

As Amended by House Committee

Session of 2011

HOUSE BILL No. 2374

By Committee on Appropriations

3-7

1 AN ACT making and concerning appropriations for the fiscal years ending
2 June 30, 2011, and June 30, 2012, for the department of education;
3 authorizing certain transfers, capital improvement projects and fees,
4 imposing certain restrictions and limitations, and directing or
5 authorizing certain receipts, disbursements and acts incidental to the
6 foregoing.

7
8 *Be it enacted by the Legislature of the State of Kansas:*

9 Section 1. (a) For the fiscal years ending June 30, 2011, and June 30,
10 2012, **and June 30, 2013**, appropriations are hereby made, restrictions and
11 limitations are hereby imposed, and transfers, capital improvement
12 projects, fees, receipts, disbursements and acts incidental to the foregoing
13 are hereby directed or authorized as provided in this act.

14 **(b) The agencies named in this act are hereby authorized to**
15 **initiate and complete the capital improvement projects specified and**
16 **authorized by this act or for which appropriations are made by this**
17 **act, subject to the restrictions and limitations imposed by this act.**

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

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

22 Sec. 2.

23 DEPARTMENT OF EDUCATION

24 (a) (1) During the fiscal year ending June 30, 2011, on or before ~~April~~
25 ~~15 June 1~~, 2011, the commissioner of education, the director of legislative
26 research and the director of the budget shall jointly determine the amount
27 of moneys that are required to satisfy the maintenance of state financial
28 support provisions of the federal individuals with disabilities education
29 act, as amended, for the fiscal year ending June 30, 2011, based on recent
30 estimates and other available information pertaining thereto, and shall
31 jointly certify the amount so determined to the director of accounts and
32 reports.

33 ~~(2) During the fiscal year ending June 30, 2011, upon receipt of such~~
34 ~~joint certification pursuant to subsection (a)(1), the director of accounts~~
35 ~~and reports shall transfer the amount prescribed in such certification from~~
36 ~~the KPERS employer contributions account of the state general fund to~~

1 the special education services aid account of the state general fund.

2 ~~(3) On or after July 1, 2011, or as soon thereafter as moneys are~~
3 ~~available therefor, the director of accounts and reports shall transfer the~~
4 ~~amount prescribed in such joint certification, pursuant to subsection (a)(1),~~
5 ~~from the general state aid account of the state general fund to the KPERS—~~
6 ~~employer contributions account of the state general fund.~~

7 **(2) On June 1, 2011, if the amount certified by joint certification**
8 **pursuant to subsection (a)(1) is more than \$21,240,000, the director of**
9 **accounts and reports shall determine the difference between**
10 **\$21,240,000 and the amount so certified and, on June 1, 2011, shall**
11 **transfer the amount of such difference from the KPERS – employer**
12 **contributions account of the state general fund of the above agency to**
13 **the special education services aid account of the state general fund of**
14 **the above agency.**

15 **(3) (A) On June 3, 2011, of the \$291,602,545 appropriated for the**
16 **above agency for the fiscal year ending June 30, 2011, by section 79(a)**
17 **of chapter 165 of the 2010 Session Laws of Kansas from the state**
18 **general fund in the KPERS – employer contributions account, the sum**
19 **determined by the director of accounts and reports as prescribed in**
20 **subsection (a)(3)(B) is hereby lapsed.**

21 **(B) On or before June 3, 2011, the director of accounts and**
22 **reports shall determine the sum equal to \$69,200,000 reduced by the**
23 **amount equal to the amount transferred on June 3, 2011, from the**
24 **KPERS – employer contributions account of the state general fund of**
25 **the above agency to the special education services aid account of the**
26 **state general fund of the above agency pursuant to subsection (a)(2), if**
27 **any amount is so transferred by the director of accounts and reports.**

28 (4) At the same time that such joint certification is transmitted to the
29 director of accounts and reports pursuant to subsection (a)(1), the
30 commissioner of education, the director of legislative research and the
31 director of the budget shall jointly transmit a copy of such certification to
32 the speaker of the house of representatives, the speaker pro tem of the
33 house of representatives, the majority leader of the house of
34 representatives, the minority leader of the house of representatives, the
35 chairperson of the committee on appropriations of the house of
36 representatives, the chief clerk of the house of representatives, the
37 president of the senate, the vice-president of the senate, the majority leader
38 of the senate, the minority leader of the senate, the chairperson of the
39 committee on ways and means of the senate and the secretary of the
40 senate.

41 **(b) There is appropriated for the above agency from the state**
42 **general fund for the fiscal year ending June 30, 2011, the following:**
43 **Special education services aid.....\$21,240,000**

1 (c) (1) On July 1, 2011, of the \$1,902,775,680 appropriated for the
2 above agency for the fiscal year ending June 30, 2012, by section 56(a)
3 of 2011 Senate Bill No. 2383 from the state general fund in the general
4 state aid account, the sum determined by the director of accounts and
5 reports as prescribed in subsection (c)(2) is hereby lapsed.

6 (2) On or before July 1, 2011, the director of accounts and reports
7 shall determine the sum equal to \$21,240,000 reduced by the aggregate
8 of (A) the amount of \$9,322,755 plus (B) the amount equal to the
9 amount transferred on June 3, 2011, from the KPERS – employer
10 contributions account of the state general fund of the above agency to
11 the special education services aid account of the state general fund of
12 the above agency pursuant to subsection (a)(2), if any amount is so
13 transferred by the director of accounts and reports.

14 (d) There is appropriated for the above agency from the state
15 general fund for the fiscal year ending June 30, 2012, the following:
16 KPERS – employer contributions.....\$69,200,000
17 Sec. 3.

18 **ABSTRACTERS' BOARD OF EXAMINERS**

19 (a) On the effective date of this act, the expenditure limitation
20 established for the fiscal year ending June 30, 2011, by the state
21 finance council on the abstracters' fee fund of the abstracters' board
22 of examiners is hereby decreased from \$24,088 to \$23,419.

23 Sec. 4.

24 **GOVERNMENTAL ETHICS COMMISSION**

25 (a) On the effective date of this act, the expenditure limitation
26 established for the fiscal year ending June 30, 2011, by the state
27 finance council on the governmental ethics commission fee fund of the
28 governmental ethics commission is hereby decreased from \$291,764 to
29 \$263,176.

30 Sec. 5.

31 **KANSAS HOME INSPECTORS REGISTRATION BOARD**

32 (a) On the effective date of this act, the expenditure limitation
33 established for the fiscal year ending June 30, 2011, by section 11(b) of
34 chapter 165 of the 2010 Session Laws of Kansas on the home
35 inspectors registration fee fund of the Kansas home inspectors
36 registration board is hereby decreased from \$35,750 to \$16,800.

37 Sec. 6.

38 **BOARD OF NURSING**

39 (a) On the effective date of this act, the expenditure limitation
40 established for the fiscal year ending June 30, 2011, by the state
41 finance council on the board of nursing fee fund of the board of
42 nursing is hereby increased from \$1,904,365 to \$1,952,425.

43 Sec. 7.

1 STATE BOARD OF PHARMACY

2 (a) On the effective date of this act, there is appropriated for the
3 above agency from the following special revenue fund or funds for the
4 fiscal year ending June 30, 2011, all moneys now or hereafter lawfully
5 credited to and available in such fund or funds, except that
6 expenditures other than refunds authorized by law shall not exceed
7 the following:

- 8 Harold Rogers prescription federal fund.....No limit
- 9 NASPER grant federal fund.....No limit
- 10 Non-federal gifts and grants fund.....No limit

11 Provided, That the state board of pharmacy is authorized to apply
12 for and to accept grants and may accept donations, bequests or gifts
13 from any non-federal source: Provided, however, That all moneys
14 received for such grants, donations, bequests or gifts shall be remitted
15 to the state treasurer in accordance with the provisions of K.S.A. 75-
16 4215, and amendments thereto: Provided further, That, upon receipt
17 of each such remittance, the state treasurer shall deposit the entire
18 amount in the state treasury to the credit of the non-federal gifts and
19 grants fund: And provided further, That all expenditures from this
20 fund shall be made in accordance with appropriation acts upon
21 warrants of the director of accounts and reports issued pursuant to
22 vouchers approved by the president of the state board of pharmacy or
23 a person designated by the president.

24 Sec. 8.

25 STATE BOARD OF TECHNICAL PROFESSIONS

26 (a) On the effective date of this act, the expenditure limitation
27 established for the fiscal year ending June 30, 2011, by the state
28 finance council on the technical professions fee fund of the state board
29 of technical professions is hereby increased from \$589,122 to \$609,122.

30 (b) On the effective date of this act, the expenditure limitation
31 established for the fiscal year ending June 30, 2011, by section 25(a) of
32 chapter 124 of the 2009 Session Laws of Kansas on expenditures for
33 official hospitality from the technical professions fee fund of the state
34 board of technical professions is hereby increased from \$500 to \$1,000.

35 Sec. 9.

36 STATE BOARD OF VETERINARY EXAMINERS

37 (a) On the effective date of this act, the expenditure limitation
38 established for the fiscal year ending June 30, 2011, by section 16(b) of
39 chapter 165 of the 2010 Session Laws of Kansas on the veterinary
40 examiners fee fund of the state board of veterinary examiners is
41 hereby decreased from \$268,382 to \$265,522.

42 Sec. 10.

43 KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

1 (a) On the effective date of this act, or as soon thereafter as
2 moneys are available, the director of accounts and reports shall
3 transfer \$4,350,937 from the Kansas endowment for youth fund to the
4 children's initiatives fund.

5 Sec. 11.

6 DEPARTMENT OF ADMINISTRATION

7 (a) On the effective date of this act, of the \$2,470,809
8 appropriated for the above agency for the fiscal year ending June 30,
9 2011, by section 114(a) of chapter 165 of the 2010 Session Laws of
10 Kansas from the state general fund in the restructuring debt service
11 account, the sum of \$158,816 is hereby lapsed.

12 (b) On the effective date of this act, of the \$16,271,413
13 appropriated for the above agency for the fiscal year ending June 30,
14 2011, by section 114(a) of chapter 165 of the 2010 Session Laws of
15 Kansas from the state general fund in the statehouse improvements –
16 debt service account, the sum of \$53,840 is hereby lapsed.

17 (c) (1) In addition to the other purposes for which expenditures
18 may be made by the department of administration from moneys
19 appropriated from the state general fund or any special revenue fund
20 for fiscal year 2011 for the department of administration, as
21 authorized by chapter 6 or chapter 165 of the 2010 Session Laws of
22 Kansas or by this or other appropriation act of the 2011 regular
23 session of the legislature, expenditures shall be made by the secretary
24 of administration for fiscal year 2011 to review the state real property
25 inventory prepared pursuant to section 61(r) of chapter 165 of the
26 2010 Session Laws of Kansas, evaluate the state real property, and
27 prepare from such inventory and other information a prioritized
28 report of 10% of state real property that could be sold, subject to
29 existing restrictions: Provided further, That, on or before March 31,
30 2011, the secretary of administration shall provide a copy of such
31 prioritized report to the governor, the chief clerk of the house of
32 representatives, the secretary of the senate, and the chairs of the
33 committee on appropriations of the house of representatives and the
34 committee on ways and means of the senate.

35 (2) As used in this subsection, "state real property" includes each
36 tract of real property owned by the state of Kansas, or any state
37 agency, as defined by K.S.A. 75-3701, and amendments thereto, and
38 includes all buildings, facilities and other improvements thereon.

39 Sec. 12.

40 OFFICE OF ADMINISTRATIVE HEARINGS

41 (a) In addition to the other purposes for which expenditures may
42 be made by the office of administrative hearings from moneys
43 appropriated in the administrative hearings office fund for fiscal year

1 2011 for the office of administrative hearings as authorized by this or
2 other appropriation act of the 2011 regular session of the legislature,
3 expenditures may be made by the office of administrative hearings
4 from moneys appropriated in the administrative hearings office fund
5 for fiscal year 2011 for official hospitality: Provided, That
6 expenditures from the administrative hearings office fund for fiscal
7 year 2011 for official hospitality shall not exceed \$100.

8 Sec. 13.

9 CITIZENS' UTILITY RATEPAYER BOARD

10 (a)(1) On and after the effective date of this act, notwithstanding
11 the provisions of section 47(c) of chapter 124 of the 2009 Session Laws
12 of Kansas or any other statute, no expenditures shall be made for
13 fiscal year 2011 from the utility regulatory fee fund by the citizens'
14 utility ratepayer board of the amount equal to the final aggregate
15 amount of unexpended and unencumbered expenditure authority for
16 fiscal year 2010, pursuant to and as authorized for expenditure for
17 fiscal year 2011 as provided by section 47(c) of chapter 124 of the 2009
18 Session Laws of Kansas, and, on the effective date of this act, the
19 provisions of section 47(c) of chapter 124 of the 2009 Session Laws of
20 Kansas are hereby declared to be null and void and shall have no force
21 and effect.

22 (2) On and after the effective date of this act, during the fiscal
23 year ending June 30, 2011, in addition to other purposes for which
24 expenditures may be made by the citizens' utility ratepayer board
25 from the utility regulatory fee fund for fiscal year 2011 as authorized
26 by chapter 6 or chapter 165 of the 2010 Session Laws of Kansas or by
27 this or other appropriation act of the 2011 regular session of the
28 legislature, notwithstanding the provisions of any other statute, if the
29 total expenditures authorized to be expended on contracts for
30 professional services by the citizens' utility ratepayer board by the
31 expenditure limitation prescribed by section 47(a) of chapter 124 of
32 the 2009 Session Laws of Kansas are not expended or encumbered for
33 fiscal year 2010, then the amount equal to the amount of such
34 expenditure authority for fiscal year 2010 remaining may be expended
35 from the utility regulatory fee fund for fiscal year 2011 pursuant to
36 contracts for professional services and any such expenditure for fiscal
37 year 2011 shall be in addition to any expenditure limitation imposed
38 on the utility regulatory fee fund for fiscal year 2011.

39 Sec. 14.

40 DEPARTMENT OF COMMERCE

41 (a) On the effective date of this act, of the \$307,050 appropriated
42 for the above agency for the fiscal year ending June 30, 2011, by
43 section 67(a) of chapter 165 of the 2010 Session Laws of Kansas from

1 the state economic development initiatives fund in the strong military
2 bases program account, the sum of \$61,410 is hereby lapsed.

3 (b) On the effective date of this act, the expenditure limitation
4 established for the fiscal year ending June 30, 2011, by section 67(b) of
5 chapter 165 of the 2010 Session Laws of Kansas on the state affordable
6 airfare fund of the department of commerce is hereby increased from
7 \$5,000,000 to \$5,125,000.

8 (c) On the effective date of this act, the amount directed by
9 section 67(e) of chapter 165 of the 2010 Session Laws of Kansas to be
10 transferred from the state economic development initiatives fund to
11 the Kansas economic opportunity initiatives fund of the department of
12 commerce on December 15, 2010, or as soon thereafter as moneys are
13 available, is hereby decreased from \$625,000 to \$0: Provided, That, on
14 the effective date of this act, any moneys transferred from the state
15 economic development initiatives fund to the Kansas economic
16 opportunity initiatives fund of the department of commerce on or
17 after December 15, 2010, pursuant to section 67(e) of chapter 165 of
18 the 2010 Session Laws of Kansas, shall be transferred from the Kansas
19 economic opportunity initiatives fund of the department of commerce
20 to the state economic development initiatives fund by the director of
21 accounts and reports.

22 Sec. 15.

23 STATE CORPORATION COMMISSION

24 (a) On the effective date of this act, the aggregate expenditure
25 limitation established for the fiscal year ending June 30, 2011, by
26 section 59(b) of chapter 165 of the 2010 Session Laws of Kansas on
27 expenditures from the public service regulation fund, the motor
28 carrier license fees fund and the conservation fee fund, in the
29 aggregate, is hereby increased from \$16,468,621 to \$16,628,381.

30 (b) There is appropriated for the above agency from the following
31 special revenue fund or funds for the fiscal year ending June 30, 2011,
32 all moneys now or hereafter lawfully credited to and available in such
33 fund or funds, except that expenditures other than refunds authorized
34 by law shall not exceed the following:

35 Compressed air energy storage fee fund.....	No limit
36 ARRA state electricity regulators assistance – federal fund	No
37 limit	limit

38 (c) On the effective date of this act, the base state registration
39 clearing fund of the state corporation commission is hereby
40 redesignated as the unified carrier registration clearing fund of the
41 state corporation commission, in accordance with K.S.A. 66-1,139a,
42 and amendments thereto.

43 (d) On the effective date of this act, the pipeline damage

1 prevention grant program – federal fund of the state corporation
2 commission is hereby redesignated as the one call – federal fund.

3 Sec. 16.

4 KANSAS, INC.

5 (a) On the effective date of this act, of the \$346,904 appropriated
6 for the above agency for the fiscal year ending June 30, 2011, by
7 section 68(a) of chapter 165 of the 2010 Session Laws of Kansas from
8 the state economic development initiatives fund in the operations
9 (including official hospitality) account, the sum of \$88,756 is hereby
10 lapsed.

11 Sec. 17.

12 KANSAS LOTTERY

13 (a) On the effective date of this act, the aggregate of the amounts
14 authorized by section 65(b) of chapter 165 of the 2010 Session Laws of
15 Kansas to be transferred from the lottery operating fund to the state
16 gaming revenues fund during the fiscal year ending June 30, 2011, is
17 hereby increased from \$70,400,000 to \$70,800,000.

18 Sec. 18.

19 KANSAS TECHNOLOGY ENTERPRISE CORPORATION

20 (a) On the effective date of this act, of the \$5,990,000
21 appropriated for the above agency for the fiscal year ending June 30,
22 2011, by section 69(a) of chapter 165 of the 2010 Session Laws of
23 Kansas from the state economic development initiatives fund in the
24 operations, assistance and grants (including official hospitality)
25 account, the sum of \$300,000 is hereby lapsed.

26 Sec. 19.

27 KANSAS RACING AND GAMING COMMISSION

28 (a) There is appropriated for the above agency from the following
29 special revenue fund or funds for the fiscal year ending June 30, 2011,
30 all moneys now or hereafter lawfully credited to and available in such
31 fund or funds, except that expenditures other than refunds authorized
32 by law shall not exceed the following:

33 Illegal gambling enforcement fund..... No limit

34 Provided, That expenditures may be made from the illegal
35 gambling enforcement fund for direct or indirect operating
36 expenditures incurred for investigatory activities, including, but not
37 limited to, (1) conducting investigations of illegal gambling operations
38 or activities, (2) participating in illegal gaming in order to collect or
39 purchase evidence as part of an undercover investigation into illegal
40 gambling operations, and (3) acquiring information or making
41 contacts leading to illegal gaming activities: Provided, however, That
42 all moneys that are expended for any such evidence purchase,
43 information acquisition or similar investigatory purpose or activity

1 from whatever funding source and that are recovered shall be
2 deposited in the state treasury in accordance with the provisions of
3 K.S.A. 75-4215, and amendments thereto, and shall be credited to the
4 illegal gambling enforcement fund.

5 (b) On the effective date of this act, the director of accounts and
6 reports shall transfer \$5,000 from the state racing fund of the Kansas
7 racing and gaming commission to the illegal gambling enforcement
8 fund of the Kansas racing and gaming commission.

9 (c) On June 30, 2011, the director of accounts and reports shall
10 transfer all moneys in the racing reimbursable expense fund of the
11 Kansas racing and gaming commission to the state racing fund of the
12 Kansas racing and gaming commission.

13 (d) On June 30, 2011, the director of accounts and reports shall
14 transfer all moneys in the racing investigative expense fund of the
15 Kansas racing and gaming commission to the state racing fund of the
16 Kansas racing and gaming commission.

17 (e) On June 30, 2011, the director of accounts and reports shall
18 transfer all moneys in the horse fair racing benefit fund of the Kansas
19 racing and gaming commission to the state racing fund of the Kansas
20 racing and gaming commission.

21 (f) On June 30, 2011, the director of accounts and reports shall
22 transfer all moneys in the racing applicant deposit fund of the Kansas
23 racing and gaming commission to the state racing fund of the Kansas
24 racing and gaming commission.

25 (g) On June 30, 2011, the director of accounts and reports shall
26 transfer all moneys in the horse purse fund to the Kansas horse
27 breeding development fund. On June 30, 2011, all liabilities of the
28 horse purse fund are hereby transferred to and imposed on the
29 Kansas horse breeding development fund and the horse purse fund is
30 hereby abolished.

31 (h) On June 30, 2011, the director of accounts and reports shall
32 transfer all moneys in the gaming machine examination fund to the
33 expanded lottery act regulation fund. On June 30, 2011, all liabilities
34 of the gaming machine examination fund are hereby transferred to
35 and imposed on the expanded lottery act regulation fund and the
36 gaming machine examination fund is hereby abolished.

37 Sec. 20.

38 DEPARTMENT OF REVENUE

39 (a) On the effective date of this act, the director of accounts and
40 reports shall transfer \$124,265 from the Kansas qualified biodiesel
41 fuel producer incentive fund of the department of revenue to the state
42 economic development initiatives fund.

43 Sec. 21.

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STATE COURT OF TAX APPEALS

(a) On the effective date of this act, of the \$1,348,927 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 63(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$40,454 is hereby lapsed.

Sec. 22.

ATTORNEY GENERAL

(a) On the effective date of this act, of the \$2,020,652 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 49(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$1,801 is hereby lapsed.

(b) On the effective date of this act, of the \$310,522 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 49(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the internet training education for Kansas kids account, the sum of \$36,734 is hereby lapsed.

Sec. 23.

SECRETARY OF STATE

(a) On the effective date of this act, the director of accounts and reports shall transfer \$82,010 from the HAVA ELVIS fund of the secretary of state to the democracy fund of the secretary of state to provide matching funds to implement Title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.

Sec. 24.

STATE TREASURER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 51(a) of chapter 165 of the 2010 Session Laws of Kansas on the Kansas post secondary education savings program trust fund of the state treasurer is hereby increased from \$265,000 to no limit.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 51(a) of chapter 165 of the 2010 Session Laws of Kansas on the Kansas post secondary education savings program expense fund of the state treasurer is hereby increased from \$346,043 to no limit.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2011, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:
Learjet bond fund.....No limit

1 **Provided, That, on the 15th day of each month that commences**
2 **during fiscal year 2011, the secretary of revenue shall determine the**
3 **amount of revenue received by the state during the preceding month**
4 **from withholding taxes paid with respect to an eligible project by each**
5 **taxpayer that is an eligible business for which bonds have been issued**
6 **under K.S.A. 2010 Supp. 74-50,136, and amendments thereto, and for**
7 **which the learjet bond fund was created, and shall certify the amount**
8 **so determined to the director of accounts and reports and, at the same**
9 **time as such certification is transmitted to the director of accounts and**
10 **reports, shall transmit a copy of such certification to the director of**
11 **the budget and the director of legislative research: Provided further,**
12 **That, upon receipt of each such certification, the director of accounts**
13 **and reports shall transfer the amount certified from the state general**
14 **fund to the learjet bond fund: And provided further, That, on or**
15 **before the 10th day of each month commencing during fiscal year**
16 **2011, the director of accounts and reports shall transfer from the state**
17 **general fund to the learjet bond fund interest earnings based on: (1)**
18 **The average daily balance of moneys in the learjet bond fund for the**
19 **preceding month; and (2) the net earnings rate of the pooled money**
20 **investment portfolio for the preceding month: And provided further,**
21 **That the moneys credited to the learjet bond fund from the**
22 **withholding taxes paid by an eligible business and the interest**
23 **earnings thereon shall be transferred by the state treasurer from the**
24 **learjet bond fund to the appropriate account of the special economic**
25 **revitalization fund administered by the state treasurer in accordance**
26 **with K.S.A. 2010 Supp. 74-50,136, and amendments thereto.**

27 **Siemens bond fund.....No limit**

28 **Provided, That, on the 15th day of each month that commences**
29 **during fiscal year 2011, the secretary of revenue shall determine the**
30 **amount of revenue received by the state during the preceding month**
31 **from withholding taxes paid with respect to an eligible project by each**
32 **taxpayer that is an eligible business for which bonds have been issued**
33 **under K.S.A. 2010 Supp. 74-50,136, and amendments thereto, and for**
34 **which the Siemens bond fund was created, and shall certify the**
35 **amount so determined to the director of accounts and reports and, at**
36 **the same time as such certification is transmitted to the director of**
37 **accounts and reports, shall transmit a copy of such certification to the**
38 **director of the budget and the director of legislative research:**
39 **Provided further, That, upon receipt of each such certification, the**
40 **director of accounts and reports shall transfer the amount certified**
41 **from the state general fund to the Siemens bond fund: And provided**
42 **further, That, on or before the 10th day of each month commencing**
43 **during fiscal year 2011, the director of accounts and reports shall**

1 transfer from the state general fund to the Siemens bond fund interest
2 earnings based on: (1) The average daily balance of moneys in the
3 Siemens bond fund for the preceding month; and (2) the net earnings
4 rate of the pooled money investment portfolio for the preceding
5 month: And provided further, That the moneys credited to the
6 Siemens bond fund from the withholding taxes paid by an eligible
7 business and the interest earnings thereon shall be transferred by the
8 state treasurer from the Siemens bond fund to the appropriate
9 account of the special economic revitalization fund administered by
10 the state treasurer in accordance with K.S.A. 2010 Supp. 74-50,136,
11 and amendments thereto.

12 Sec. 25.

13 **LEGISLATIVE COORDINATING COUNCIL**

14 (a) On the effective date of this act, of the \$727,436 appropriated
15 for the above agency for the fiscal year ending June 30, 2011, by
16 section 44(a) of chapter 165 of the 2010 Session Laws of Kansas from
17 the state general fund in the legislative coordinating council –
18 operations account, the sum of \$20 is hereby lapsed.

19 (b) On the effective date of this act, of the \$3,215,664
20 appropriated for the above agency for the fiscal year ending June 30,
21 2011, by section 44(a) of chapter 165 of the 2010 Session Laws of
22 Kansas from the state general fund in the office of revisor of statutes –
23 operations account, the sum of \$2,425 is hereby lapsed.

24 (c) On the effective date of this act, of the \$3,684,673
25 appropriated for the above agency for the fiscal year ending June 30,
26 2011 by section 44(a) of chapter 165 of the 2010 Session Laws of
27 Kansas from the state general fund in the legislative research
28 department – operations account, the sum of \$12,223 is hereby lapsed.

29 Sec. 26.

30 **DIVISION OF POST AUDIT**

31 (a) On the effective date of this act, of the \$2,136,995
32 appropriated for the above agency for the fiscal year ending June 30,
33 2011, by section 46(a) of chapter 165 of the 2010 Session Laws of
34 Kansas from the state general fund in the operations (including
35 legislative post audit committee) account, the sum of \$4,413 is hereby
36 lapsed.

37 Sec. 27.

38 **STATE FINANCE COUNCIL**

39 (a) On the effective date of this act, of the \$8,534,972
40 appropriated for the above agency for the fiscal year ending June 30,
41 2011, by section 3(a) of chapter 159 of the 2008 Session Laws of
42 Kansas from the state general fund in the classified salary market
43 adjustments (including fringe benefits) account, the sum of \$1,316,263

1 is hereby lapsed.

2 (b) On July 1, 2011, the \$8,534,972 appropriated for the above
3 agency for the fiscal year ending June 30, 2012, by section 3(a)
4 chapter 159 of the 2008 Session Laws of Kansas from the state general
5 fund in the classified salary market adjustments (including fringe
6 benefits) account, is hereby lapsed.

7 (c) On July 1, 2012, the \$8,534,972 appropriated for the above
8 agency for the fiscal year ending June 30, 2013, by section 3(a)
9 chapter 159 of the 2008 Session Laws of Kansas from the state general
10 fund in the classified salary market adjustments (including fringe
11 benefits) account, is hereby lapsed.

12 Sec. 28.

13 DEPARTMENT OF SOCIAL AND REHABILITATION
14 SERVICES

15 (a) There is appropriated for the above agency from the state
16 general fund for the fiscal year ending June 30, 2011, the following:

17 Other medical assistance.....	\$5,444,990
18 Community based services.....	\$4,263,900
19 Mental health and retardation services aid and assistance...	\$5,350,166
20 Youth services aid and assistance.....	\$4,413,425

21 (b) On the effective date of this act, of the \$541,802 appropriated
22 for the above agency for the fiscal year ending June 30, 2011, by
23 section 77(c) of chapter 165 of the 2010 Session Laws of Kansas from
24 the children’s initiatives fund in the children’s cabinet accountability
25 fund account, the sum of \$250,000 is hereby lapsed.

26 (c) On the effective date of this act, of the \$5,000,000
27 appropriated for the above agency for the fiscal year ending June 30,
28 2011, by section 77(c) of chapter 165 of the 2010 Session Laws of
29 Kansas from the children’s initiatives fund in the family centered
30 system of care account, the sum of \$150,000 is hereby lapsed.

31 (d) On the effective date of this act, of the \$1,400,000
32 appropriated for the above agency for the fiscal year ending June 30,
33 2011, by section 77(c) of chapter 165 of the 2010 Session Laws of
34 Kansas from the children’s initiatives fund in the child care account,
35 the sum of \$163 is hereby lapsed.

36 (e) On the effective date of this act, of the \$8,443,161
37 appropriated for the above agency for the fiscal year ending June 30,
38 2011, by section 77(c) of chapter 165 of the 2010 Session Laws of
39 Kansas from the children’s initiatives fund in the children’s cabinet
40 early childhood discretionary grant program account, the sum of
41 \$251,003 is hereby lapsed.

42 (f) On the effective date of this act, of the \$3,452,779 appropriated
43 for the above agency for the fiscal year ending June 30, 2011, by

1 section 77(c) of chapter 165 of the 2010 Session Laws of Kansas from
2 the children's initiatives fund in the early headstart account, the sum
3 of \$306 is hereby lapsed.

4 (g) On the effective date of this act, of the \$11,099,830
5 appropriated for the above agency for the fiscal year ending June 30,
6 2011, by section 77(c) of chapter 165 of the 2010 Session Laws of
7 Kansas from the children's initiatives fund in the early childhood
8 block grant account, the sum of \$1,062,207 is hereby lapsed.

9 (h) On the effective date of this act, the expenditure limitation
10 established for the fiscal year ending June 30, 2011, by section 77(b) of
11 chapter 165 of the 2010 Session Laws of Kansas on the social welfare
12 fund of the department of social and rehabilitation services is hereby
13 decreased from \$39,303,198 to \$39,186,535.

14 (i) On the effective date of this act, of the \$3,822,570 appropriated
15 for the above agency for the fiscal year ending June 30, 2011, by
16 section 117(a) of chapter 165 of the 2010 Session Laws of Kansas from
17 the state institutions building fund in the debt service – new state
18 security hospital account, the sum of \$839,561 is hereby lapsed.

19 (j) On the effective date of this act, of the \$2,584,371 appropriated
20 for the above agency for the fiscal year ending June 30, 2011, by
21 section 117(a) of chapter 165 of the 2010 Session Laws of Kansas from
22 the state institutions building fund in the debt service – state hospitals
23 rehabilitation and repair account, the sum of \$7,161 is hereby lapsed.

24 (k) On the effective date of this act, of the \$14,342,009
25 appropriated for the above agency for the fiscal year ending June 30,
26 2011, by section 77(a) of chapter 165 of the 2010 Session Laws of
27 Kansas from the state general fund in the Osawatomie state hospital –
28 operating expenditures account, the sum of \$500,000 is hereby lapsed.

29 (l) On the effective date of this act, of the \$4,524,298 appropriated
30 for the above agency for the fiscal year ending June 30, 2011, by
31 section 77(a) of chapter 165 of the 2010 Session Laws of Kansas from
32 the state general fund in the Rainbow mental health facility –
33 operating expenditures account, the sum of \$250,000 is hereby lapsed.

34 (m) On July 1, 2011, of the \$6,000,000 appropriated for the above
35 agency for the fiscal year ending June 30, 2012, by section 54(c) of
36 2011 House Bill No. 2383 from the children's initiatives fund in the
37 reading roadmap program account, the sum of \$2,000,000 is hereby
38 lapsed.

39 (n) On July 1, 2011, of the \$110,598,576 appropriated for the
40 above agency for the fiscal year ending June 30, 2012, by section 54(a)
41 of 2011 House Bill No. 2383 from the state general fund in the youth
42 services aid and assistance account, the sum of \$1,000,000 is hereby
43 lapsed.

1 (o) On July 1, 2011, of the \$114,872,589 appropriated for the
2 above agency for the fiscal year ending June 30, 2012, by section 54(a)
3 of 2011 House Bill No. 2383 from the state general fund in the state
4 operations account, the sum of \$750,000 is hereby lapsed.

5 (p) On July 1, 2011, of the \$10,700,783 appropriated for the
6 above agency for the fiscal year ending June 30, 2012, by section 54(a)
7 of 2011 House Bill No. 2383 from the state general fund in the Parsons
8 state hospital and training center – operating expenditures account,
9 the sum of \$66,279 is hereby lapsed.

10 (q) On the effective date of this act, of the \$10,447,821
11 appropriated for the above agency for the fiscal year ending June 30,
12 2011, by section 77(a) of chapter 165 of the 2010 Session Laws of
13 Kansas from the state general fund in the Parson's state hospital and
14 training center – operating expenditures account, the sum of \$63,618
15 is hereby lapsed.

16 (r) There is appropriated for the above agency from the state
17 institutions building fund for the fiscal year ending June 30, 2011, the
18 following:

19 Energy conservation improvement debt service.....\$63,618

20 (s) There is appropriated for the above agency from the state
21 institutions building fund for the fiscal year ending June 30, 2012, the
22 following:

23 Energy conservation improvement debt service.....\$66,279

24 Sec. 29.

25 DEPARTMENT ON AGING

26 (a) There is appropriated for the above agency from the state
27 general fund for the fiscal year ending June 30, 2011, the following:

28 LTC – medicaid assistance – TCM/FE.....\$25,169

29 LTC – medicaid assistance – HCBS/FE..... \$2,263,079

30 LTC – medicaid assistance – NF.....\$10,142,156

31 (b) On the effective date of this act, the expenditure limitation
32 established for the fiscal year ending June 30, 2011, by section 75(b) of
33 chapter 165 of the 2010 Session Laws of Kansas on the state licensure
34 fee fund of the department on aging is hereby decreased from
35 \$1,144,569 to \$1,115,927.

36 (c) There is appropriated for the above agency from the following
37 special revenue fund for the fiscal year ending June 30, 2011, all
38 moneys now or hereafter lawfully credited to and available in such
39 fund, except that expenditures other than refunds authorized by law
40 shall not exceed the following:

41 Health policy nursing facility quality care fund.....\$19,501,789

42 Sec. 30.

43 KANSAS HEALTH POLICY AUTHORITY

1 (a) There is appropriated for the above agency from the state
2 general fund for the fiscal year ending June 30, 2011, the following:

3 Other medical assistance.....\$30,526,618

4 (b) On the effective date of this act, the expenditure limitation
5 established for the fiscal year ending June 30, 2011, by section 76(b) of
6 chapter 165 of the 2010 Session Laws of Kansas on the medical
7 programs fee fund of the Kansas health policy authority is hereby
8 increased from \$54,284,610 to \$54,480,402.

9 (c) On the effective date of this act, the expenditure limitation
10 established for the fiscal year ending June 30, 2011, by section 76(b) of
11 chapter 165 of the 2010 Session Laws of Kansas on the other state fees
12 fund of the Kansas health policy authority is hereby increased from \$0
13 to \$502,180.

14 (d) On the effective date of this act, the expenditure limitation
15 established for the fiscal year ending June 30, 2011, by section 76(b) of
16 chapter 165 of the 2010 Session Laws of Kansas on the health care
17 access improvement fund of the Kansas health policy authority is
18 hereby decreased from \$37,390,236 to \$34,700,000.

19 (e) On the effective date of this act, the expenditure limitation
20 established for the fiscal year ending June 30, 2011, by section 76(b) of
21 chapter 165 of the 2010 Session Laws of Kansas on the preventive
22 health care program fund of the Kansas health policy authority is
23 hereby increased from \$519,240 to \$656,100.

24 (f) On the effective date of this act, the expenditure limitation
25 established for the fiscal year ending June 30, 2011, by section 17 (b)
26 of chapter 165 of the 2010 Session Laws of Kansas on the health
27 committee insurance fund of the Kansas health policy authority is
28 hereby increased from \$248,575 to \$290,117.

29 (g) On the effective date of this act, the expenditure limitation
30 established for the fiscal year ending June 30, 2011, by the state
31 finance council on expenditures from the state workers compensation
32 self-insurance fund of the Kansas health policy authority for salaries
33 and wages and other operating expenditures is hereby increased from
34 \$3,724,910 to \$3,785,193: Provided, That no expenditures shall be
35 made for salaries and wages from the increased expenditure authority
36 provided by this subsection for expenditures for salaries and wages
37 and other operating expenditures from the state workers
38 compensation self-insurance fund: Provided further, That, on and
39 after the effective date of this act, during fiscal year 2011, no
40 expenditures shall be made by the Kansas health policy authority
41 from the state workers compensation self-insurance fund to convert
42 and appoint persons performing contractual services for the Kansas
43 health policy authority to be state employees of the Kansas health

1 policy authority.

2 (h) On the effective date of this act, the expenditure limitation
3 established for the fiscal year ending June 30, 2011, by the state
4 finance council on expenditures from the cafeteria benefits fund of the
5 Kansas health policy authority for salaries and wages and other
6 operating expenditures is hereby increased from \$2,324,247 to
7 \$2,324,908: Provided, That no expenditures shall be made for salaries
8 and wages from the increased expenditure authority provided by this
9 subsection for expenditures for salaries and wages and other operating
10 expenditures from the cafeteria benefits fund: Provided further, That,
11 on and after the effective date of this act, during fiscal year 2011, no
12 expenditures shall be made by the Kansas health policy authority
13 from the cafeteria benefits fund to convert and appoint persons
14 performing contractual services for the Kansas health policy authority
15 to be state employees of the Kansas health policy authority.

16 (i) On the effective date of this act, the expenditure limitation
17 established for the fiscal year ending June 30, 2011, by the state
18 finance council on expenditures from the dependent care assistance
19 program fund of the Kansas health policy authority for salaries and
20 wages and other operating expenditures is hereby increased from
21 \$226,327 to \$429,628: Provided, That no expenditures shall be made
22 for salaries and wages from the increased expenditure authority
23 provided by this subsection for expenditures for salaries and wages
24 and other operating expenditures from the dependent care assistance
25 program fund: Provided further, That, on and after the effective date
26 of this act, during fiscal year 2011, no expenditures shall be made by
27 the Kansas health policy authority from the dependent care assistance
28 program fund to convert and appoint persons performing contractual
29 services for the Kansas health policy authority to be state employees of
30 the Kansas health policy authority.

31 (j) There is appropriated for the above agency from the following
32 special revenue fund for the fiscal year ending June 30, 2011, all
33 moneys now or hereafter lawfully credited to and available in such
34 fund, except that expenditures other than refunds authorized by law
35 shall not exceed the following:

36 Quality care fund.....\$0

37 Sec. 31.

38 DEPARTMENT OF HEALTH AND ENVIRONMENT –
39 DIVISION OF HEALTH

40 (a) There is appropriated for the above agency from the following
41 special revenue fund or funds for the fiscal year ending June 30, 2011,
42 all moneys now or hereafter lawfully credited to and available in such
43 fund or funds, except that expenditures other than refunds authorized

1 by law shall not exceed the following:

2 Maternity centers and child care facilities licensing fee fund No
3 limit

4 (b) There is appropriated for the above agency from the state
5 general fund for the fiscal year ending June 30, 2011, the following:

6 Pregnancy maintenance initiative.....\$100,000
7 Teen pregnancy prevention activities.....\$100,000

8 Sec. 32.

9 DEPARTMENT OF HEALTH AND ENVIRONMENT –
10 DIVISION OF ENVIRONMENT

11 (a) There is appropriated for the above agency from the following
12 special revenue fund or funds for the fiscal year ending June 30, 2011,
13 all moneys now or hereafter lawfully credited to and available in such
14 fund or funds, except that expenditures other than refunds authorized
15 by law shall not exceed the following:

16 Healthy watershed initiative – federal fund.....No limit
17 Sec. 33.

18 KANSAS COMMISSION ON VETERANS AFFAIRS

19 (a) There is appropriated for the above agency from the state
20 general fund for the fiscal year ending June 30, 2011, the following:

21 Scratch lotto – veteran services.....\$2,972
22 Veterans claim assistance program – service grants.....\$22,894

23 (b) On the effective date of this act, of the \$457,394 appropriated
24 for the above agency for the fiscal year ending June 30, 2011, by
25 section 72(a) of chapter 165 of the 2010 Session Laws of Kansas from
26 the state general fund in the operating expenditures – administration
27 account, the sum of \$15,241 is hereby lapsed.

28 (c) On the effective date of this act, of the \$1,173,050
29 appropriated for the above agency for the fiscal year ending June 30,
30 2011, by section 72(a) of chapter 165 of the 2010 Session Laws of
31 Kansas from the state general fund in the operating expenditures –
32 veteran services account, the sum of \$26,050 is hereby lapsed.

33 (d) In addition to the other purposes for which expenditures may
34 be made by the Kansas commission on veterans affairs from moneys
35 appropriated from the state general fund or any special revenue fund
36 or funds for fiscal year 2011 for the Kansas commission on veterans
37 affairs as authorized by section 72 of chapter 165 of the 2010 Session
38 Laws of Kansas or by this or other appropriation act of the 2011
39 regular session of the legislature, expenditures shall be made by the
40 Kansas commission on veterans affairs from the state general fund or
41 any special revenue fund or funds for fiscal year 2010 or fiscal year
42 2011 for medicare billing software: Provided, That the aggregate
43 amount of such expenditures for fiscal year 2011 for medicare billing

1 software shall not exceed \$20,000.

2 (e) On the effective date of this act, the director of accounts and
3 reports shall transfer \$25,000 from the scratch lotto – veterans
4 services account of the state general fund to the Vietnam war era
5 veterans' recognition award fund of the Kansas commission on
6 veterans affairs: Provided, That, in addition to the other purposes for
7 which expenditures may be made by the above agency from the
8 Vietnam war era veterans' recognition award fund for fiscal year
9 2011, expenditures shall be made by the above agency from the
10 Vietnam war era veterans' recognition award fund for fiscal year
11 2011, to acquire and send the appropriate medallions and certificates
12 to all qualifying veterans whose applications for such medallions and
13 certificates have been received by June 1, 2011.

14 Sec. 34.

15 DEPARTMENT OF EDUCATION

16 (a) On the effective date of this act, of the \$1,961,339,680
17 appropriated for the above agency for the fiscal year ending June 30,
18 2011, by section 79(a) of chapter 165 of the 2010 Session Laws of
19 Kansas from the state general fund in the general state aid account,
20 the sum of \$85,948,820 is hereby lapsed.

21 (b) On the effective date of this act, of the \$7,539,500
22 appropriated for the above agency for the fiscal year ending June 30,
23 2011, by section 79(c) of chapter 165 of the 2010 Session Laws of
24 Kansas from the children's initiatives fund in the parent education
25 program account, the sum of \$180,370 is hereby lapsed.

26 (c) On the effective date of this act, of the \$5,000,000
27 appropriated for the above agency for the fiscal year ending June 30,
28 2011, by section 79(c) of chapter 165 of the 2010 Session Laws of
29 Kansas from the children's initiatives fund in the Pre-K program
30 account, the sum of \$119,630 is hereby lapsed.

31 (d) During the fiscal year ending June 30, 2011, in addition to
32 other purposes for which expenditures may be made by the
33 department of education from the special education services aid
34 account of the state general fund for fiscal year 2011 for special
35 education services aid as authorized by section 79(a) of chapter 165 of
36 the 2010 Session Laws of Kansas or by this or other appropriation act
37 of the 2011 regular session of the legislature, and notwithstanding the
38 provisions of K.S.A. 2010 Supp. 72-998, and amendments thereto, or
39 any other statute, the department of education shall make
40 expenditures from the special education services aid account of the
41 state general fund for fiscal year 2011 for a payment to each school
42 district, as defined by K.S.A. 72-962, and amendments thereto, that
43 received an amount of medicaid replacement state aid for the 2010-

1 2011 school year that was more than \$300,000 less than the amount of
2 medicaid replacement state aid received for the 2009-2010 school year
3 due to the loss of attendant care medicaid revenue from the Kansas
4 health policy authority for school year 2010-2011: Provided, That the
5 amount of such payment shall be equal to (1) the amount by which the
6 medicaid replacement state aid received by the school district for the
7 2009-2010 school year is greater than the total of the medicaid
8 replacement state aid for the 2010-2011 school year plus \$300,000,
9 minus (2) the total received by the school district for increases in other
10 medicaid reimbursements for the 2010-2011 school year: Provided
11 further, That each such payment shall be made from the amount
12 designated by the state board of education pursuant to K.S.A. 2010
13 Supp. 72-998, and amendments thereto, for medicaid replacement
14 state aid for the 2010-2011 school year.

15 Sec. 35.

16 STATE BOARD OF REGENTS

17 (a) On the effective date of this act, of the \$6,219,875
18 appropriated for the above agency for the fiscal year ending June 30,
19 2011, by section 131(a) of chapter 165 of the 2010 Session Laws of
20 Kansas from the state general fund in the PEI infrastructure – debt
21 service account, the sum of \$ 2,322,229 is hereby lapsed.

22 Sec. 36.

23 UNIVERSITY OF KANSAS

24
25 Sec. 37. (a) On the effective date of this act, the director of
26 accounts and reports shall transfer all moneys in the standardized
27 water data repository fund to the state water plan fund. On the
28 effective date of this act, all liabilities of the standardized water data
29 repository fund are hereby transferred to and imposed on the state
30 water plan fund and the standardized water data repository fund is
31 hereby abolished.

32 JUDICIAL BRANCH

33 (a) There is appropriated for the above agency from the following
34 special revenue fund or funds for the fiscal year ending June 30, 2011,
35 all moneys now or hereafter lawfully credited to and available in such
36 fund or funds, except that expenditures other than refunds authorized
37 by law shall not exceed the following:

38 SJI grant fundNo limit

39 Sec. 38.

40 KANSAS STATE SCHOOL FOR THE BLIND

41 (a) On the effective date of this act, of the \$5,385,207
42 appropriated for the above agency for the fiscal year ending June 30,
43 2011, by section 82(a) of chapter 165 of the 2010 Session Laws of

1 Kansas from the state general fund in the operating expenditures
2 account, the sum of \$63,850 is hereby lapsed.

3 (b) On July 1, 2011, of the \$5,223,858 appropriated for the above
4 agency for the fiscal year ending June 30, 2012, by section 58(a) of
5 2011 House Bill No. 2383 from the state general fund in the operating
6 expenditures account, the sum of \$31,979 is hereby lapsed.

7 (c) There is appropriated for the above agency from the state
8 institutions building fund for the fiscal year ending June 30, 2011, the
9 following:

10 Energy conservation improvement debt service.....\$30,509

11 (d) There is appropriated for the above agency from the state
12 institutions building fund for the fiscal year ending June 30, 2012, the
13 following:

14 Energy conservation improvement debt service.....\$31,979

15 Sec. 39.

16 KANSAS STATE SCHOOL FOR THE DEAF

17 (a) On the effective date of this act, of the \$8,890,257
18 appropriated for the above agency for the fiscal year ending June 30,
19 2011, by section 83(a) of chapter 165 of the 2010 Session Laws of
20 Kansas from the state general fund in the operating expenditures
21 account, the sum of \$63,850 is hereby lapsed.

22 (b) On July 1, 2011, of the \$8,658,861 appropriated for the above
23 agency for the fiscal year ending June 30, 2012, by section 59(a) of
24 2011 House Bill No. 2383 from the state general fund in the operating
25 expenditures account, the sum of \$66,520 is hereby lapsed.

26 (c) There is appropriated for the above agency from the state
27 institutions building fund for the fiscal year ending June 30, 2011, the
28 following:

29 Energy conservation improvement debt service.....\$63,850

30 (d) There is appropriated for the above agency from the state
31 institutions building fund for the fiscal year ending June 30, 2012, the
32 following:

33 Energy conservation improvement debt service.....\$66,520

34 Sec. 40.

35 KANSAS ARTS COMMISSION

36 (a) On the effective date of this act, of the \$256,684 appropriated
37 for the above agency for the fiscal year ending June 30, 2011, by
38 section 81(a) of chapter 165 of the 2010 Session Laws of Kansas from
39 the state general fund in the operating expenditures account, the sum
40 of \$13,310 is hereby lapsed.

41 Sec. 41.

42 DEPARTMENT OF CORRECTIONS

43 (a) There is appropriated for the above agency from the state

1 general fund for the fiscal year ending June 30, 2011, the following:
2 Operating expenditures.....\$472,709

3 (b) On the effective date of this act, of the \$13,700,482
4 appropriated for the above agency for the fiscal year ending June 30,
5 2011, by section 95(a) of chapter 165 of the 2010 Session Laws of
6 Kansas from the state general fund in the facilities operations account,
7 the sum of \$3,500,000 is hereby lapsed.

8 (c) On the effective date of this act, of the \$13,084,057
9 appropriated for the above agency for the fiscal year ending June 30,
10 2011, by section 95(a) of chapter 165 of the 2010 Session Laws of
11 Kansas from the state general fund in the Topeka correctional facility
12 – facilities operations account, the sum of \$200 is hereby lapsed.

13 (d) On the effective date of this act, of the \$8,308,154
14 appropriated for the above agency for the fiscal year ending June 30,
15 2011, by section 95(a) of chapter 165 of the 2010 Session Laws of
16 Kansas from the state general fund in the Hutchinson correctional
17 facility – facilities operations account, the sum of \$500 is hereby
18 lapsed.

19 (e) On the effective date of this act, of the \$38,326,136
20 appropriated for the above agency for the fiscal year ending June 30,
21 2011, by section 95(a) of chapter 165 of the 2010 Session Laws of
22 Kansas from the state general fund in the Lansing correctional facility
23 – facilities operations account, the sum of \$500 is hereby lapsed.

24 (f) On the effective date of this act, of the \$12,936,609
25 appropriated for the above agency for the fiscal year ending June 30,
26 2011, by section 95(a) of chapter 165 of the 2010 Session Laws of
27 Kansas from the state general fund in the Ellsworth correctional
28 facility – facilities operations account, the sum of \$442 is hereby
29 lapsed.

30 (g) On the effective date of this act, of the \$5,301,602
31 appropriated for the above agency for the fiscal year ending June 30,
32 2011, by section 95(a) of chapter 165 of the 2010 Session Laws of
33 Kansas from the state general fund in the Norton correctional facility
34 – facilities operations account, the sum of \$991 is hereby lapsed.

35 (h) On the effective date of this act, of the \$3,088,303
36 appropriated for the above agency for the fiscal year ending June 30,
37 2011, by section 132(b) of chapter 165 of the 2010 Session Laws of
38 Kansas from the correctional institutions building fund in the capital
39 improvements – rehabilitation and repair of correctional institutions
40 account, the sum of \$374,471 is hereby lapsed.

41 Sec. 42.

42 JUVENILE JUSTICE AUTHORITY

43 (a) On the effective date of this act, of the \$23,331,916

1 appropriated for the above agency for the fiscal year ending June 30,
2 2011, by section 96(a) of chapter 165 of the 2010 Session Laws of
3 Kansas from the state general fund in the purchase of services
4 account, the sum of \$3,336,312 is hereby lapsed.

5 (b) On the effective date of this act, of the \$4,000,013
6 appropriated for the above agency for the fiscal year ending June 30,
7 2011, by section 133(a) of chapter 165 of the 2010 Session Laws of
8 Kansas from the state institutions building fund in the debt service –
9 Topeka complex and Larned juvenile correctional facility account, the
10 sum of \$2,411 is hereby lapsed.

11 (c) On the effective date of this act, of the \$87,682 appropriated
12 for the above agency for the fiscal year ending June 30, 2011, by
13 section 157(a) of chapter 131 of the 2008 Session Laws of Kansas from
14 the state institutions building fund in the raze Atchison juvenile
15 correctional facility maintenance building account, the sum of \$3,148
16 is hereby lapsed.

17 (d) There is appropriated for the above agency from the children's
18 initiatives fund for the fiscal year ending June 30, 2012, the following:

19 Prevention and graduated sanctions community
20 grants.....\$2,000,000

21 (e) Any unencumbered balance in the prevention and graduated
22 sanctions community grants account of the state general fund in
23 excess of \$100 as of June 30, 2012, is hereby reappropriated for the
24 above agency for fiscal year 2013.

25 (f) On July 1, 2011, of the \$20,683,874 appropriated for the above
26 agency for the fiscal year ending June 30, 2012, by section 72(a) of
27 2011 House Bill No. 2383 from the state general fund in the prevention
28 and graduated sanctions community grants account, the sum of
29 \$2,000,000 is hereby lapsed.

30 Sec. 43.

31 ADJUTANT GENERAL

32 (a) On the effective date of this act, of the \$2,478,091
33 appropriated for the above agency for the fiscal year ending June 30,
34 2011, by section 135(a) of chapter 165 of the 2010 Session Laws of
35 Kansas from the state general fund in the debt service – rehabilitation
36 and repair of the statewide armories account, the sum of \$3,960 is
37 hereby lapsed.

38 Sec. 44.

39 EMERGENCY MEDICAL SERVICES BOARD

40 (a) On the effective date of this act, the expenditure limitation
41 established for the fiscal year ending June 30, 2011, by the state
42 finance council on the emergency medical services operating fund of
43 the emergency medical services board is hereby increased from

1 \$1,393,582 to \$1,518,582.

2 Sec. 45.

3 STATE FIRE MARSHAL

4 (a) On the effective date of this act, the expenditure limitation
5 established for the fiscal year ending June 30, 2011, by the state
6 finance council on the fire marshal fee fund of the state fire marshal is
7 hereby decreased from \$3,629,360 to \$3,626,625.

8 (b) On the effective date of this act, or as soon thereafter as
9 moneys are available, the director of accounts and reports shall
10 transfer \$52,509 from the hazardous material program fund of the
11 state fire marshal to the fire marshal fee fund of the state fire marshal.

12 Sec. 46.

13 KANSAS PAROLE BOARD

14 (a) On the effective date of this act, of the \$510,135 appropriated
15 for the above agency for the fiscal year ending June 30, 2011, by
16 section 99(a) of chapter 165 of the 2010 Session Laws of Kansas from
17 the state general fund in the parole from adult correctional
18 institutions account, the sum of \$982 is hereby lapsed.

19 Sec. 47.

20 KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS
21 AND TRAINING

22 (a) On June 30, 2011, the director of accounts and reports shall
23 transfer \$500,000 from the Kansas commission on peace officers'
24 standards and training fund of the Kansas commission on peace
25 officers' standards and training to the state general fund: Provided,
26 That the transfer of such amount shall be in addition to any other
27 transfer from the Kansas commission on peace officers' standards and
28 training fund to the state general fund as prescribed by law: Provided
29 further, That the amount transferred from the Kansas commission on
30 peace officers' standards and training fund to the state general fund
31 pursuant to this subsection is to reimburse the state general fund for
32 accounting, auditing, budgeting, legal, payroll, personnel and
33 purchasing services and any other governmental services which are
34 performed on behalf of the Kansas commission on peace officers'
35 standards and training by other state agencies which receive
36 appropriations from the state general fund to provide such services.

37 (b) On the effective date of this act, the expenditure limitation
38 established for the fiscal year ending June 30, 2011, by section 104(a)
39 of chapter 165 of the 2010 Session Laws of Kansas on the Kansas
40 commission on peace officers' standards and training fund of the
41 Kansas commission on peace officers' standards and training is
42 hereby decreased from \$650,005 to \$549,246.

43 Sec. 48.

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KANSAS DEPARTMENT OF AGRICULTURE

(a) On the effective date of this act, the director of accounts and reports shall transfer \$3,081 from the state highway fund of the department of transportation to the water structures – state highway fund of the Kansas department of agriculture.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 105(b) of chapter 165 of the 2010 Session Laws of Kansas on the water structures – state highway fund of the Kansas department of agriculture is hereby increased from \$104,832 to no limit.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 105(b) of chapter 165 of the 2010 Session Laws of Kansas on the water appropriation certification fund of the Kansas department of agriculture is hereby increased from \$553,868 to no limit.

Sec. 49.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) On the effective date of this act, of the \$74,264 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 110(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the reimbursement for annual licenses issued to Kansas disabled veterans account, the sum of \$65,000 is hereby lapsed.

(b) On the effective date of this act, of the \$36,500 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 110(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the reimbursement for annual licenses issued to national guard members account, the sum of \$7,000 is hereby lapsed.

(c) On the effective date of this act, of the \$18,000 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 110(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the reimbursement for annual park permits issued to national guard members account, the sum of \$4,000 is hereby lapsed.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2011, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2011 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:
Pratt operations office sewer line upgrade.....\$70,950

(e) In addition to the other purposes for which expenditures may

1 be made by the above agency from the wildlife fee fund for fiscal year
2 2011, expenditures may be made by the above agency from the
3 following capital improvement account or accounts of the wildlife fee
4 fund for fiscal year 2011 for the following capital improvement project
5 or projects, subject to the expenditure limitations prescribed therefor:

6 Pratt operations office sewer line upgrade.....\$378,400

7 (f) In addition to the other purposes for which expenditures may
8 be made by the above agency from the boating fee fund for fiscal year
9 2011, expenditures may be made by the above agency from the
10 following capital improvement account or accounts of the boating fee
11 fund for fiscal year 2011 for the following capital improvement project
12 or projects, subject to the expenditure limitations prescribed therefor:

13 Pratt operations office sewer line upgrade.....\$23,650

14 (g) In addition to the other purposes for which expenditures may
15 be made by the above agency from the wildlife restoration fund for
16 fiscal year 2011, expenditures may be made by the above agency from
17 the following capital improvement account or accounts of the wildlife
18 restoration fund for fiscal year 2011 for the following capital
19 improvement project or projects, subject to the expenditure
20 limitations prescribed therefor:

21 Rehabilitation and repair.....\$260,000

22 Sec. 50.

23 **KANSAS WATER OFFICE**

24 (a) There is appropriated for the above agency from the state
25 water plan fund for the fiscal year ending June 30, 2011, the following:
26 Neosho river basin issues..... \$464,630

27 Sec. 51. (a) On and after the effective date of this act, no
28 expenditures shall be made from any moneys appropriated for the
29 fiscal year ending June 30, 2011, from the state general fund by
30 chapter 2, chapter 124 or chapter 144 of the 2009 Session Laws of
31 Kansas, by chapter 6 or chapter 165 of the 2010 Session Laws of
32 Kansas or by this or other appropriation act of the 2011 regular
33 session of the legislature, by any state agency for any professional or
34 trade associations membership fees or dues or subscriptions for
35 professional or trade magazines for state officers or employees:
36 Provided, That the amount equal to the aggregate of any savings
37 under this subsection from each account of the state general fund of
38 each state agency for the year ending June 30, 2011, as determined
39 and certified by the director of the budget, after consultation with the
40 director of legislative research, to the director of accounts and reports,
41 is hereby lapsed: Provided further, That, at the same time that each
42 certification is made by the director of the budget to the director of
43 accounts and reports under this subsection, the director of the budget

1 shall deliver a copy of such certification to the director of legislative
2 research.

3 Sec. 52.

4 ATTORNEY GENERAL – KANSAS BUREAU OF
5 INVESTIGATION

6 (a) There is appropriated for the above agency from the following
7 special revenue fund or funds for the fiscal year ending June 30, 2011,
8 all moneys now or hereafter lawfully credited to and available in such
9 fund or funds, except that expenditures other than refunds authorized
10 by law shall not exceed the following:

- 11 Project safe neighborhoods fund.....\$114,408
- 12 Social security administration reimbursement – federal fund..No limit

13 Sec. 53. (a) (1) On the effective date of this act, of the amount
14 appropriated or reappropriated for the fiscal year ending June 30,
15 2011, in each account of the state general fund of each state agency, as
16 authorized and provided by chapter 2, chapter 124 or chapter 144 of
17 the 2009 Session Laws of Kansas, by chapter 6 or chapter 165 of the
18 2010 Session Laws of Kansas, or by this or other appropriation act of
19 the 2011 regular session of the legislature, that is budgeted for salaries
20 and wages, including per diem compensation, and any associated
21 employer contributions, other than employer payments for
22 participants under the state health care benefits program pursuant to
23 K.S.A. 75-6508, and amendments thereto, and longevity payments
24 authorized by law, for state officers, as defined by this section, for the
25 first payroll period commencing on or after the effective date of this
26 act and each payroll period thereafter chargeable to fiscal year 2011,
27 as determined by the director of the budget after consultation with the
28 director of legislative research and upon certification to the director of
29 accounts and reports, the amount equal to 7.5% of the amount so
30 determined is hereby lapsed.

31 (2) On the effective date of this act, of the amount appropriated
32 or reappropriated for the fiscal year ending June 30, 2011, in each
33 account of the state economic development initiatives fund of each
34 state agency, as authorized and provided by chapter 2, chapter 124 or
35 chapter 144 of the 2009 Session Laws of Kansas, by chapter 6 or
36 chapter 165 of the 2010 Session Laws of Kansas, or by this or other
37 appropriation act of the 2011 regular session of the legislature, that is
38 budgeted for salaries and wages, including per diem compensation,
39 and any associated employer contributions, other than employer
40 payments for participants under the state health care benefits
41 program pursuant to K.S.A. 75-6508, and amendments thereto, and
42 longevity payments authorized by law, for state officers, as defined by
43 this section, for the first payroll period commencing on or after the

1 effective date of this act and each payroll period thereafter chargeable
 2 to fiscal year 2011, as determined by the director of the budget after
 3 consultation with the director of legislative research and upon
 4 certification to the director of accounts and reports, the amount equal
 5 to 7.5% of the amount so determined is hereby lapsed.

6 (3) On the effective date of this act, of the amount appropriated
 7 or reappropriated for the fiscal year ending June 30, 2011, in each
 8 account of the state water plan fund of each state agency, as
 9 authorized and provided by chapter 2, chapter 124 or chapter 144 of
 10 the 2009 Session Laws of Kansas, by chapter 6 or chapter 165 of the
 11 2010 Session Laws of Kansas, or by this or other appropriation act of
 12 the 2011 regular session of the legislature, that is budgeted for salaries
 13 and wages, including per diem compensation, and any associated
 14 employer contributions, other than employer payments for
 15 participants under the state health care benefits program pursuant to
 16 K.S.A. 75-6508, and amendments thereto, and longevity payments
 17 authorized by law, for state officers, as defined by this section, for the
 18 first payroll period commencing on or after the effective date of this
 19 act and each payroll period thereafter chargeable to fiscal year 2011,
 20 as determined by the director of the budget after consultation with the
 21 director of legislative research and upon certification to the director of
 22 accounts and reports, the amount equal to 7.5% of the amount so
 23 determined is hereby lapsed.

24 (b) On the effective date of this act, notwithstanding the
 25 provisions of K.S.A. 2-1904, 17-2233, 20-155, 20-318, 20-3122 20-3124,
 26 25-4119a, 32-801, 40-102, 40-110, 44-1003, 46-137a, 46-137b, 46-1102,
 27 46-1210, 46-1211, 46-1212a, 48-203, 72-7602, 74-560, 74-601, 74-630,
 28 74-2434, 74-2613, 74-3203a, 74-4908, 74-5002a, 74-8005, 74-8105, 74-
 29 8703, 75-412, 75-622, 75-711, 75-2535, 75-2701, 75-2935b, 75-3101, 75-
 30 3102, 75-3103, 75-3104, 75-3108, 75-3110, 75-3111, 75-3120f, 75-3120g,
 31 75-3120h, 75-3120j, 75-3122, 75-3123, 75-3124, 75-3125, 75-3126, 75-
 32 3135, 75-3136, 75-3137, 75-3141, 75-3148, 75-3149, 75-3150, 75-3212,
 33 75-3223, 75-3702a, 75-5001, 75-5101, 75-5203, 75-5301, 75-5601, 75-
 34 5701, 75-5702, 75-5708, 75-5903, 75-6301, 75-7001, 76-714 and 76-715
 35 and K.S.A. 2010 Supp. 75-3135a, 75-7206, 75-7207, 75-7402 and 75-
 36 7427, and amendments thereto, or any other statute, the rate of
 37 compensation for each state officer, as defined by this section, is
 38 hereby reduced by 7.5% for the first payroll period commencing on or
 39 after the effective date of this act and each payroll period thereafter
 40 chargeable to fiscal year 2011, and shall not be increased for any
 41 payroll period chargeable to fiscal year 2011: Provided, That the
 42 secretary of administration is hereby authorized and directed to
 43 implement and administer the provisions of this section to provide for

1 such reductions: Provided further, That the secretary of
 2 administration shall ensure that such reductions to the rate of
 3 compensation of the state officers subject to the provisions of this
 4 section for the fiscal year 2011 have been implemented: And provided
 5 further, That the secretary of administration is hereby authorized to
 6 reduce any such rate of compensation to implement the provisions of
 7 this section: And provided further, That no such reduction prescribed
 8 by this subsection shall apply to payroll periods commencing on or
 9 after June 12, 2011.

10 (c) On the effective date of this act, the expenditure limitation
 11 established for the fiscal year ending June 30, 2011, provided by
 12 chapter 2, chapter 124 or chapter 144 of the 2009 Session Laws of
 13 Kansas, by chapter 6 or chapter 165 of the 2010 Session Laws of
 14 Kansas, or by this or other appropriation act of the 2011 regular
 15 session of the legislature, or by the state finance council, on each
 16 special revenue fund in the state treasury is hereby decreased for fiscal
 17 year 2011 by the amount equal to 7.5% of the aggregate amount that
 18 is budgeted for salaries and wages, including per diem compensation,
 19 and any associated employer contributions, other than employer
 20 payments for participants under the state health care benefits
 21 program pursuant to K.S.A. 75-6508, and amendments thereto, and
 22 longevity payments authorized by law, for state officers, as defined by
 23 this section, for all payroll periods commencing on or after the
 24 effective date of this act which are chargeable to fiscal year 2011 for
 25 such special revenue fund, as determined by the director of the
 26 budget, after consultation with the director of legislative research, and
 27 certified to the director of accounts and reports.

28 (d) As used in this section, (1) “state agency” has the meaning
 29 ascribed thereto by K.S.A. 75-3701, and amendments thereto, and
 30 includes the governor’s department, lieutenant governor, attorney
 31 general, secretary of state, state treasurer, commissioner of insurance,
 32 each agency of the executive branch, the legislature and each agency
 33 of the legislative branch, the judicial branch and each agency of the
 34 judicial branch;

35 (2) “state officer” means (A) the governor, lieutenant governor,
 36 attorney general, secretary of state, state treasurer, commissioner of
 37 insurance, each secretary of a department or other chief executive
 38 officer of a department of the executive branch, each member of a
 39 board, commission, council or authority of the executive branch, (B)
 40 each member of the legislature, each legislative officer specified in
 41 K.S.A. 46-137b, and amendments thereto, (C) each justice of the
 42 supreme court, each judge of the court of appeals, each district judge,
 43 each district magistrate judge, and (D) each other state officer in the

1 executive branch, legislative branch or judicial branch of state
 2 government whose position is specified by statute or is otherwise
 3 determined to be a salaried officer of the state as that phrase is used in
 4 section 15 of article 1 or section 13 of article 3 of the constitution of the
 5 state of Kansas, and in any case “state officer” includes all salaried
 6 officers of the state as that phrase is used in section 15 of article 1 or
 7 section 13 of article 3 of the constitution of the state of Kansas;

8 (3) “compensation” means any salary or per diem compensation
 9 provided by law for a state officer.

10 Sec. 54. (a) On July 1, 2012, of the amount in each account of the
 11 state general fund of each state agency that is appropriated for the
 12 fiscal year ending June 30, 2012, by 2011 House Bill No. 2283, or by
 13 this or other appropriation act of the 2011 regular session of the
 14 legislature, and that is budgeted for fiscal year 2012 for payment of
 15 longevity bonus payments pursuant to K.S.A. 75-5541, and
 16 amendments thereto, and including the additional amount of longevity
 17 bonus payment as provided in subsection (b) of section 86 of 2011
 18 House Bill No. 2383, the amount equal to the amount budgeted for
 19 fiscal year 2012 in each such account of the state general fund for such
 20 longevity bonus payments, as certified by the director of the budget to
 21 the director of accounts and reports, is hereby lapsed: Provided, That,
 22 at the same time that each certification is made by the director of the
 23 budget to the director of accounts and reports under this subsection,
 24 the director of the budget shall deliver a copy of such certification to
 25 the director of legislative research.

26 Sec. 55. (a) During the fiscal year ending June 30, 2011, subject to
 27 any applicable requirements of federal statutes, rules, regulations or
 28 guidelines, any expenditures or grants of money by any state agency
 29 for family planning services financed in whole or in part from federal
 30 title X moneys shall be made subject to the following two priorities:
 31 First priority to public entities (state, county, local health departments
 32 and health clinics) and if any moneys remain then; second priority to
 33 non-public entities which are hospitals or federally qualified health
 34 centers that provide comprehensive primary and preventative care in
 35 addition to family planning services.

36 (b) As used in this section “hospitals” shall have the same
 37 meaning as defined in K.S.A. 65-425, and amendments thereto, and
 38 “federally qualified health center” shall have the same meaning as
 39 defined in K.S.A. 65-1669, and amendments thereto.

40 Sec. 56. Appeals to exceed expenditure limitations. (a) Upon
 41 written application to the governor and approval of the state finance
 42 council, expenditures from special revenue funds may exceed the
 43 amounts specified in this act.

1 **(b) This section shall not apply to the state economic development**
2 **initiatives fund, the children’s initiatives fund, the state water plan**
3 **fund or the Kansas endowment for youth fund, or to any account of**
4 **any of such funds.**

5 **Sec. 57. Severability. If any provision or clause of this act or**
6 **application thereof to any person or circumstances is held invalid,**
7 **such invalidity shall not affect other provisions or applications of the**
8 **act which can be given effect without the invalid provision or**
9 **application, and to this end the provisions of this act are declared to be**
10 **severable.**

11 ~~Sec. 58.~~ **58.** This act shall take effect and be in force from and after its
12 publication in the Kansas register.
13