

1 [As Amended by House Committee of the Whole]

2
3 As Amended by House Committee

4 *Session of 2002*

5
6 **HOUSE BILL No. 2612**

7
8 By Legislative Budget Committee

9
10 12-14

11
12 AN ACT relating to state finances; ~~concerning~~ [relating to revenues
13 **credited to the state general fund and budgets of state agencies;**
14 **establishing the state debt reduction fund and the Kansas tax**
15 **rebate fund; providing for transfers of moneys to such funds;]**
16 biennial budget estimates for state agencies; amending K.S.A. 2001
17 Supp. 75-3717 and repealing the existing section.

18
19 *Be it enacted by the Legislature of the State of Kansas:*

20 [New Section 1. (a) In any calendar year in which the sum of
21 the amount by which the actual amount of state general fund re-
22 ceipts for the fiscal year ending in such calendar year exceeds the
23 original joint estimate of revenue to the state general fund for that
24 fiscal year prepared pursuant to K.S.A. 75-6701, and amendments
25 thereto, as adjusted for laws enacted by the legislature during the
26 regular legislative session in such calendar year, by more than
27 \$50,000,000, 20% of such amount shall be transferred from the
28 state general fund to the state debt reduction fund established by
29 section 2, and amendments thereto, and 40% of such amount shall
30 be transferred from the state general fund to the Kansas tax rebate
31 fund established by section 3, and amendments thereto.

32 [(b) On or before July 1 of each calendar year, the director of
33 the budget and the director of the legislative research department
34 shall prepare a joint estimate of the amount, if any, by which the
35 actual amount of state general fund receipts for the state fiscal
36 year ending in such calendar year exceeds the original joint esti-
37 mate of revenue to the state general fund for that state fiscal year
38 pursuant to K.S.A. 75-6701 and amendments thereto, adjusted for
39 laws enacted by the legislature during the regular legislative ses-
40 sion in such calendar year, by more than \$50,000,000 and, if such
41 revenues exceed such estimate by more than \$50,000,000, shall
42 prepare a joint certification to the director of accounts and reports
43 of the amount to be transferred from the state general fund to the

1 state debt reduction fund and the amount to be transferred from
2 the state general fund to the Kansas tax rebate fund pursuant to
3 this section.

4 [(c) If the director of accounts and reports receives a certifi-
5 cation under this section in any calendar year, the director of ac-
6 counts and reports shall transfer the amounts specified in such
7 certification from the state general fund in the amounts specified
8 to the state debt reduction fund and the Kansas tax rebate fund in
9 accordance with the certification on July 1 of such calendar year.

10 [New Sec. 2. (a) There is hereby established in the state
11 treasury the state debt reduction fund which shall be administered
12 by the state treasurer. All expenditures from the state debt reduc-
13 tion fund shall be for the purpose of providing funding for retire-
14 ment or defeasement of bonds issued for programs and capital
15 improvement projects for state agencies which bonds become de-
16 feasible or callable during the fiscal year for which the fund is
17 appropriated or to otherwise offset outstanding state debt to be
18 retired from payments from the state general fund. Such expend-
19 itures shall be made by the state treasurer in consultation with the
20 Kansas development finance authority upon warrants of the direc-
21 tor of accounts and reports issued pursuant to vouchers approved
22 by the state treasurer or the treasurer's designee.

23 [(b) On or before the 10th day of each month, the director of
24 accounts and reports shall transfer from the state general fund to
25 the state debt reduction fund interest earnings based on: (1) The
26 average daily balance of moneys in the state debt reduction fund
27 for the preceding month; and (2) the net earnings rate of the
28 pooled money investment portfolio for the preceding month.

29 [New Sec. 3. There is hereby established in the state treasury
30 the Kansas tax rebate fund which shall be administered by the
31 secretary of revenue. All expenditures from the Kansas tax rebate
32 fund shall be made in accordance with the provisions of appropri-
33 ation acts upon warrants of the director of accounts and reports
34 issued pursuant to vouchers approved by the secretary of revenue
35 or by the secretary's designee. All expenditures from the Kansas
36 tax rebate fund shall be for tax refunds, rebates, reimbursements
37 or other payments to taxpayers as provided by laws enacted by the
38 legislature for such purposes after the effective date of this act.]

39 ~~Section 4.~~ [Sec. 4. On July 1, 2003,] K.S.A. 2001 Supp. 75-3717 is
40 hereby amended to read as follows: 75-3717. (a) As provided in this sec-
41 tion, each state agency, not later than October 1 of each year, shall file
42 with the division of the budget its budget estimates for the next fiscal
43 year, and all amendments and revisions thereof, except that, in lieu of

1 such annual filing, each agency listed in subsection (f), not later than
2 October 1, ~~2000~~ ~~2004~~ **2003**, and every two years thereafter, shall file
3 budget estimates for the next fiscal year and for the ensuing fiscal year
4 thereafter. Each agency listed in subsection (f) may file adjustments to
5 such agency's budget that was approved by the legislature during a prior
6 fiscal year. All such budget estimates shall be in the form provided by the
7 director of the budget. Each agency's budget estimates shall include:

8 (1) A full explanation of the agency's request for any appropriations
9 for the expansion of present services or the addition of new activities,
10 including an estimate of the anticipated expenditures for the next fiscal
11 year and for each of the three ensuing fiscal years which would be re-
12 quired to support each expansion of present services or addition of new
13 services as requested by the state agency; and

14 (2) a listing of all programs of the agency that provide services for
15 children and their families and the following information regarding each
16 such program: Of the amount of the agency's request for appropriations
17 to fund the program, that amount which will be spent on services for
18 children or families with children and the number of children or families
19 with children who are served by the program.

20 (b) At the same time as each state agency submits to the division of
21 the budget a copy of its budget estimate, and all amendments and revi-
22 sions thereof, each such state agency shall submit a copy of such estimate,
23 and all amendments and revisions thereof, directly to the legislative re-
24 search department for legislative use.

25 (c) The director of the budget shall require the agencies to submit a
26 sufficient number of copies of their budget estimates, and all amendments
27 and revisions thereof, to the director's office to satisfy the requirements
28 of such office and one additional copy for legislative use which shall be
29 retained in the division of the budget until the budget of the governor is
30 submitted to the legislature. On or before the day that such budget is
31 submitted to the legislature such legislative use copy, posted to reflect
32 the governor's budget recommendations, shall be submitted to the leg-
33 islative research department for use by the ways and means committee
34 of the senate and the committee on appropriations of the house of rep-
35 resentatives. Following presentation of the governor's budget report to
36 the legislature, the legislative research department may request and shall
37 receive detailed information from the division of the budget on the gov-
38 ernor's budget recommendations.

39 (d) The director of the budget may prepare budget estimates for any
40 state agency failing to file a request.

41 (e) As used in this section, "services for children and their families"
42 includes but is not limited to any of the following services, whether pro-
43 vided directly or made accessible through subsidies or other payments:

1 (1) Financial support for children and families with children or en-
2 forcement of the obligation to support a child or a family with one or
3 more children;

4 (2) prenatal care, health care for children or immunizations for
5 children;

6 (3) mental health or retardation services for children;

7 (4) nutrition for children or families with children or nutritional coun-
8 seling or supplements for pregnant or nursing women;

9 (5) child care, early childhood education or parenting education;

10 (6) licensure or regulation of child care or early childhood education
11 programs;

12 (7) treatment, counseling or other services to preserve families;

13 (8) care, treatment, placement or adoption of children without func-
14 tioning families;

15 (9) services to prevent child abuse and to treat and protect child
16 abuse victims;

17 (10) services for children who are pregnant, substance abusers or oth-
18 erwise involved in high risk behavior;

19 (11) services related to court proceedings involving children; and

20 (12) youth employment services.

21 (f) On a biennial basis, the following state agencies shall file budget
22 estimates under the provisions of subsection (a): Abstracters' board of
23 examiners, behavioral sciences regulatory board, board of accountancy,
24 board of examiners in optometry, board of nursing, ~~consumer credit com-~~
25 ~~missioner~~, Kansas board of barbering, Kansas board of examiners in fitting
26 and dispensing of hearing aids, Kansas dental board, Kansas real estate
27 commission, Kansas state board of cosmetology, office of the securities
28 commissioner of Kansas, real estate appraisal board, state bank commis-
29 sioner, state board of healing arts, state board of mortuary arts, state board
30 of pharmacy, state board of technical professions, state board of veterinary
31 examiners, governmental ethics commission ~~and~~, state department of
32 credit unions, *state department of human resources and health care sta-*
33 *bilization fund board of governors.*

34 Sec. ~~2~~. [5.] [On July 1, 2003,] K.S.A. 2001 Supp. 75-3717 is hereby
35 repealed.

36 Sec. ~~3~~. [6.] This act shall take effect and be in force from and after
37 ~~July 1, 2003,~~ and its publication in the statute book.

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