

HOUSE BILL No. 2267

By Representative Holland

2-2

9 AN ACT concerning state finances; relating to biennial budget estimates
10 and appropriations; amending K.S.A. 46-155 and K.S.A. 2004 Supp.
11 75-3717 and 75-6701 and repealing the existing sections.
12

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

14 New Section 1. On or before July 1, 2005, during the regular legis-
15 lative session of 2005, the legislature shall provide appropriations for the
16 K-12 education budget for fiscal years 2006 and 2007. The school districts
17 shall receive such funds in accordance with the provisions of law pre-
18 scribing such disbursements. Nothing in this act shall require or be con-
19 strued to require school districts to receive two years of funding at one
20 time or during a single fiscal year. During the regular legislative session
21 of 2006 and during the regular legislative session held in each year there-
22 after, the legislature shall provide appropriations for the K-12 education
23 budget for the next two succeeding fiscal years.

24 Sec. 2. K.S.A. 46-155 is hereby amended to read as follows: 46-155.
25 Except as provided in ~~K.S.A. 40-3405~~ and K.S.A. 75-4704b and section 1
26 and amendments thereto, no item of appropriation, or combination of
27 items of appropriation for the same purpose, shall be for a period greater
28 than one (1) ensuing fiscal year in addition to the current fiscal year,
29 except that in the case of capital improvements an item of appropriation,
30 or combination of items of appropriation for the purpose of completing
31 construction of a project may be for any period not exceeding the three
32 (3) ensuing fiscal years in addition to the current fiscal year.

33 Sec. 3. K.S.A. 2004 Supp. 75-3717 is hereby amended to read as
34 follows: 75-3717. (a) As provided in this section, each state agency, not
35 later than October 1 of each year, shall file with the division of the budget
36 its budget estimates for the next fiscal year, and all amendments and
37 revisions thereof, except that, in lieu of such annual filing, each agency
38 listed in subsection (f), not later than October 1, 2000, and every two
39 years thereafter, shall file budget estimates for the next fiscal year and
40 for the ensuing fiscal year thereafter. Each agency listed in subsection (f)
41 may file adjustments to such agency's budget that was approved by the
42 legislature during a prior fiscal year. All such budget estimates shall be
43 in the form provided by the director of the budget. Each agency's budget

1 estimates shall include:

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

8 (2) a listing of all programs of the agency that provide services for
9 children and their families and the following information regarding each
10 such program: Of the amount of the agency's request for appropriations
11 to fund the program, that amount which will be spent on services for
12 children or families with children and the number of children or families
13 with children who are served by the program; and

14 (3) a listing of the sources and amounts of all federal funds received
15 or budgeted for by a state agency for the purpose of homeland security
16 or for the purpose of sustaining, enhancing or improving the safety and
17 security of the state, the amount of such funds budgeted for expenditure
18 on administrative cost and the amount of such funds budgeted for ex-
19 penditure on aid to each unit of local government.

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.
- 33 (g) *The state department of education shall provide budget estimates*
34 *for K-12 education as provided by section 1, and amendments thereto.*
- 35 Sec. 4. K.S.A. 2004 Supp. 75-6701 is hereby amended to read as
36 follows: 75-6701. (a) On or before each December 4 and on or before
37 each April 20, the director of the budget and the director of the legislative
38 research department shall prepare a joint estimate of revenue to the state
39 general fund for the current fiscal year and *for each of the two* ensuing
40 fiscal ~~year~~ *years*.
- 41 (b) If prior to final adjournment of any regular session of the legis-
42 lature any law is enacted providing for additional or less revenues to be
43 deposited in the state treasury to the credit of the state general fund, the

1 director of the budget and the director of the legislative research de-
2 partment shall prepare a joint estimate of such revenues.
3 (c) In the event of a disagreement or failure to agree upon a joint
4 estimate of revenue pursuant to subsection (a) or (b), the legislature shall
5 utilize the estimates of the director of the legislative research department
6 and the governor shall utilize the estimates of the director of the budget.
7 Sec. 5. K.S.A. 46-155 and K.S.A. 2004 Supp. 75-3717 and 75-6701
8 are hereby repealed.
9 Sec. 6. This act shall take effect and be in force from and after its
10 publication in the Kansas register.