

**HOUSE BILL No. 2047**

By Committee on Appropriations

1-11

9 AN ACT making and concerning appropriations for the fiscal years ending  
10 June 30, 2007, June 30, 2008, June 30, 2009, June 30, 2010, June 30,  
11 2011, and June 30, 2012; establishing the FY 2008-2009 education  
12 funding reserve fund and the regents crumbling classrooms debt pay-  
13 ment fund; transferring moneys from the state general fund to such  
14 funds and restricting certain expenditures or transfers of certain mon-  
15 eys during certain fiscal years.

16  
17 *Be it enacted by the legislature of the state of Kansas:*

18 Section 1. (a) For the fiscal years ending June 30, 2007, June 30, 2008,  
19 June 30, 2009, June 30, 2010, June 30, 2011, and June 30, 2012, appro-  
20 priations are hereby made, restrictions and limitations are hereby im-  
21 posed, and transfers, capital improvement projects, fees, receipts, dis-  
22 bursements and acts incidental to the foregoing are hereby directed or  
23 authorized as provided in this act.

24 (b) The agencies named in this act are hereby authorized to initiate  
25 and complete the capital improvement projects specified and authorized  
26 by this act or for which appropriations are made by this act, subject to  
27 the restrictions and limitations imposed by this act.

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

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

32 Sec. 2.

33 DEPARTMENT OF EDUCATION

34 (a) There is appropriated for the above agency from the following spe-  
35 cial revenue fund or funds for the fiscal year or years specified, all moneys  
36 now or hereafter lawfully credited to and available in such fund or funds,  
37 except that expenditures other than refunds authorized by law shall not  
38 exceed the following:

39 FY 2008-2009 education funding reserve fund  
40 For the fiscal year ending June 30, 2007..... \$0

41 *Provided*, That no moneys shall be transferred or expended from the FY  
42 2008-2009 education funding reserve fund during fiscal year 2007: *Pro-*  
43 *vided further*, That, notwithstanding the provisions of K.S.A. 75-3711c

1 and amendments thereto, any appropriation act of the 2007 regular ses-  
2 sion of the legislature or any other statute, the state finance council shall  
3 have no authority to increase the expenditure limitation on the FY 2008-  
4 2009 education funding reserve fund for fiscal year 2007 or to otherwise  
5 authorize or provide for any expenditures from the FY 2008-2009 edu-  
6 cation funding reserve fund for fiscal year 2007.

7 For the fiscal year ending June 30, 2008..... \$0  
8 *Provided*, That, except as specifically authorized by act of the legislature,  
9 no moneys shall be transferred or expended from the FY 2008-2009 ed-  
10 ucation funding reserve fund during fiscal year 2008: *Provided further*,  
11 That, notwithstanding the provisions of K.S.A. 75-3711c and amendments  
12 thereto, any appropriation act of the 2007 or 2008 regular session of the  
13 legislature or any other statute, the state finance council shall have no  
14 authority to increase the expenditure limitation on the FY 2008-2009  
15 education funding reserve fund for fiscal year 2008 or to otherwise au-  
16 thorize or provide for any expenditures from the FY 2008-2009 education  
17 funding reserve fund for fiscal year 2008.

18 For the fiscal year ending June 30, 2009..... \$0  
19 *Provided*, That, except as specifically authorized by act of the legislature,  
20 no moneys shall be transferred or expended from the FY 2008-2009 ed-  
21 ucation funding reserve fund during fiscal year 2009: *Provided further*,  
22 That, notwithstanding the provisions of K.S.A. 75-3711c and amendments  
23 thereto, any appropriation act of the 2008 or 2009 regular session of the  
24 legislature or any other statute, the state finance council shall have no  
25 authority to increase the expenditure limitation on the FY 2008-2009  
26 education funding reserve fund for fiscal year 2009 or to otherwise au-  
27 thorize or provide for any expenditures from the FY 2008-2009 education  
28 funding reserve fund for fiscal year 2009.

29 (b) On the effective date of this act, or as soon thereafter as moneys  
30 are available therefor, subject to and in accordance with the provisions of  
31 this subsection, during fiscal year 2007, the director of accounts and re-  
32 ports shall transfer one or more amounts that are equal to \$271,700,000  
33 in the aggregate from the state general fund to the FY 2008-2009 edu-  
34 cation funding reserve fund.

35 (c) On July 1, 2007, the director of accounts and reports shall transfer  
36 \$149,000,000 from the FY 2008-2009 education funding reserve fund to  
37 the state general fund.

38 (d) On July 1, 2008, the director of accounts and reports shall transfer  
39 \$122,700,000 from the FY 2008-2009 education funding reserve fund to  
40 the state general fund.

41 Sec. 3.

42 STATE BOARD OF REGENTS

43 (a) There is appropriated for the above agency from the following spe-

1 cial revenue fund or funds for the fiscal year or years specified, all moneys  
2 now or hereafter lawfully credited to and available in such fund or funds,  
3 except that expenditures other than refunds authorized by law shall not  
4 exceed the following:

5 Regents crumbling classrooms debt payment fund  
6 For the fiscal year ending June 30, 2007..... \$0

7 *Provided*, That, except as specifically authorized by act of the legislature,  
8 no moneys shall be transferred or expended from the regents crumbling  
9 classrooms debt payment fund during fiscal year 2007: *Provided further*,  
10 That, notwithstanding the provisions of K.S.A. 75-3711c and amendments  
11 thereto, any appropriation act of the legislature or any other statute, the  
12 state finance council shall have no authority to increase the expenditure  
13 limitation on the regents crumbling classrooms debt payment fund for  
14 fiscal year 2007 or to otherwise authorize or provide for any expenditures  
15 from the regents crumbling classrooms debt payment fund for fiscal year  
16 2007.

17 For the fiscal year ending June 30, 2008..... \$0

18 *Provided*, That, except as specifically authorized by act of the legislature,  
19 no moneys shall be transferred or expended from the regents crumbling  
20 classrooms debt payment fund during fiscal year 2008: *Provided further*,  
21 That, notwithstanding the provisions of K.S.A. 75-3711c and amendments  
22 thereto, any appropriation act of the legislature or any other statute, the  
23 state finance council shall have no authority to increase the expenditure  
24 limitation on the regents crumbling classrooms debt payment fund for  
25 fiscal year 2008 or to otherwise authorize or provide for any expenditures  
26 from the regents crumbling classrooms debt payment fund for fiscal year  
27 2008.

28 For the fiscal year ending June 30, 2009..... \$0

29 *Provided*, That, except as specifically authorized by act of the legislature,  
30 no moneys shall be transferred or expended from the regents crumbling  
31 classrooms debt payment fund during fiscal year 2009: *Provided further*,  
32 That, notwithstanding the provisions of K.S.A. 75-3711c and amendments  
33 thereto, any appropriation act of the legislature or any other statute, the  
34 state finance council shall have no authority to increase the expenditure  
35 limitation on the regents crumbling classrooms debt payment fund for  
36 fiscal year 2009 or to otherwise authorize or provide for any expenditures  
37 from the regents crumbling classrooms debt payment fund for fiscal year  
38 2009.

39 For the fiscal year ending June 30, 2010..... \$0

40 *Provided*, That, except as specifically authorized by act of the legislature,  
41 no moneys shall be transferred or expended from the regents crumbling  
42 classrooms debt payment fund during fiscal year 2010: *Provided further*,  
43 That, notwithstanding the provisions of K.S.A. 75-3711c and amendments

1 thereto, any appropriation act of the legislature or any other statute, the  
2 state finance council shall have no authority to increase the expenditure  
3 limitation on the regents crumbling classrooms debt payment fund for  
4 fiscal year 2010 or to otherwise authorize or provide for any expenditures  
5 from the regents crumbling classrooms debt payment fund for fiscal year  
6 2010.

7 For the fiscal year ending June 30, 2011..... \$0  
8 *Provided*, That, except as specifically authorized by act of the legislature,  
9 no moneys shall be transferred or expended from the regents crumbling  
10 classrooms debt payment fund during fiscal year 2011: *Provided further*,  
11 That, notwithstanding the provisions of K.S.A. 75-3711c and amendments  
12 thereto, any appropriation act of the legislature or any other statute, the  
13 state finance council shall have no authority to increase the expenditure  
14 limitation on the regents crumbling classrooms debt payment fund for  
15 fiscal year 2011 or to otherwise authorize or provide for any expenditures  
16 from the regents crumbling classrooms debt payment fund for fiscal year  
17 2011.

18 For the fiscal year ending June 30, 2012..... \$0  
19 *Provided*, That, except as specifically authorized by act of the legislature,  
20 no moneys shall be transferred or expended from the regents crumbling  
21 classrooms debt payment fund during fiscal year 2012: *Provided further*,  
22 That, notwithstanding the provisions of K.S.A. 75-3711c and amendments  
23 thereto, any appropriation act of the legislature or any other statute, the  
24 state finance council shall have no authority to increase the expenditure  
25 limitation on the regents crumbling classrooms debt payment fund for  
26 fiscal year 2012 or to otherwise authorize or provide for any expenditures  
27 from the regents crumbling classrooms debt payment fund for fiscal year  
28 2012.

29 (b) On the effective date of this act, or as soon thereafter as moneys  
30 are available therefor, and subject to and in accordance with the provi-  
31 sions of this subsection, during fiscal year 2007, the director of accounts  
32 and reports shall transfer \$76,612,979 from the state general fund to the  
33 regents crumbling classrooms debt payment fund.

34 (c) During the fiscal year ending June 30, 2007, the state board of  
35 regents shall certify to the director of accounts and reports the amount  
36 or amounts and the date or dates of payments to be made during the  
37 period commencing on the effective date of this act and June 30, 2007,  
38 for payment of principal and interest on bonds issued pursuant to section  
39 13 of chapter 259 of the 1996 Session Laws of Kansas, in accordance with  
40 applicable bond covenants. At the same time as such certification is trans-  
41 mitted to the director of accounts and reports, the state board of regents  
42 shall transmit a copy of such certification to the director of the budget  
43 and the director of the legislative research department. Upon receipt of

1 such certification, the director of accounts and reports shall transfer the  
2 amount or amounts specified on the date or dates specified in such cer-  
3 tification from the regents crumbling classrooms debt payment fund to  
4 the comprehensive rehabilitation and repair fund of the state board of  
5 regents: *Provided*, That the amount or amounts transferred from the re-  
6 gents crumbling classrooms debt payment fund to the comprehensive  
7 rehabilitation and repair fund of the state board of regents during fiscal  
8 year 2007 under this subsection (c) shall not exceed \$1,630,130.

9 (d) During the fiscal year ending June 30, 2008, the state board of  
10 regents shall certify to the director of accounts and reports the amount  
11 or amounts and the date or dates of payments to be made during fiscal  
12 year 2008 for payment of principal and interest on bonds issued pursuant  
13 to section 13 of chapter 259 of the 1996 Session Laws of Kansas, in  
14 accordance with applicable bond covenants. At the same time as such  
15 certification is transmitted to the director of accounts and reports, the  
16 state board of regents shall transmit a copy of such certification to the  
17 director of the budget and the director of the legislative research de-  
18 partment. Upon receipt of such certification, the director of accounts and  
19 reports shall transfer the amount or amounts specified on the date or  
20 dates specified in such certification from the regents crumbling class-  
21 rooms debt payment fund to the comprehensive rehabilitation and repair  
22 fund of the state board of regents: *Provided*, That the amount or amounts  
23 transferred from the regents crumbling classrooms debt payment fund to  
24 the comprehensive rehabilitation and repair fund of the state board of  
25 regents during fiscal year 2008 under this subsection (d) shall not exceed  
26 \$15,000,000.

27 (e) During the fiscal year ending June 30, 2009, the state board of  
28 regents shall certify to the director of accounts and reports the amount  
29 or amounts and the date or dates of payments to be made during fiscal  
30 year 2009 for payment of principal and interest on bonds issued pursuant  
31 to section 13 of chapter 259 of the 1996 Session Laws of Kansas, in  
32 accordance with applicable bond covenants. At the same time as such  
33 certification is transmitted to the director of accounts and reports, the  
34 state board of regents shall transmit a copy of such certification to the  
35 director of the budget and the director of the legislative research de-  
36 partment. Upon receipt of such certification, the director of accounts and  
37 reports shall transfer the amount or amounts specified on the date or  
38 dates specified in such certification from the regents crumbling class-  
39 rooms debt payment fund to the comprehensive rehabilitation and repair  
40 fund of the state board of regents: *Provided*, That the amount or amounts  
41 transferred from the regents crumbling classrooms debt payment fund to  
42 the comprehensive rehabilitation and repair fund of the state board of  
43 regents during fiscal year 2009 under this subsection (e) shall not exceed

1 \$15,000,000.

2 (f) During the fiscal year ending June 30, 2010, the state board of  
3 regents shall certify to the director of accounts and reports the amount  
4 or amounts and the date or dates of payments to be made during fiscal  
5 year 2010 for payment of principal and interest on bonds issued pursuant  
6 to section 13 of chapter 259 of the 1996 Session Laws of Kansas, in  
7 accordance with applicable bond covenants. At the same time as such  
8 certification is transmitted to the director of accounts and reports, the  
9 state board of regents shall transmit a copy of such certification to the  
10 director of the budget and the director of the legislative research de-  
11 partment. Upon receipt of such certification, the director of accounts and  
12 reports shall transfer the amount or amounts specified on the date or  
13 dates specified in such certification from the regents crumbling class-  
14 rooms debt payment fund to the comprehensive rehabilitation and repair  
15 fund of the state board of regents: *Provided*, That the amount or amounts  
16 transferred from the regents crumbling classrooms debt payment fund to  
17 the comprehensive rehabilitation and repair fund of the state board of  
18 regents during fiscal year 2010 under this subsection (f) shall not exceed  
19 \$15,000,000.

20 (g) During the fiscal year ending June 30, 2011, the state board of  
21 regents shall certify to the director of accounts and reports the amount  
22 or amounts and the date or dates of payments to be made during fiscal  
23 year 2011 for payment of principal and interest on bonds issued pursuant  
24 to section 13 of chapter 259 of the 1996 Session Laws of Kansas, in  
25 accordance with applicable bond covenants. At the same time as such  
26 certification is transmitted to the director of accounts and reports, the  
27 state board of regents shall transmit a copy of such certification to the  
28 director of the budget and the director of the legislative research de-  
29 partment. Upon receipt of such certification, the director of accounts and  
30 reports shall transfer the amount or amounts specified on the date or  
31 dates specified in such certification from the regents crumbling class-  
32 rooms debt payment fund to the comprehensive rehabilitation and repair  
33 fund of the state board of regents: *Provided*, That the amount or amounts  
34 transferred from the regents crumbling classrooms debt payment fund to  
35 the comprehensive rehabilitation and repair fund of the state board of  
36 regents during fiscal year 2011 under this subsection (g) shall not exceed  
37 \$15,000,000.

38 (h) During the fiscal year ending June 30, 2012, the state board of  
39 regents shall certify to the director of accounts and reports the amount  
40 or amounts and the date or dates of payments to be made during fiscal  
41 year 2012 for payment of principal and interest on bonds issued pursuant  
42 to section 13 of chapter 259 of the 1996 Session Laws of Kansas, in  
43 accordance with applicable bond covenants. At the same time as such

1 certification is transmitted to the director of accounts and reports, the  
2 state board of regents shall transmit a copy of such certification to the  
3 director of the budget and the director of the legislative research de-  
4 partment. Upon receipt of such certification, the director of accounts and  
5 reports shall transfer the amount or amounts specified on the date or  
6 dates specified in such certification from the regents crumbling class-  
7 rooms debt payment fund to the comprehensive rehabilitation and repair  
8 fund of the state board of regents: *Provided*, That the amount or amounts  
9 transferred from the regents crumbling classrooms debt payment fund to  
10 the comprehensive rehabilitation and repair fund of the state board of  
11 regents during fiscal year 2012 under this subsection (h) shall not exceed  
12 \$15,000,000.

13 Sec. 4. This act shall take effect and be in force from and after its  
14 publication in the Kansas register.