

HOUSE BILL No. 2333

By Representative Holland

2-12

AN ACT concerning state finances; relating to biennial budget estimates and funding; amending K.S.A. 75-6701 and K.S.A. 2002 Supp. 75-3717 and repealing the existing sections.

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

New Section 1. On or before July 1, 2003, during the regular legislative session of 2003, the legislature shall provide appropriations for the k-12 education budget for fiscal years 2004 and 2005. The school districts shall receive such funds in accordance with the provisions of law prescribing such disbursements. Nothing in this act shall require or be construed to require school districts to receive two years of funding at one time or during a single fiscal year. During the regular legislative session of 2004 and during the regular legislative session held in each year thereafter, the legislature shall provide appropriations for the k-12 education budget for the next succeeding fiscal year.

Section 2. K.S.A. 2002 Supp. 75-3717 is hereby amended to read as follows: 75-3717. (a) As provided in this section, each state agency, not later than October 1 of each year, shall file with the division of the budget its budget estimates for the next fiscal year, and all amendments and revisions thereof, except that, in lieu of such annual filing, each agency listed in subsection (f), not later than October 1, 2000, and every two years thereafter, shall file budget estimates for the next fiscal year and for the ensuing fiscal year thereafter. Each agency listed in subsection (f) may file adjustments to such agency's budget that was approved by the legislature during a prior fiscal year. All such budget estimates shall be in the form provided by the director of the budget. Each agency's budget estimates shall include:

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

(2) a listing of all programs of the agency that provide services for children and their families and the following information regarding each

1 such program: Of the amount of the agency's request for appropriations
2 to fund the program, that amount which will be spent on services for
3 children or families with children and the number of children or families
4 with children who are served by the program.

5 (b) At the same time as each state agency submits to the division of
6 the budget a copy of its budget estimate, and all amendments and revisions
7 thereof, each such state agency shall submit a copy of such estimate,
8 and all amendments and revisions thereof, directly to the legislative re-
9 search department for legislative use.

10 (c) The director of the budget shall require the agencies to submit a
11 sufficient number of copies of their budget estimates, and all amendments
12 and revisions thereof, to the director's office to satisfy the requirements
13 of such office and one additional copy for legislative use which shall be
14 retained in the division of the budget until the budget of the governor is
15 submitted to the legislature. On or before the day that such budget is
16 submitted to the legislature such legislative use copy, posted to reflect
17 the governor's budget recommendations, shall be submitted to the leg-
18 islative research department for use by the ways and means committee
19 of the senate and the committee on appropriations of the house of rep-
20 resentatives. Following presentation of the governor's budget report to
21 the legislature, the legislative research department may request and shall
22 receive detailed information from the division of the budget on the gov-
23 ernor's budget recommendations.

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

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

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

32 (2) prenatal care, health care for children or immunizations for
33 children;

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

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

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

38 (6) licensure or regulation of child care or early childhood education
39 programs;

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

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

43 (9) services to prevent child abuse and to treat and protect child

1 abuse victims;

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

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

5 (12) youth employment services.

6 (f) On a biennial basis, the following state agencies shall file budget
7 estimates under the provisions of subsection (a): Abstracters' board of
8 examiners, behavioral sciences regulatory board, board of accountancy,
9 board of examiners in optometry, board of nursing, consumer credit com-
10 missioner, Kansas board of barbering, Kansas board of examiners in fitting
11 and dispensing of hearing aids, Kansas dental board, Kansas real estate
12 commission, Kansas state board of cosmetology, office of the securities
13 commissioner of Kansas, real estate appraisal board, state bank commis-
14 sioner, state board of healing arts, state board of mortuary arts, state board
15 of pharmacy, state board of technical professions, state board of veterinary
16 examiners, governmental ethics commission and state department of
17 credit unions.

18 (g) *The department of education shall provide budget estimates for k-*
19 *12 education as provided by section 1, and amendments thereto.*

20 Sec. 3. K.S.A. 75-6701 is hereby amended to read as follows: 75-
21 6701. (a) On or before each December 4 and on or before each April 4,
22 the director of the budget and the director of the legislative research
23 department shall prepare a joint estimate of revenue to the state general
24 fund for the current fiscal year and *for each of the two* ensuing fiscal ~~year~~
25 *years.*

26 (b) If prior to final adjournment of any regular session of the legis-
27 lature any law is enacted providing for additional or less revenues to be
28 deposited in the state treasury to the credit of the state general fund, the
29 director of the budget and the director of the legislative research de-
30 partment shall prepare a joint estimate of such revenues.

31 (c) In the event of a disagreement or failure to agree upon a joint
32 estimate of revenue pursuant to subsection (a) or (b), the legislature shall
33 utilize the estimates of the director of the legislative research department
34 and the governor shall utilize the estimates of the director of the budget.

35 Sec. 4. K.S.A. 75-6701 and K.S.A. 2002 Supp. 75-3717 are hereby
36 repealed.

37 Sec. 5. This act shall take effect and be in force from and after its
38 publication in the statute book.

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