

## HOUSE BILL No. 2026

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2003, June 30, 2007, June 30, 2008, June 30, 2009, June 30, 2010, for the state bank commissioner, Kansas board of barbering, Kansas state board of cosmetology, state department of credit unions, board of nursing, board of examiners in optometry, state board of pharmacy, office of the securities commissioner of Kansas, insurance department, state board of indigents' defense services, Kansas public employees retirement system, department of health and environment, department on aging, department of social and rehabilitation services, department of education, department of corrections, Kansas highway patrol, and department of transportation; authorizing certain transfers and capital improvement projects, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing; amending K.S.A. 2002 Supp. 79-2959, 79-2964 and 79-3425i and repealing the existing sections.

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

Section 1. (a) For the fiscal years ending June 30, 2003, June 30, 2007, June 30, 2008, June 30, 2009, June 30, 2010, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

(c) This act shall not be subject to the provisions of K.S.A. 46-155 and amendments thereto.

Sec. 2.

### STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending on June 30, 2003, by section 12(e)(2) of chapter 204 of the 2002 Session Laws of Kansas on the bank commissioner fee fund is hereby decreased from \$5,708,966 to \$5,547,921.

Sec. 3.

### KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2003, by section 13(b) of chapter 204 of the 2002 Session Laws of Kansas on the board of barbering fee fund is hereby decreased from \$132,390 to \$113,266.

Sec. 4.

### KANSAS STATE BOARD OF COSMETOLOGY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2003, by section 16(b) of chapter 204 of the 2002 Session Laws of Kansas on the cosmetology fee fund is hereby decreased from \$735,704 to \$661,161.

Sec. 5.

### STATE DEPARTMENT OF CREDIT UNIONS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2003, by section 18(a) of chapter 204 of the 2002 Session Laws of Kansas on the credit union fee fund is hereby decreased from \$896,620 to \$850,554.

Sec. 6.

### BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2003, by section 20(b) of chapter 204 of the 2002 Session Laws of Kansas on the board of nursing fee fund is hereby increased from \$1,397,017 to \$1,459,832.

Sec. 7.

### BOARD OF EXAMINERS IN OPTOMETRY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2003, by section 21(a) of chapter 204 of the 2002 Session Laws of Kansas on the optometry fee fund is hereby increased from \$85,305 to \$106,777.

Sec. 8.

### STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2003, by section 22(c) of chapter 204 of the 2002 Session Laws of Kansas on the state board of pharmacy fee fund is hereby increased from \$571,321 to \$581,497.

Sec. 9.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2003, by section 25(a) of chapter 204 of the 2002 Session Laws of Kansas on the securities act fee fund is hereby decreased from \$2,113,020 to \$2,092,824.

Sec. 10.

INSURANCE DEPARTMENT

(a) (1) On the effective date of this act, notwithstanding the provisions of K.S.A. 2002 Supp. 44-566a and amendments thereto or any other statute, the director of accounts and reports shall transfer \$4,000,000 from the workers compensation fund of the insurance department to the state general fund: *Provided*, That the amount transferred from the workers compensation fund of the insurance department to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(2) On or before June 30, 2007, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the workers compensation fund of the insurance department for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to subsection (a)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (a)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(3) On or before June 30, 2008, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the workers compensation fund of the insurance department for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to subsection (a)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (a)(3), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(4) On or before June 30, 2009, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the workers compensation fund of the insurance department for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to subsection (a)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (a)(4), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(5) On or before June 30, 2010, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the workers compensation fund of the insurance department for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to subsection (a)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (a)(5), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

Sec. 11.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2003, the following:

Operating expenditures .....	\$702,934
Capital defense operations .....	\$550,000

Sec. 12.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On the effective date of this act, the director of accounts and reports shall transfer any unencumbered balance in the senior services trust fund of the Kansas public employees retirement system to the state general fund.

(b) On or before June 30, 2003, on a date certified by the director of the budget, notwithstanding the provisions of K.S.A. 38-2101 and amendments thereto or any other statute, the director of accounts and reports shall transfer any unencumbered balance in the Kansas endowment for youth fund of the Kansas public employees retirement system to the state general fund: *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(c) On the effective date of this act, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2003, by chapter 204 or 205 of the 2002 Session Laws of Kansas or by this or other appropriation act of the 2003 regular session of the legislature and that is budgeted for payment of the cost of the plan of death and long-term disability benefits under K.S.A. 74-4927 and amendments thereto, as certified by the director of the budget to the director of accounts and reports, for the period commencing on April 1, 2003, and ending on June 30, 2003, is hereby lapsed: *Provided*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(d) (1) On the effective date of this act, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer the amount in each account of each special revenue fund of each state agency that is appropriated for the fiscal year ending June 30, 2003, by chapter 204 or 205 of the 2002 Session Laws of Kansas or by this or other appropriation act of the 2003 regular session of the legislature and that is budgeted for payment of the cost of the plan of death and long-term disability benefits under K.S.A. 74-4927 and amendments thereto, as certified by the director of the budget to the director of accounts and reports, for the period commencing on April 1, 2003, and ending on June 30, 2003, from such special revenue fund, or account thereof, to the state general fund: *Provided*, That the aggregate amount transferred from all such special revenue funds and accounts to the state general fund during fiscal year 2003 pursuant to this subsection shall not exceed \$858,000: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department: *And provided further*, That the amount transferred from each such special revenue fund or account to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(2) On or before June 30, 2007, on a date certified by the director of the budget, the director of accounts and reports shall transfer from the state general fund the amount equal to 25% of the amount transferred from each special revenue fund pursuant to subsection (d)(1) to such special revenue fund for the purpose of repaying 25% of the amount transferred to the state general fund from such special revenue fund pursuant to subsection (d)(1): *Provided*, That the aggregate of the amounts transferred pursuant to this subsection (d)(2) to such special revenue funds shall not exceed \$214,500: *Provided further*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (d)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(3) On or before June 30, 2008, on a date certified by the director of the budget, the director of accounts and reports shall transfer from the state general fund the amount equal to 25% of the amount transferred from each special revenue fund pursuant to subsection (d)(1) to such special revenue fund for the purpose of repaying 25% of the amount transferred to the state general fund from such special revenue fund pursuant to subsection (d)(1): *Provided*, That the aggregate of the amounts transferred pursuant to this subsection (d)(3) to such special revenue

funds shall not exceed \$214,500: *Provided further*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (d)(3), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(4) On or before June 30, 2009, on a date certified by the director of the budget, the director of accounts and reports shall transfer from the state general fund the amount equal to 25% of the amount transferred from each special revenue fund pursuant to subsection (d)(1) to such special revenue fund for the purpose of repaying 25% of the amount transferred to the state general fund from such special revenue fund pursuant to subsection (d)(1): *Provided*, That the aggregate of the amounts transferred pursuant to this subsection (d)(4) to such special revenue funds shall not exceed \$214,500: *Provided further*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (d)(4), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(5) On or before June 30, 2010, on a date certified by the director of the budget, the director of accounts and reports shall transfer from the state general fund the amount equal to 25% of the amount transferred from each special revenue fund pursuant to subsection (d)(1) to such special revenue fund for the purpose of repaying 25% of the amount transferred to the state general fund from such special revenue fund pursuant to subsection (d)(1): *Provided*, That the aggregate of the amounts transferred pursuant to this subsection (d)(5) to such special revenue funds shall not exceed \$214,500: *Provided further*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (d)(5), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(e) Notwithstanding the provisions of K.S.A. 74-4927 and 74-4927f, and amendments thereto, no participating employer under the Kansas public employees retirement system shall pay any amount to the system for the cost of the plan and death and long-term disability benefits under K.S.A. 74-4927 and amendments thereto for the period commencing on April 1, 2003, through June 30, 2003.

Sec. 13.

#### DEPARTMENT OF HEALTH AND ENVIRONMENT

(a) (1) On the effective date of this act, notwithstanding the provisions of K.S.A. 65-3424g and amendments thereto or any other statute, the director of accounts and reports shall transfer \$1,000,000 from the waste tire management fund of the department of health and environment to the state general fund: *Provided*, That the amount transferred from the waste tire management fund of the department of health and environment to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(2) On or before June 30, 2007, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$250,000 from the state general fund to the waste tire management fund of the department of health and environment for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section (a)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (a)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(3) On or before June 30, 2008, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$250,000 from the state general fund to the waste tire management fund of the department of health and environment for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section (a)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under

this subsection (a)(3), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(4) On or before June 30, 2009, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$250,000 from the state general fund to the waste tire management fund of the department of health and environment for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section (a)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (a)(4), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(5) On or before June 30, 2010, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$250,000 from the state general fund to the waste tire management fund of the department of health and environment for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section (a)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (a)(5), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(b) (1) On the effective date of this act, notwithstanding the provisions of K.S.A. 65-34,114 and amendments thereto or any other statute, the director of accounts and reports shall transfer \$10,000,000 from the underground petroleum storage tank release trust fund of the department of health and environment to the state general fund: *Provided*, That the amount transferred from the underground petroleum storage tank release trust fund of the department of health and environment to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(2) On or before June 30, 2007, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$2,500,000 from the state general fund to the underground petroleum storage tank release trust fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to subsection (b)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (b)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department: *Provided further*, That the transfer prescribed by this subsection (b)(2) from the state general fund to the underground petroleum storage tank release trust fund during the fiscal year ending June 30, 2007, shall be considered to be a demand transfer from the state general fund.

(3) On or before June 30, 2008, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$2,500,000 from the state general fund to the underground petroleum storage tank release trust fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to subsection (b)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (b)(3), the director of the budget shall deliver a copy of such certification to the director of the legislative research department: *Provided further*, That the transfer prescribed by this subsection (b)(3) from the state general fund to the underground petroleum storage tank release trust fund during the fiscal year ending June 30, 2008, shall be considered to be a demand transfer from the state general fund.

(4) On or before June 30, 2009, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$2,500,000 from the state general fund to the underground petroleum storage tank release trust fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to subsection (b)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (b)(4), the director of the budget shall deliver a copy of such certification to the director of the legislative research department: *Provided further*,

That the transfers prescribed by this subsection (b)(4) from the state general fund to the underground petroleum storage tank release trust fund during the fiscal year ending June 30, 2009, shall be considered to be a demand transfer from the state general fund.

(5) On or before June 30, 2010, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$2,500,000 from the state general fund to the underground petroleum storage tank release trust fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to subsection (b)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (b)(5), the director of the budget shall deliver a copy of such certification to the director of the legislative research department: *Provided further*, That the transfers prescribed by this subsection (b)(5) from the state general fund to the underground petroleum storage tank release trust fund during the fiscal year ending June 30, 2010, shall be considered to be a demand transfer from the state general fund.

Sec. 14.

DEPARTMENT ON AGING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2003, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Senior citizen nutrition check-off fund .....	No limit
Other federal grants and assistance fund.....	No limit

(b) On the effective date of this act, the director of accounts and reports shall transfer \$170,838 from the aging—IGT fund of the department on aging to the state medicaid match fund—department on aging of the department on aging.

(c) On the effective date of this act, the director of accounts and reports shall transfer \$3,618,418 from the long-term care loan and grant fund of the department on aging to the state medicaid match fund—department on aging of the department on aging.

(d) On the effective date of this act, the director of accounts and reports shall transfer \$7,416,587 from the long-term care loan and grant fund of the department on aging to the state general fund.

Sec. 15.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2003, the following:

State operations .....	\$4,226,514
Other medical assistance .....	\$19,602,092
Cash assistance .....	\$323,920
Vocational rehabilitation aid and assistance .....	\$332

(b) On the effective date of this act, of the \$3,535,388 appropriated for the above agency for the fiscal year ending June 30, 2003, by section 95(a) of chapter 204 of the 2002 Session Laws of Kansas from the state general fund in the alcohol and drug abuse services grants account, the sum of \$151,620 is hereby lapsed.

(c) On the effective date of this act, of the \$89,151,475 appropriated for the above agency for the fiscal year ending June 30, 2003, by section 95(a) of chapter 204 of the 2002 Session Laws of Kansas from the state general fund in the mental health and retardation services aid and assistance account, the sum of \$6,499,804 is hereby lapsed.

(d) On the effective date of this act, of the \$70,738,364 appropriated for the above agency for the fiscal year ending June 30, 2003, by section 95(a) of chapter 204 of the 2002 Session Laws of Kansas from the state general fund in the youth services aid and assistance account, the sum of \$7,656,554 is hereby lapsed.

(e) On the effective date of this act, of the \$12,785,911 appropriated for the above agency for the fiscal year ending June 30, 2003, by section 95(a) of chapter 204 of the 2002 Session Laws of Kansas from the state general fund in the children's health insurance account, the sum of \$838,655 is hereby lapsed.

(f) On the effective date of this act, of the \$20,217,984 appropriated for the above agency for the fiscal year ending June 30, 2003, by section

95(a) of chapter 204 of the 2002 Session Laws of Kansas from the state general fund in the community based services account, the sum of \$1,819,038 is hereby lapsed.

(g) On the effective date of this act, the expenditure limitation established by section 95(b) of chapter 204 of the 2002 Session Laws of Kansas on the Title XIX fund is hereby increased from \$50,538,731 to \$51,068,483.

(h) On the effective date of this act, the director of accounts and reports shall transfer \$1,033,222 from the SRS—IGT fund of the department of social and rehabilitation services to the state medicaid match fund—SRS of the department of social and rehabilitation services.

(i) On the effective date of this act, the director of accounts and reports shall transfer \$691,037 from the long-term care loan and grant fund of the department on aging to the state medicaid match fund—SRS of the department of social and rehabilitation services.

(j) On the effective date of this act, the expenditure limitation established by section 95(b) of chapter 204 of the 2002 Session Laws of Kansas on the SRS—IGT fund is hereby increased from \$62,529,094 to \$66,529,094.

(k) On the effective date of this act, the expenditure limitation established by section 95(b) of chapter 204 of the 2002 Session Laws of Kansas on the social services block grant—federal fund is hereby increased from \$22,928,100 to \$25,272,872.

(l) On the effective date of this act, the expenditure limitation established by section 95(b) of chapter 204 of the 2002 Session Laws of Kansas on the mental health block grant federal fund is hereby increased from \$3,389,293 to \$3,427,726.

Sec. 16.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2003, the following:

General state aid .....	\$4,637,027
Supplemental general state aid .....	\$21,999,043

Sec. 17.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2003, the following:

Treatment and programs .....	\$2,692,595
Facilities operations .....	\$1,305,259

Sec. 18.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2003, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas highway patrol operations fund .....	\$13,111,912
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Sec. 19.

DEPARTMENT OF TRANSPORTATION

(a) The director of accounts and reports shall not make the transfer of \$94,608,648 from the state general fund to the state highway fund, which was directed to be made on or before June 30, 2003, by section 40(b) of chapter 205 of the 2002 Session Laws of Kansas.

(b) (1) On or before June 30, 2007, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$23,652,162 from the state general fund to the state highway fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section 40(a) of chapter 205 of the 2002 Session Laws of Kansas: *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (b)(1), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(2) On or before June 30, 2008, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$23,652,162 from the state general fund to the state highway fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section 40(a) of chapter 205 of the 2002 Session Laws of Kansas:

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

(3) On or before June 30, 2009, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$23,652,162 from the state general fund to the state highway fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section 40(a) of chapter 205 of the 2002 Session Laws of Kansas: *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (b)(3), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(4) On or before June 30, 2010, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$23,652,162 from the state general fund to the state highway fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section 40(a) of chapter 205 of the 2002 Session Laws of Kansas: *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (b)(4), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

Sec. 20. (a) On or after the effective date of this act, during the fiscal year ending June 30, 2003, the director of accounts and reports shall not make any transfer directed to be made by either subsection (f)(2) of K.S.A. 2002 Supp. 75-4265 and amendments thereto or by section 56 of chapter 204 of the 2002 Session Laws of Kansas from the intergovernmental transfer fund of the department on aging to the senior services trust fund established by K.S.A. 2002 Supp. 75-4266 and amendments thereto.

(b) On or after the effective date of this act, during the fiscal year ending June 30, 2003, the director of accounts and reports shall not make any transfer directed to be made by either subsection (f)(2) of K.S.A. 2002 Supp. 75-4265 and amendments thereto or by section 56 of chapter 204 of the 2002 Session Laws of Kansas from the intergovernmental transfer fund of the department on aging to the long-term care loan and grant fund of the department on aging established by K.S.A. 2002 Supp. 75-4265 and amendments thereto.

(c) On or after the effective date of this act, during the fiscal year ending June 30, 2003, the director of accounts and reports shall not make any transfer directed to be made by either subsection (f)(2) of K.S.A. 2002 Supp. 75-4265 and amendments thereto or by section 56 of chapter 204 of the 2002 Session Laws of Kansas from the intergovernmental transfer fund of the department on aging to the state medicaid match fund—department on aging established by K.S.A. 2002 Supp. 75-4265 and amendments thereto.

(d) On or after the effective date of this act, during the fiscal year ending June 30, 2003, the director of accounts and reports shall not make any transfer directed to be made by either subsection (f)(2) of K.S.A. 2002 Supp. 75-4265 and amendments thereto or by section 56 of chapter 204 of the 2002 Session Laws of Kansas from the intergovernmental transfer fund of the department on aging to the state medicaid match fund—SRS established by K.S.A. 2002 Supp. 75-4265 and amendments thereto.

(e) On or after the effective date of this act, during the fiscal year ending June 30, 2003, the director of accounts and reports shall not make any transfer directed to be made by either subsection (f)(2) of K.S.A. 2002 Supp. 75-4265 and amendments thereto or by section 56 of chapter 204 of the 2002 Session Laws of Kansas from the intergovernmental transfer fund of the department on aging to the aging—IGT fund of the department on aging.

(f) Commencing on the effective date of this act, or as soon as moneys are available therefor, during the fiscal year ending June 30, 2003, the director of accounts and reports shall transfer to the SRS—IGT fund of the department of social and rehabilitation services, on the dates when the following transfers would have been made under the statutes specified, the following: (1) All amounts of money that would have been directed by subsection (f)(2) of K.S.A. 2002 Supp. 75-4265 and amend-



ments thereto or by section 56(b) of chapter 204 of the 2002 Session Laws of Kansas to be transferred from the intergovernmental transfer fund of the department on aging to the senior services trust fund, the long-term care loan and grant fund, the state medicaid match fund—department on aging, and the state medicaid match fund—SRS; and (2) all amounts of money that would have been directed by section 56(b) of chapter 204 of the 2002 Session Laws of Kansas to be transferred from the intergovernmental transfer fund of the department on aging to the aging—IGT fund of the department on aging.

Sec. 21. On the effective date of this act, K.S.A. 2002 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts which in the aggregate equal ~~4.5%~~ 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of Kansas Statutes Annotated and acts amendatory thereof and supplemental thereto during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: ~~(1) The transfers on January 15 and July 15 of each year shall be in equal amounts which in the aggregate equal 3.630% of such taxes credited to the state general fund during the preceding calendar year, and (2) the amount of the transfer on each such date during state fiscal year 2003 shall be \$26,246,722~~ no moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund on or after November 26, 2002, during state fiscal year 2003. All such transfers are subject to reduction under K.S.A. 75-6704 and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal year ending June 30, 2003, shall be considered revenue transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) Sixty-five percent of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201 and amendments thereto on July 1 of the preceding year; and (2) thirty-five percent of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 22. On the effective date of this act, K.S.A. 2002 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts which in the aggregate equal ~~3.5%~~ 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated and acts amendatory thereof and supplemental thereto during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that: ~~(a) The transfers on July 15 and December 10 of each year shall be in equal amounts which in the aggregate equal 2.823% of such taxes credited to the state general fund during the preceding calendar year, and (b) the amount of the transfer on each such date during state fiscal year 2003 shall be \$16,740,646~~ no moneys shall be transferred from the state general fund to the county and city revenue sharing fund on or after November 26, 2002, during state fiscal year 2003. All such transfers are subject to reduction under K.S.A. 75-6704 and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal year ending June 30, 2003, shall be considered revenue transfers from the state general fund.

Sec. 23. On the effective date of this act, K.S.A. 2002 Supp. 79-3425i is hereby amended to read as follows: 79-3425i. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; and (2) ~~the amount of the transfer on each such date during state fiscal year 2003 shall not exceed \$5,031,822~~ *no moneys shall be transferred from the state general fund to the special city and county highway fund on or after November 26, 2002, during state fiscal year 2003.* All transfers under this section shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal year ending June 30, 2003, shall be considered revenue transfers from the state general fund.

Sec. 24. *Appeals to exceed position limitations.* (a) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2003, made in this act or in any appropriation act of the 2002 regular session of the legislature or in any other appropriation act of the 2003 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 25. *Appeals to exceed limitations.* Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

Sec. 26. On the effective date of this act, K.S.A. 2002 Supp. 79-2959, 79-2964 and 79-3425i are hereby repealed.

Sec. 27. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

\_\_\_\_\_  
HOUSE adopted  
Conference Committee Report \_\_\_\_\_

\_\_\_\_\_  
*Speaker of the House.*

\_\_\_\_\_  
*Chief Clerk of the House.*

Passed the SENATE  
as amended \_\_\_\_\_

SENATE adopted  
Conference Committee Report \_\_\_\_\_

\_\_\_\_\_  
*President of the Senate.*

\_\_\_\_\_  
*Secretary of the Senate.*

APPROVED \_\_\_\_\_  
\_\_\_\_\_  
*Governor.*