall be construed to require the county to make any pay-  
20 ments to the state in such event that the amount calculated for the dif-  
21 ference is negative for the county for such year.

22 (e) (1) On January 31 of each year specified in this section, the secretary  
23 of revenue shall certify to the director of accounts and reports the aggre-  
24 gate of all amounts determined for counties pursuant to subsection (b).

25 Upon receipt of such certification, the director of accounts and reports  
26 shall transfer the amount certified from the state general fund to the  
27 business machinery and equipment tax reduction assistance fund, *except*  
28 *that (A) the aggregate amount of moneys transferred from the state general*  
29

fund to the business machinery and equipment tax reduction assistance  
30

fund during the state fiscal year ending June 30, 2009, pursuant to this  
31

section shall not exceed the maximum amount determined pursuant to  
32

subsection (g) , and (B) an amount equal to 50% of the maximum amount determined pur-  
suant to subsection (g) shall be transferred from the state general fund to the business  
machinery and equipment tax reduction assistance fund on March 2, 2009, and an amount  
equal to 50% of the maximum amount determined pursuant to subsection (g) shall be  
transferred from the state general fund to the business machinery and equipment tax re-  
duction assistance fund on June 1, 2009.

33

(2) The state treasurer shall apportion and distribute the moneys cred-  
34

ited to the business machinery and equipment tax reduction assistance  
35

fund to the county treasurers in accordance with subsection (b). Upon  
36

receipt of each such amount, each county treasurer shall apportion such  
37

amount among the ad valorem taxing subdivisions imposing ad valorem  
38

taxes on commercial and industrial machinery and equipment in an  
39

amount equal to the difference between the total ad valorem taxes on  
40

commercial and industrial machinery and equipment levied by each such  
41

ad valorem taxing subdivision for the tax year 2005 and the total ad va-  
42

lorem taxes on commercial and industrial machinery and equipment lev-  
43

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ied by each such ad valorem taxing subdivision for the tax year of the  
1

apportionment, subject to the percentage reduction set forth in subsec-  
2

tion (b) for the tax year of the apportionment of such moneys to that  
3

county. The county treasurer shall pay such amounts to the taxing sub-  
4

divisions at the same time or times as their regular operating tax rate mill  
5

levy is paid to them.

6

(f) Before January 31 of 2007 through 2013, the secretary of revenue  
7

shall make a detailed report of amounts calculated as required pursuant  
8

9 to subsection (b) for each individual county and in aggregate for all the  
10 counties for the current year along with any projections for future years,  
11 amounts distributed to the counties pursuant to this section, the amount  
12 of ad valorem taxes on commercial and industrial machinery and equip-  
13 ment not included in the total ad valorem taxes for each tax year due to  
14 the fact that the tax liability of such machinery and equipment was abated  
15 or exempted prior to July 1, 2006, and such abatement or exemption  
16 expired after July 1, 2006, for each individual county and in aggregate for  
17 all counties and all other relevant information related to the provisions of  
18 this section, and shall present such report before such date to the house  
19 committee on taxation of the house of representatives and the senate  
20 committee on assessment and taxation of the senate for consideration by  
21 the legislature in making any appropriate adjustments to the provisions  
22 of this section.

23 *(g) (1) The maximum amount that may be transferred during the fiscal*  
24 *year ending June 30, 2009, from the state general fund to the business*  
25 *machinery and equipment tax reduction assistance fund pursuant to this*  
26 *section shall be equal to (A) the amount equal to 93.5% of the aggregate*  
27 *amount determined under subsection (b)(2) plus the amount equal to*  
28 *93.5% of the aggregate amount determined under subsection (b)(2) of*  
29 *K.S.A. 2008 Supp. 79-2979, and amendments thereto, multiplied by (B)*  
30 *the result obtained by dividing the amount equal to 93.5% of the aggregate*  
31 *amount determined under subsection (b)(2) by the aggregate of the*  
32 *amount equal to 93.5% of the aggregate amount determined under sub-*  
33 *section (b)(2) plus the amount equal to 93.5% of the aggregate amount*  
*determined under subsection (b)(2) of K.S.A. 2008 Supp. 79-2979, and*



34  
amendments thereto.  
35  
(2) If a maximum amount is imposed under this subsection and the  
36 aggregate amount transferred from the state general fund to the business  
37 machinery and equipment tax reduction assistance fund during state fiscal  
38 year 2009 pursuant to this section is reduced, then the amount allocated  
39 to each county by the state treasurer under subsection (b)(2) shall be  
40 reduced proportionately with respect to aggregate reduction in the  
41 amount of such transfer from the state general fund to the business ma-  
42 chinery and equipment tax reduction assistance fund during state fiscal  
43  
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58  
year 2009.

1  
Sec. 89. On the effective date of this act, K.S.A. 2008 Supp. 79-2979  
2  
is hereby amended to read as follows: 79-2979. (a) There is hereby es-  
3  
tablished in the state treasury the telecommunications and railroad ma-  
4  
chinery and equipment tax reduction assistance fund which shall be ad-  
5  
ministered by the state treasurer. All expenditures from the  
6  
telecommunications and railroad machinery and equipment tax reduction  
7  
assistance fund shall be for the payments to counties for distribution to  
8  
taxing subdivisions levying ad valorem taxes within the county in accord-  
9  
ance with this section.

10  
(b) The secretary of revenue shall adopt a policy using the most current  
11  
information that is available, and that is determined to be practicable by  
12  
the secretary for this purpose and shall calculate the following:

13  
(1) On January 31, 2008, the secretary shall calculate for each county  
14  
an amount equal to the difference in total ad valorem taxes levied by the  
15

16 county on telecommunications machinery and equipment and railroad  
17 machinery and equipment for all taxing subdivisions within the county  
18 imposing ad valorem taxes on telecommunications machinery and equip-  
19 ment and railroad machinery and equipment for tax year 2005, and the  
20 total of such ad valorem taxes levied for tax year 2007 not including any  
21 such ad valorem taxes on telecommunications machinery and equipment  
22 and railroad machinery and equipment that were abated or exempted  
23 prior to July 1, 2006, and which such abatement or exemption expired  
24 after July 1, 2006. On or before February 15, 2008, subject to the pro-  
25 visions of subsection (c), the state treasurer shall pay to the county trea-  
26 surer of each county an amount equal to 90% of such difference for  
27 distribution as provided in subsection (d).

28 (2) On January 31, 2009, the secretary shall calculate for each county  
29 an amount equal to the difference in total ad valorem taxes levied by the  
30 county on telecommunications machinery and equipment and railroad  
31 machinery and equipment for all taxing subdivisions within the county  
32 imposing ad valorem taxes on telecommunications machinery and equip-  
33 ment and railroad machinery and equipment for tax year 2005, and the  
34 total of such ad valorem taxes levied for tax year 2008 not including any  
35 such ad valorem taxes on telecommunications machinery and equipment  
36 and railroad machinery and equipment that were abated or exempted  
37 prior to July 1, 2006, and which such abatement or exemption expired  
38 after July 1, 2006. On March 2, 2009, and on June 1, 2009, subject to the pro-  
39 visions of subsection (c) and subsection (f), the state treasurer shall pay  
40 to the county treasurer of each county an amount equal to 70% of such  
difference for distribution as provided in subsection (d).

41

(3) On January 31, 2010, the secretary shall calculate for each county  
42 an amount equal to the difference in total ad valorem taxes levied by the  
43

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county on telecommunications machinery and equipment and railroad  
1 machinery and equipment for all taxing subdivisions within the county  
2 imposing ad valorem taxes on telecommunications machinery and equip-  
3 ment and railroad machinery and equipment for tax year 2005, and the  
4 total of such ad valorem taxes levied for tax year 2009 not including any  
5 such ad valorem taxes on telecommunications machinery and equipment  
6 and railroad machinery and equipment that were abated or exempted  
7 prior to July 1, 2006, and which such abatement or exemption expired  
8 after July 1, 2006. On or before February 15, 2010, subject to the pro-  
9 visions of subsection (c), the state treasurer shall pay to the county trea-  
10 surer of each county an amount equal to 50% of such difference for  
11 distribution as provided in subsection (d).  
12

(4) On January 31, 2011, the secretary shall calculate for each county  
13 an amount equal to the difference in total ad valorem taxes levied by the  
14 county on telecommunications machinery and equipment and railroad  
15 machinery and equipment for all taxing subdivisions within the county  
16 imposing ad valorem taxes on telecommunications machinery and equip-  
17 ment and railroad machinery and equipment for tax year 2005, and the  
18 total of such ad valorem taxes levied for tax year 2010 not including any  
19 such ad valorem taxes on telecommunications machinery and equipment  
20 and railroad machinery and equipment that were abated or exempted  
21 prior to July 1, 2006, and which such abatement or exemption expired  
22

after July 1, 2006. On or before February 15, 2011, subject to the pro-

visions of subsection (c), the state treasurer shall pay to the county trea-

surer of each county an amount equal to 30% of such difference for

distribution as provided in subsection (d).

(5) On January 31, 2012, the secretary shall calculate for each county

an amount equal to the difference in total ad valorem taxes levied by the

county on telecommunications machinery and equipment and railroad

machinery and equipment for all taxing subdivisions within the county

imposing ad valorem taxes on telecommunications machinery and equip-

ment and railroad machinery and equipment for tax year 2005, and the

total of such ad valorem taxes levied for tax year 2011 not including any

such ad valorem taxes on telecommunications machinery and equipment

and railroad machinery and equipment that were abated or exempted

prior to July 1, 2006, and which such abatement or exemption expired

after July 1, 2006. On or before February 15, 2012, subject to the pro-

visions of subsection (c), the state treasurer shall pay to the county trea-

surer of each county an amount equal to 10% of such difference for

distribution as provided in subsection (d).

(6) There shall be no payments made pursuant to this section after the

payments made by the state treasurer on or before February 15, 2012,

and the provisions of this section shall expire at such time.

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60

(c) If the amount calculated for the difference in subsections (b)(1)

through (b)(5) is negative, the amount calculated for such county for such

year shall be deemed to be zero and no amount shall be paid to the county

treasurer of such county as otherwise provided in subsection (b). Nothing

4  
in this section shall be construed to require the county to make any pay-  
5  
ments to the state in such event that the amount calculated for the dif-  
6  
ference is negative for the county for such year.

7  
(d) (1) On January 31 of each year specified in this section, the secretary  
8  
of revenue shall certify to the director of accounts and reports the aggre-  
9  
gate of all amounts determined for counties pursuant to subsection (b).

10  
Upon receipt of such certification, the director of accounts and reports

11  
shall transfer the amount certified from the state general fund to the

12  
telecommunications and railroad machinery and equipment tax reduction

13  
assistance fund, *except that (A) the aggregate amount of moneys transferred*

14  
*from the state general fund to the telecommunications and railroad ma-*

15  
*chinery and equipment tax reduction assistance fund during the state*

16  
*fiscal year ending June 30, 2009, pursuant to this section shall not exceed*

17  
*the maximum amount determined pursuant to subsection (f), and (B) an amount equal to 50% of the*  
*maximum amount determined pursuant to subsection (f) shall be transferred from the state general fund*  
*to the telecommu-nications and railroad machinery and equipment tax reduction assistance fund on*  
*March 2, 2009, and an amount equal to 50% of the maximum amount determined pursuant to sub-*  
*section (f) shall be transferred from the state general fund to the telecommunications and*  
*railroad machinery and equipment tax reduction assistance fund on June 1, 2009.*

18  
(2) The state treasurer shall apportion and distribute the moneys cred-

19  
ited to the telecommunications and railroad machinery and equipment

20  
tax reduction assistance fund to the county treasurers in accordance with

21  
subsection (b). Upon receipt of each such amount, each county treasurer

22  
shall apportion such amount among the ad valorem taxing subdivisions

23  
imposing ad valorem taxes on telecommunications machinery and equip-

24  
ment and railroad machinery and equipment in an amount equal to the

25  
difference between the total ad valorem taxes on telecommunications

26  
machinery and equipment and railroad machinery and equipment levied

27  
by each such ad valorem taxing subdivision for the tax year 2005 and the  
28  
total ad valorem taxes on telecommunications machinery and equipment  
29  
and railroad machinery and equipment levied by each such ad valorem  
30  
taxing subdivision for the tax year of the apportionment, subject to the  
31  
percentage reduction set forth in subsection (b) for the tax year of the  
32  
apportionment of such moneys to that county. The county treasurer shall  
33  
pay such amounts to the taxing subdivisions at the same time or times as  
34  
their regular operating tax rate mill levy is paid to them.

35  
(e) Before January 31 of 2007 through 2013, the secretary of revenue  
36  
shall make a detailed report of amounts calculated as required pursuant  
37  
to subsection (b) for each individual county and in aggregate for all the  
38  
counties for the current year along with any projections for future years,  
39  
amounts distributed to the counties pursuant to this section, the amount  
40  
of ad valorem taxes on telecommunications machinery and equipment  
41  
and railroad machinery and equipment not included in the total of ad  
42  
valorem taxes for each tax year due to the fact that the tax liability of such  
43

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machinery and equipment was abated or exempted prior to July 1, 2006,  
1  
and the abatement or exemption expired after July 1, 2006, for each in-  
2  
dividual county and in aggregate for all counties and all other relevant  
3  
information related to the provisions of this section, and shall present  
4  
such report before such date to the house committee on taxation of the  
5  
house of representatives and the senate committee on assessment and  
6  
taxation of the senate for consideration by the legislature in making any  
7  
appropriate adjustments to the provisions of this section.

8

9 (f) (1) The maximum amount that may be transferred during the fiscal

10 year ending June 30, 2009, from the state general fund to the telecom-

11 munications and railroad machinery and equipment tax reduction assis-

12 tance fund pursuant to this section shall be equal to (A) the amount equal

13 to 93.5% of the aggregate amount determined under subsection (b)(2) plus

14 the amount equal to 93.5% of the aggregate amount determined under

15 subsection (b)(2) of K.S.A. 2008 Supp. 79-2978, and amendments thereto,

16 multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount

17 determined under subsection (b)(2) by the aggregate of the amount equal

18 to 93.5% of the aggregate amount determined under subsection (b)(2) plus

19 the amount equal to 93.5% of the aggregate amount determined under

20 subsection (b)(2) of K.S.A. 2008 Supp. 79-2978, and amendments thereto.

21 (2) If a maximum amount is imposed under this subsection and the

22 aggregate amount transferred from the state general fund to the telecom-

23 munications and railroad machinery and equipment tax reduction assis-

24 tance fund during state fiscal year 2009 pursuant to this section is re-

25 duced, then the amount allocated to each county by the state treasurer

26 under subsection (b)(2) shall be reduced proportionately with respect to

27 aggregate reduction in the amount of such transfer from the state general

28 fund to the telecommunications and railroad machinery and equipment

29 tax reduction assistance fund during state fiscal year 2009.

30 Sec. 90. On the effective date of this act, K.S.A. 2008 Supp. 79-3425i

31 is hereby amended to read as follows: 79-3425i. On January 15 and July

32 15 of each year, the director of accounts and reports shall transfer a sum

33 equal to the total taxes collected under the provisions of K.S.A. 79-6a04

and 79-6a10, and amendments thereto, and credited to the state general

34 fund during the six months next preceding the date of transfer, from the  
35 state general fund to the special city and county highway fund, created  
36 by K.S.A. 79-3425, and amendments thereto, except that: (1) Such trans-  
37 fers are subject to reduction under K.S.A. 75-6704, and amendments  
38 thereto; ~~and~~ (2) *the amount of moneys transferred from the state general*  
39 *fund to the special city and county highway fund during state fiscal year*  
40 *2009 on each such date shdl not exceed \$3,330,543.50; and* (3) the amount  
42 of moneys transferred from the state general fund to the special city and  
43 county highway fund during state fiscal ~~years 2009 and year~~ 2010 on each  
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such date shall not exceed \$5,031,832; and (4) notwithstanding the  
provisions of K.S.A. 79-3425c and 75-3425i, and amendments thereto, or any other statute,  
the aggregate amount of \$6,661,087 of the moneys credited to the special city and county  
highway fund shall be paid on or before April 14, 2009, by the state treasurer in accordance  
with the following to the following counties in the amounts specified respectively therefor  
with the requirement that the moneys received by each such county shall be deposited and  
administered in accordance with K.S.A. 79-3425c, and amendments thereto, including any  
redistributions provided for by that statute: Barton county, \$174,544.98; Butler county,  
\$890,898.90; Chautauqua county, \$7,293.76; Clay county, \$15,533.75; Comanche county,  
\$15,525.56; Cowley county, \$151,493.36; Douglas county, \$1,152,561.96; Finney county,  
\$38,376.16; Geary county, \$41,101.83; Grant county, \$11,827.23; Lane county, \$6,986.21;  
Leavenworth county, \$655,874.14; Ness county, \$13,000.51; Rice county, \$9,780.91; Russell  
county, \$18,610.55; Shawnee county, \$3,299,659.69; Sherman county, \$29,689.72; Stevens  
county, \$7,532.41; Trego county, \$4,257.37; and Wyandotte county, \$116,537.47, which  
shall be for the purpose of providing such counties, cities and other local governmental  
entities the amounts that were not paid as directed by statute during state fiscal years 2006,  
2007 and 2008. All transfers under this section

1

shall be considered to be demand transfers from the state general fund

2

except that all such transfers during the fiscal years ending June 30, 2009,

3

and June 30, 2010, shall be considered to be revenue transfers from the

4

state general fund. *Any transfers of moneys from the state general fund*

5

*to the special city and county highway fund during the state fiscal year*

6

*ending June 30, 2009, pursuant to the provisions of K.S.A. 79-3425i, and*

7

*amendments thereto, or any other statute, that have been made prior to*

8

*the effective date of this act shall be reversed by the director of accounts*

9



*and reports and reversing entries shall be entered upon the accounting  
records of the state treasurer therefor.*

Sec. 91. On the effective date of this act, K.S.A. 2008 Supp. 79-

34,156 is hereby amended to read as follows: 79-34,156. On April 1, 2007,  
the director of accounts and reports shall transfer \$437,500 from the state  
economic development initiatives fund to the Kansas qualified biodiesel  
fuel producer incentive fund. If sufficient moneys are not available in the  
state economic development initiatives fund for such transfer on April 1,  
2007, then the director of accounts and reports shall transfer on such date  
the amount available in the state economic development initiatives fund  
in accordance with this section and shall transfer on such date, or as soon  
thereafter as moneys are available therefor, the amount equal to the in-  
sufficiency from the state general fund to the Kansas qualified biodiesel  
fuel producer incentive fund. On July 1, 2007, and quarterly thereafter,  
the director of accounts and reports shall transfer \$875,000 from the state  
economic development initiatives fund to the Kansas qualified biodiesel  
fuel producer incentive fund, *except that the amount of moneys trans-  
ferred from the state economic development initiatives fund to the Kansas  
qualified biodiesel fuel producer incentive fund on April 1, 2009, shall not  
exceed \$849,000.* If sufficient moneys are not available in the state eco-  
nomic development initiatives fund for such transfer on July 1, 2007, and  
on the first day of any calendar quarter thereafter, in any such fiscal year,  
then the director of accounts and reports shall transfer on such date the  
amount available in the state economic development initiatives fund in  
accordance with this section and shall transfer on such date, or as soon  
thereafter as moneys are available therefor, the amount equal to the in-

35 sufficiency from the state general fund to the Kansas qualified biodiesel  
36 fuel producer incentive fund.

37 Sec. 92. On the effective date of this act, K.S.A. 2008 Supp. 79-4801  
38 is hereby amended to read as follows: 79-4801. There is hereby created  
39 the state gaming revenues fund in the state treasury. All moneys credited  
40 to such fund shall be expended or transferred only for the purposes and  
41 in the manner provided by this act and all expenditures from the state  
42 gaming revenues fund shall be made in accordance with appropriation

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acts. All moneys credited to such fund shall be allocated and credited  
1 monthly to the funds and in the amounts specified by this act except that  
2 the total of the amounts credited to such funds in any one fiscal year  
3 pursuant to this act shall not exceed \$50,000,000, *except that the total of*  
4 *the amounts credited to such funds for fiscal year 2009, pursuant to this*  
5 *act shall not exceed \$48,059,846.* All amounts credited to such fund in  
6 any one fiscal year which are in excess of \$50,000,000 shall be transferred  
7 and credited to the state general fund on July 15, 1996, and June 25,  
8 1997, and each year thereafter on June 25, except that: (a) All amounts  
9 credited to the state gaming revenues fund in fiscal year 2009 which are  
10 in excess of ~~\$50,000,000~~ \$48,059,846 shall be transferred and credited to  
11 the state general fund on July 15, 2009, and shall be recorded and ac-  
12 counted for as receipts to the state general fund for fiscal year 2009; and  
13 (b) all amounts credited to the state gaming revenues fund in fiscal year  
14 2010 which are in excess of \$50,000,000 shall be transferred and credited  
15 to the state general fund on July 15, 2010, and shall be recorded and  
16 accounted for as receipts to the state general fund for fiscal year 2010.  
17 Sec. 93. On the effective date of this act, K.S.A. 2008 Supp. 82a-  
18 953a is hereby amended to read as follows: 82a-953a. During each fiscal  
19 year, the director of accounts and reports shall transfer \$6,000,000 from  
20 the state general fund to the state water plan fund created by K.S.A. 82a-

22 951, and amendments thereto, one-half of such amount to be transferred  
23 on July 15 and one-half to be transferred on January 15, except that (1)  
24 such transfers during each fiscal year commencing after June 30, 2008,  
25 are subject to reduction under K.S.A. 75-6704, and amendments thereto,  
26 and (2) *the total amount of moneys transferred from the state general*  
27 *fund to the state water plan fund during the fiscal year ending June 30,*  
28 *2009, shall not exceed \$2,000,000. On the effective date of this act, the*  
29 *director of accounts and reports shall transfer the amount in excess of*  
30 *\$2,000,000 which was transferred from the state general fund to the state*  
31 *water plan fund prior to the effective date of this act during the fiscal*  
32 *year ending June 30, 2009, as certified by the director of the budget to*  
33 *the director of accounts and reports to the state general fund.* All transfers  
34 under this section shall be considered to be demand transfers from the  
35 state general fund, except that all such transfers during the fiscal years  
36 ending June 30, 2008, and June 30, 2009, shall be considered revenue  
37 transfers from the state general fund.

38 Sec. 94. On the effective date of this act, K.S.A. 2008 Supp. 55-193,  
39 79-2978, 79-2979, 79-3425i, 79-34, 156, 79-4801 and 82a-953a are hereby  
40 repealed.

41 Sec. 95. (a) On the effective date of this act, of the amount of each  
42 appropriation or reappropriation for a state agency for the fiscal year  
43 ending June 30, 2009, made by chapter 131, 156, 159, 160, 164, 172 or  
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184 of the 2008 Session Laws of Kansas, or by this or other appropriation  
1 act of the 2009 regular session of the legislature from the state general  
2 fund, the sum equal to 1.25% of such appropriation or reappropriation,  
3 which is not exempt, is hereby lapsed. The following are exempt from  
4 and shall not be reduced by such lapsing provision: (1) Any item of ap-  
5 propriation or reappropriation for debt service for payments pursuant to  
6 contractual bond obligations, (2) any item of appropriation or reappro-  
7 priation for employer contributions for the employers who are eligible  
8 employers as specified in subsections (1), (2) and (3) of K.S.A. 74-4931,  
9 and amendments thereto, under the Kansas public employees retirement  
10 system pursuant to K.S.A. 74-4939, and amendments thereto, (3) any item  
11 of appropriation or reappropriation for the department of education, and  
12 (4) any item of appropriation or reappropriation from the state general  
13 fund for fiscal year ending June 30, 2009, for the department of social

14 and rehabilitation services, Kansas health policy authority, or the depart-  
15 ment on aging which are required to meet caseload obligations under the  
16 state medicaid plan including nursing facilities, general medical, targeted  
17 case management, mental health, community supports and services, or  
18 addiction and prevention services or for the department of social and  
19 rehabilitation services to meet caseload obligations for nursing facilities  
20 for mental health, general assistance, temporary assistance for families,  
21 foster care and reintegration services contracts or adoption services con-  
22 tracts, as certified by the director of the budget to the director of accounts  
23 and reports for the purposes of this clause: Provided, That, at the same  
24 time that such certification is made by the director of the budget to the  
25 director of accounts and reports under this clause (4), the director of the  
26 budget shall deliver a copy of such certification to the director of the  
27 legislative research department.

28 (b) The provisions of this section shall not apply to any transfer of  
29 moneys to the: (1) School district capital improvements fund for distri-  
30 bution to school districts pursuant to K.S.A. 75-2319, and amendments  
31 thereto, and (2) school district capital outlay state aid fund for distribution  
32 to school districts pursuant to K.S.A. 72-8814, and amendments thereto.

33 Sec. 96. (a) (1) On and after the effective date of this act, notwith-  
34 standing the provisions of K.S.A. 74-4927, and amendments thereto, or  
35 any other statute, no state agency shall pay to the Kansas public employees  
36 retirement system any amounts to the group insurance reserve fund at-  
37 tributable to the months of March, April, May, or June 2009, that con-  
38 stitute such state agency's portion of the state's contribution to the group  
39

insurance reserve fund under K.S.A. 74-4927, and amendments thereto.

(2) On the effective date of this act, the amount in each account of the

state general fund of each state agency that is appropriated for the fiscal

year ending June 30, 2009, by chapter 131, chapter 156, chapter 159,

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chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session

Laws of Kansas or by this or other appropriation act of the 2009 regular

session of the legislature and that is budgeted for payment to the Kansas

public employees retirement system as a contribution for March, April,

May and June 2009, to the group insurance reserve fund under K.S.A.

74-4927, and amendments thereto, as certified by the director of the

budget to the director of accounts and reports for fiscal year 2009, is

hereby lapsed from each such account.

(3) On the effective date of this act, or as soon thereafter as moneys

are available, the director of accounts and reports shall transfer the

amount in each account of each special revenue fund of each state agency

that is appropriated for the fiscal year ending June 30, 2009, by chapter

131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or

chapter 184 of the 2008 Session Laws of Kansas or by this or other ap-

propriation act of the 2009 regular session of the legislature and that is

budgeted for payment to the Kansas public employees retirement system

as a contribution for March, April, May and June 2009, to the group

insurance reserve fund under K.S.A. 74-4927, and amendments thereto,

subject to any applicable federal limitations or restrictions, as certified by

the director of the budget to the director of accounts and reports for fiscal

year 2009, from such special revenue fund, or account thereof, to the

21 state general fund: *Provided*, That the amounts transferred from special  
22 revenue funds to the state general fund pursuant to this subsection (a)(3)  
23 are to reimburse the state general fund for accounting, auditing, budg-  
24 eting, legal, payroll, personnel and purchasing services and any other gov-  
25 ernmental services which are performed on behalf of the state agency  
26 involved by other state agencies which receive appropriations from the  
27 state general fund to provide such services.

28 (b) (1) On and after the effective date of this act, notwithstanding the  
29 provisions of K.S.A. 75-6508 or 75-6512, and amendments thereto, or any  
30 other statute, no state agency shall pay to the Kansas health policy au-  
31 thority any amounts specified by the Kansas state employees health care  
32 commission for employees of the state agency who are participating in  
33 the state health care benefits program, excluding any amounts prescribed  
34 under the cafeteria plan, that are attributable to the payroll periods com-  
35 mencing on or after March 8, 2009, and ending on or before June 13,  
36 2009, that constitute such state agency's portion of the state's contribution  
37 for persons participating in the state health care benefits program under  
38 K.S.A. 75-6501 et seq., and amendments thereto, for such payroll periods.

39 (2) On the effective date of this act, the amount in each account of the  
40 state general fund of each state agency that is appropriated for the fiscal  
41 year ending June 30, 2009, by chapter 131, chapter 156, chapter 159,  
42 chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session

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Laws of Kansas or by this or other appropriation act of the 2009 regular  
1 session of the legislature and that is budgeted for payment to the Kansas  
2

health policy authority for employees of the state agency who are partic-  
ipating in the state health care benefits program, excluding any amounts  
prescribed under the cafeteria plan, that are attributable to the payroll  
periods commencing on or after March 8, 2009, and ending on or before  
June 13, 2009, under K.S.A. 75-6508, and amendments thereto, as cer-  
tified by the director of the budget to the director of accounts and reports  
for fiscal year 2009, is hereby lapsed from each such account.

(3) On the effective date of this act, or as soon thereafter as moneys  
are available, the director of accounts and reports shall transfer the  
amount in each account of each special revenue fund of each state agency  
that is appropriated for the fiscal year ending June 30, 2009, by chapter  
131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or  
chapter 184 of the 2008 Session Laws of Kansas or by this or other ap-  
propriation act of the 2009 regular session of the legislature and that is  
budgeted for payment to the Kansas health policy authority for employees  
of such state agency who are participating in the state health care benefits  
program, excluding any amounts prescribed under the cafeteria plan, that  
are attributable to the payroll periods commencing on or after March 8,  
2009, and ending on or before June 13, 2009, under K.S.A. 75-6508, and  
amendments thereto, subject to any applicable federal limitations or re-  
strictions, as certified by the director of the budget to the director of  
accounts and reports for fiscal year 2009, from such special revenue fund,  
or account thereof, to the state general fund: Provided, That the amounts  
transferred from special revenue funds to the state general fund pursuant  
to this subsection (b)(3) are to reimburse the state general fund for ac-  
counting, auditing, budgeting, legal, payroll, personnel and purchasing

28 services and any other governmental services which are performed on  
29 behalf of the state agency involved by other state agencies which receive  
30 appropriations from the state general fund to provide such services.

31 Sec. 97. *Severability*. If any provision or clause of this act or appli-  
32 cation thereof to any person or circumstances is held invalid, such inva-  
33 lidity shall not affect other provisions or applications of the act which can  
34 be given effect without the invalid provision or application, and to this  
35 end the provisions of this act are declared to be severable.

36 Sec. 98. *Appeals to exceed position limitations*. The limitations im-  
37 posed by this act on the number of full-time and regular part-time posi-  
38 tions equated to full-time, excluding seasonal and temporary positions,  
39 paid from appropriations for the fiscal year ending June 30, 2009, made  
40 in chapter 5, chapter 131, chapter 156, chapter 159, chapter 160, chapter  
41 164, chapter 172 or chapter 184 of the 2008 Session Laws of Kansas or  
42 in this act or in any other appropriation act of the 2009 regular session

43 H Sub for Sub SB 23—Am. by HCW  
67  
of the legislature may be exceeded upon approval of the state finance  
1 council.

2 Sec. 99. *Appeals to exceed expenditure limitations*. (a) Upon written  
3 application to the governor and approval of the state finance council,  
4 expenditures from special revenue funds may exceed the amounts spec-  
5 ified in this act.

6 (b) This section shall not apply to the expanded lottery act revenues  
7 fund, state economic development initiatives fund, the children's initia-  
8 tives fund, the state water plan fund or the Kansas endowment for youth  
9



fund, or to any account of any of such funds.

10

Sec. 100. This act shall take effect and be in force from and after its

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publication in the Kansas register.

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