

Message from the Governor

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return House Substitute for Substitute for Senate Bill No. 23 with my signature approving the bill, except for the items enumerated below.

With these line-item vetoes and accompanying allotments, the total reduction in the Fiscal Year 2009 budget, passed by the Legislature, will be \$300 million. These cuts were achieved through a strategic and responsible approach to successfully meet the budget challenges we face as a state in these difficult economic times.

I have already proposed a balanced budget for Fiscal Year 2010, and it is now time for the Legislature to turn its focus to the future, and join me in developing shared solutions to overcome the even greater challenges that lie ahead.

Department of Administration

KPERS Debt Service

Section 37 (t) has been line-item vetoed in its entirety.

Although the Legislature recognized the budgetary savings arising from restructuring several bond issuances, the restructuring of the KPERS bond cannot occur until approved by the State Finance Council. Since a meeting of the Council scheduled to discuss this issue did not occur, that approval has not yet been given. For this reason, I find it necessary to veto this portion of the bill that lapses the debt service. This will ensure the monies remain in the Department's budget so that the state does not fail to meet its obligations to make debt service payments.

Department of Education

Reductions to Schools

Section 53 (a) has been line-item vetoed in its entirety.

Section 53 (b) has been line-item vetoed in its entirety.

Drastically reducing state aid to schools, with only three months left in the school year, leaves children, parents and teachers in a needless financial predicament. Similarly, reducing funding for special education services in the middle of the school year is pointlessly punitive to those students in need of additional assistance. The state also must preserve special education funding to ensure we can access federal stimulus funds requiring maintenance of effort in special education spending at the state level.

Through allotment authority, I intend to follow the lead of the bipartisan efforts in the Legislature to reduce school funding by only \$33 per pupil, instead of the more severe \$66 per pupil as agreed to in conference committee on SB 23.

University of Kansas Medical Center

Wichita Center for Graduate Medical Education

Section 66 (e) has been line-item vetoed in its entirety.

The revised fiscal year 2009 budget already includes \$2.5 million in additional funding for the Wichita Center for Graduate Medical Education. I will be asking the Kansas Board of Regents to make a full and comprehensive recommendation for WCGME funding in the FY 2010 budget and look forward to working with the Legislature to act on their proposal.

Health Care Stabilization Fund

Transfer Limitation

Section 86 (b) has been line-item vetoed in its entirety.

With this veto and accompanying allotment, I am restoring my original budget recommendations to limit transfers to the Health Care Stabilization Fund, helping to preserve State General Fund balances.

Kansas Bioscience Authority

Transfer Limitation

Section 86 (h) has been line-item vetoed in its entirety.

With this veto and accompanying allotment, I am restoring my original

budget recommendations to limit transfers to the Kansas Bioscience Authority, helping to preserve State General Fund balances.

Approved: KATHLEEN SEBELIUS, *Governor*
Signed: February 17, 2009

HOUSE Substitute for Substitute for SENATE BILL No. 23

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2009, June 30, 2010 and June 30, 2011, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing; amending K.S.A. 2008 Supp. 55-193, 79-2978, 79-2979, 79-3425i, 79-34,156, 79-4801 and 82a-953a 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, 2009, June 30, 2010, and June 30, 2011, 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) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

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

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

Sec. 2.

ABSTRACTERS' BOARD OF EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 68(a) of chapter 167 of the 2007 Session Laws of Kansas on the abstracters' fee fund is hereby decreased from \$21,814 to \$21,160.

Sec. 3.

BOARD OF ACCOUNTANCY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the board of accountancy fee fund is hereby decreased from \$315,697 to \$306,197.

Sec. 4.

STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the bank commissioner fee fund is hereby decreased from \$8,389,041 to \$8,131,730.

Sec. 5.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the board of barbering fee fund is hereby decreased from \$155,851 to \$142,692.

Sec. 6.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the behavioral sciences regulatory board fee fund is hereby decreased from \$625,213 to \$610,371.

Sec. 7.

STATE BOARD OF HEALING ARTS

(a) During the fiscal year ending June 30, 2009, the director of the budget and the director of the legislative research department shall consult periodically and review the balance credited to and the estimated receipts to be credited to the healing arts fee fund during the fiscal year 2009, and, upon a finding by the director of the budget in consultation with the director of the legislative research department that the total of

the unencumbered balance and estimated receipts to be credited to the healing arts fee fund during fiscal year 2009 are insufficient to finance the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money as certified from the state general fund to the healing arts fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the authorized budgeted expenditures for fiscal year 2009 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification. On or before June 30, 2009, the director of accounts and reports shall transfer from the healing arts fee fund to the state general fund the amount of money equal to the aggregate of all amounts transferred during fiscal year 2009 pursuant to this section to reimburse the state general fund.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the healing arts fee fund is hereby decreased from \$3,669,562 to \$3,601,944.

Sec. 8.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the cosmetology fee fund is hereby decreased from \$806,356 to \$782,165.

Sec. 9.

STATE DEPARTMENT OF CREDIT UNIONS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the credit union fee fund is hereby decreased from \$894,662 to \$867,822.

Sec. 10.

KANSAS DENTAL BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the dental board fee fund is hereby decreased from \$382,560 to \$380,950.

Sec. 11.

STATE BOARD OF MORTUARY ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the mortuary arts fee fund is hereby decreased from \$276,605 to \$268,307.

Sec. 12.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the hearing instrument board fee fund is hereby decreased from \$29,511 to \$28,626.

Sec. 13.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the board of nursing fee fund is hereby decreased from \$1,854,916 to \$1,817,328.

Sec. 14.

BOARD OF EXAMINERS IN OPTOMETRY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the optometry fee fund is hereby decreased from \$130,411 to \$126,499.

Sec. 15.

STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation estab-

lished for the fiscal year ending June 30, 2009, by the state finance council on the state board of pharmacy fee fund is hereby decreased from \$764,201 to \$694,115.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 81(a) of chapter 167 of the 2007 Session Laws of Kansas on the official hospitality account of the state board of pharmacy fee fund is hereby increased from \$500 to \$750.

Sec. 16.

REAL ESTATE APPRAISAL BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the appraiser fee fund is hereby decreased from \$326,818 to \$316,050.

Sec. 17.

KANSAS REAL ESTATE COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the real estate fee fund is hereby decreased from \$1,103,162 to \$1,007,347.

(b) On the effective date of this act, there is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:

Background investigation fee fund No limit

Provided, That, on and after the effective date of this act during fiscal year 2009, notwithstanding the provisions of K.S.A. 58-3039, and amendments thereto, moneys collected for the purpose of reimbursing the Kansas real estate commission for the cost of fingerprinting and the criminal history record check shall be deposited in the state treasury and credited to the background investigation fee fund.

Sec. 18.

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, 2009, by the state finance council on the securities act fee fund is hereby decreased from \$2,874,245 to \$2,794,096.

Sec. 19.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the technical professions fee fund is hereby decreased from \$576,909 to \$559,584.

(b) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 88 of chapter 167 of the 2007 Session Laws of Kansas for the state board of technical professions is hereby decreased from 6.00 to 5.00.

Sec. 20.

STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the veterinary examiners fee fund is hereby decreased from \$268,925 to \$260,690.

Sec. 21.

GOVERNMENTAL ETHICS COMMISSION

(a) On the effective date of this act, of the \$511,910 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 87(a) of chapter 167 of the 2007 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$41,696 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the governmental ethics commission fee fund is hereby increased from \$161,092 to \$186,925.

Sec. 22.

KANSAS HOME INSPECTORS REGISTRATION BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:

Home inspectors registration fee fund..... No limit

Sec. 23.

LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$572,467 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 68(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the legislative coordinating council — operations account, the sum of \$29,496 is hereby lapsed.

(b) On the effective date of this act, of the \$3,528,548 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 68(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the legislative research department — operations account, the sum of \$118,650 is hereby lapsed.

(c) On the effective date of this act, of the \$3,210,602 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 68(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the office of revisor of statutes — operations account, the sum of \$106,458 is hereby lapsed.

Sec. 24.

LEGISLATURE

(a) On the effective date of this act, of the \$18,525,483 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 69(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operations (including official hospitality) account, the sum of \$565,343 is hereby lapsed.

Sec. 25.

DIVISION OF POST AUDIT

(a) On the effective date of this act, of the \$2,400,599 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 70(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operations (including legislative post audit committee) account, the sum of \$86,250 is hereby lapsed.

Sec. 26.

STATE FINANCE COUNCIL

(a) On the effective date of this act, of the \$38,575,818 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 2(a) of chapter 159 of the 2008 Session Laws of Kansas from the state general fund for the purposes of salaries and compensation for state officers and employees, the sum of \$374,599 is hereby lapsed.

(b) On the effective date of this act, of the \$229,430 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 2(c)(1) of chapter 159 of the 2008 Session Laws of Kansas from the state economic development initiatives fund for the purposes of salaries and compensation for state officers and employees, the sum of \$8,789 is hereby lapsed.

(c) On the effective date of this act, of the \$47,029 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 2(d)(1) of chapter 159 of the 2008 Session Laws of Kansas from the state water plan fund for the purposes of salaries and compensation for state officers and employees, the sum of \$2,776 is hereby lapsed.

Sec. 27.

GOVERNOR'S DEPARTMENT

(a) On the effective date of this act, of the \$2,558,096 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 71(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the governor's department account, the sum of \$77,931 is hereby lapsed.

(b) On the effective date of this act, of the \$1,625,243 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 71(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general

fund in the domestic violence prevention grants account, the sum of \$113,035 is hereby lapsed.

(c) On the effective date of this act, of the \$2,525,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 71(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the enhancement outreach account, the sum of \$56,518 is hereby lapsed.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:

Hispanic and Latino American affairs fee fund No limit

Sec. 28.

LIEUTENANT GOVERNOR

(a) On the effective date of this act, of the \$213,795 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 72(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operations account, the sum of \$7,631 is hereby lapsed.

Sec. 29.

ATTORNEY GENERAL

(a) On the effective date of this act, of the \$4,872,744 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 73(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$334,128 is hereby lapsed.

(b) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 21-3851, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,500,000 from the medicaid fraud reimbursement fund of the attorney general to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the medicaid fraud reimbursement fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the medicaid fraud reimbursement fund 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 attorney general by other state agencies which receive appropriations from the state general fund to provide such services.

(c) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 82a-1802, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,560,000 from the interstate water litigation fund of the attorney general to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the interstate water litigation fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the interstate water litigation fund 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 attorney general by other state agencies which receive appropriations from the state general fund to provide such services.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the crime victims compensation fund for state operations is hereby increased from \$459,307 to \$480,994.

Sec. 30.

STATE TREASURER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the state treasurer operating fund is hereby decreased from \$1,594,042 to \$1,564,173.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:

Special qualified industrial manufacturer fund..... No limit

Provided, That, notwithstanding the provisions of K.S.A. 2008 Supp. 74-50,122, and amendments thereto, or any other statute, the special qualified industrial manufacturer fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of the qualified industrial manufacturer act: *Provided further*, That on the 15th day of each month that commences during fiscal year 2009, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified industrial manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *And provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the special qualified industrial manufacturer fund established by this subsection: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2009, the director of accounts and reports shall transfer from the state general fund to the special qualified industrial manufacturer fund interest earnings based on: (1) The average daily balance of moneys in the special qualified industrial manufacturer fund established by this subsection for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the special qualified industrial manufacturer fund from the withholding taxes paid by a qualified industrial manufacturer shall be paid by the state treasurer to such qualified industrial manufacturer on such dates as are mutually agreed to by the secretary of commerce and the state treasurer, serving as paying agent in accordance with the terms of the agreement entered into pursuant to K.S.A. 2008 Supp. 74-50,122, and amendments thereto, by the secretary of commerce and such qualified industrial manufacturer: *And provided further*, That not more than \$2,000,000 shall be paid from the special qualified industrial manufacturer fund established by this subsection by the state treasurer to a qualified industrial manufacturer: *And provided further*, That the words and phrases used in these provisos to appropriation of moneys in the special qualified industrial manufacturer fund shall have the meanings respectively ascribed thereto by K.S.A. 2008 Supp. 74-50,121, and amendments thereto, unless the context requires otherwise.

Cessna bonds fund No limit

Provided, That on the 15th day of each month that commences during fiscal year 2009, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2008 Supp. 74-50,136, and amendments thereto, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the cessna bonds fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2009, the director of accounts and reports shall transfer from the state general fund to the cessna bonds fund interest earnings based on: (1) The average daily balance of moneys in the cessna bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the cessna bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the cessna bonds fund to the special economic re-

vitalization fund administered by the state treasurer in accordance with K.S.A. 2008 Supp. 74-50,136, and amendments thereto.

Sec. 31.

HEALTH CARE STABILIZATION FUND BOARD OF
GOVERNORS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the health care stabilization fund is hereby decreased from \$1,335,926 to \$1,333,033.

Sec. 32.

JUDICIAL COUNCIL

(a) On the effective date of this act, of the \$150,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 78(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the recodification commission account, the sum of \$3,000 is hereby lapsed.

Sec. 33.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) On the effective date of this act, of the \$11,011,077 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 79(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$218,606 is hereby lapsed.

(b) On the effective date of this act, of the \$9,600,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 79(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the assigned counsel expenditures account, the sum of \$35,000 is hereby lapsed.

(c) On the effective date of this act, of the \$1,822,764 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 79(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the capital defense operations account, the sum of \$101,141 is hereby lapsed.

(d) On the effective date of this act, of the \$396,514 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 79(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the legal services for prisoners account, the sum of \$107,930 is hereby lapsed.

Sec. 34.

KANSAS HUMAN RIGHTS COMMISSION

(a) On the effective date of this act, of the \$1,710,065 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 82(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$52,923 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the above agency for the fiscal year ending June 30, 2009, by section 82(a) of chapter 131 of the 2008 Session Laws of Kansas, on expenditures for official hospitality from the operating expenditures account of the state general fund is hereby increased from \$150 to \$200.

Sec. 35.

STATE CORPORATION COMMISSION

(a) On the effective date of this act, the aggregate expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the public service regulation fund, the motor carrier license fees fund, and the conservation fee fund is hereby increased from \$17,001,258 to \$17,007,823.

(b) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$1,000,000 from the KETA development fund of the state corporation commission to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the KETA development fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the KETA development fee fund 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 corporation commission by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 36.

CITIZENS' UTILITY RATEPAYER BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the utility regulatory fee fund is hereby decreased from \$803,448 to \$779,348.

Sec. 37.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:

Long-term care ombudsman \$34,173

(b) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the financial management system account, the sum of \$19,755 is hereby lapsed.

(c) On the effective date of this act, of the \$1,129,504 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the general administration account, the sum of \$34,333 is hereby lapsed.

(d) On the effective date of this act, of the \$1,385,833 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the budget analysis account, the sum of \$42,543 is hereby lapsed.

(e) On the effective date of this act, of the \$1,954,455 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the personnel services account, the sum of \$61,807 is hereby lapsed.

(f) On the effective date of this act, of the \$512,136 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the purchasing account, the sum of \$17,019 is hereby lapsed.

(g) On the effective date of this act, of the \$68,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the facilities management account, the sum of \$2,040 is hereby lapsed.

(h) On the effective date of this act, of the \$1,977,022 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the accounts and reports account, the sum of \$64,509 is hereby lapsed.

(i) On the effective date of this act, of the \$196,847 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the policy analysis initiatives account, the sum of \$5,905 is hereby lapsed.

(j) On the effective date of this act, of the \$75,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 4(a) of chapter 159 of the 2008 Session Laws of Kansas from the state general fund in the implementation of new pay plans account, the sum of \$2,250 is hereby lapsed.

(k) On the effective date of this act, of the \$2,684,329 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the department of administration systems account, the sum of \$80,530 is hereby lapsed.

(l) On the effective date of this act, of the \$2,249,447 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general

fund in the public broadcasting council grants account, the sum of \$67,476 is hereby lapsed.

(m) On the effective date of this act, of the \$3,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the capitol complex repair and rehabilitation account, the sum of \$90,000 is hereby lapsed.

(n) On the effective date of this act, of the \$200,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the rehabilitation and repair for state facilities account, the sum of \$6,000 is hereby lapsed.

(o) On the effective date of this act, of the \$100,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the judicial center rehabilitation and repair account, the sum of \$3,000 is hereby lapsed.

(p) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2009, the following:

SIBF — state building insurance	\$15,844
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(q) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2009, the following:

CIBF — state building insurance	\$1,454
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(r) On the effective date of this act, the \$475,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(m) of chapter 131 of the 2008 Session Laws of Kansas from the Kansas educational building fund in the EBF — state building insurance account, is hereby lapsed.

(s) On the effective date of this act, of the \$407,813 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the energy conservation improvements — debt service account, the sum of \$352,500 is hereby lapsed.

~~(t) On the effective date of this act, of the \$36,146,303 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the KPERS bonds debt service account, the sum of \$10,070,000 is hereby lapsed.~~

(u) On the effective date of this act, of the \$611,376 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the public broadcasting digital conversion debt service account, the sum of \$315,000 is hereby lapsed.

(v) On the effective date of this act, of the \$10,052,858 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the statehouse improvements — debt service account, the sum of \$1,190,000 is hereby lapsed.

Sec. 38.

STATE COURT OF TAX APPEALS

(a) On the effective date of this act, of the \$1,773,780 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 30(a) of chapter 184 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$200,244 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 30(b) of chapter 184 of the 2008 Session Laws of Kansas on the COTA filing fee fund is hereby increased from \$496,234 to \$641,234.

Sec. 39.

DEPARTMENT OF REVENUE

(a) On the effective date of this act, of the \$20,547,871 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 87(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$643,170 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the division of vehicles operating fund is hereby decreased from \$45,859,624 to \$45,327,045.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:

Division of vehicles modernization fund No limit

(d) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 79-34,156, 79-34,157 or 79-34,158, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the Kansas qualified biodiesel fuel producer incentive fund of the department of revenue to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the Kansas qualified biodiesel fuel producer incentive fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the Kansas qualified biodiesel fuel producer incentive fund 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 department of revenue by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 40.

KANSAS LOTTERY

(a) On the effective date of this act, the amount authorized by section 88(b) of chapter 131 of the 2008 Session Laws of Kansas to be transferred from the lottery operating fund to the state gaming revenues fund during the fiscal year ending June 30, 2009, is hereby decreased from \$73,040,000 to \$72,540,000.

Sec. 41.

KANSAS RACING AND GAMING COMMISSION

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131 of the 2008 Session Laws of Kansas for the Kansas racing and gaming commission — state racing operations and expanded lottery act regulation division is hereby decreased from 95.50 to 56.00.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the state racing fund of the Kansas racing and gaming commission is hereby decreased from \$2,057,457 to \$729,296.

(c) On the effective date of this act, there is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:

Gaming machine examination fund No limit

Horse purse fund No limit

(d) On the effective date of this act, the pooled money investment board is authorized and directed to extend the repayment date and to modify any related provisions of the loan agreement entered into with the Kansas racing and gaming commission pursuant to section 89(h) of chapter 131 of the 2008 Session Laws of Kansas to the effect that the repayment date under such loan agreement is extended from June 30, 2009, to June 30, 2010.

Sec. 42.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131 of the 2008 Session Laws of Kansas for the department of commerce is hereby decreased from 418.74 to 314.75.

(b) On the effective date of this act, of the \$233,078 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 90(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general

fund in the Kansas commission on disability concerns account, the sum of \$4,821 is hereby lapsed.

(c) On the effective date of this act, of the \$375,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 90(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the strong military bases program account, the sum of \$7,544 is hereby lapsed.

(d) On the effective date of this act, of the \$330,676 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 90(b) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the older Kansans employment program account, the sum of \$28,159 is hereby lapsed.

(e) On the effective date of this act, of the \$2,106,471 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 90(b) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the rural opportunity program account, the sum of \$199,546 is hereby lapsed.

(f) On the effective date of this act, of the \$15,745,418 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 90(b) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the operating grant (including official hospitality) account, the sum of \$2,180,858 is hereby lapsed.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser — federal fund for fiscal year 2009, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser — federal fund during the fiscal year 2009, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Kansas city workforce building roof replacement \$65,000

(h) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund for fiscal year 2009, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2009, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Kansas city workforce building roof replacement \$45,000

(i) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$81,250 from the Kansas economic opportunity initiatives fund to the state general fund.

Sec. 43.

KANSAS, INC.

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131 of the 2008 Session Laws of Kansas for Kansas, Inc. is hereby decreased from 4.50 to 4.00.

(b) On the effective date of this act, of the \$409,976 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 91(a) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the operations (including official hospitality) account, the sum of \$16,614 is hereby lapsed.

Sec. 44.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

(a) On the effective date of this act, of the \$12,506,811 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 92(a) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the operations, assistance and grants (including official hospitality) account, the sum of \$798,172 is hereby lapsed.

Sec. 45.

DEPARTMENT OF LABOR

(a) On the effective date of this act, of the \$569,266 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 93(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general

fund in the operating expenditures account, the sum of \$32,768 is hereby lapsed.

Sec. 46.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) On the effective date of this act, of the \$445,194 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures — administration account, the sum of \$15,848 is hereby lapsed.

(b) On the effective date of this act, of the \$1,154,764 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures — veteran services account, the sum of \$36,727 is hereby lapsed.

(c) On the effective date of this act, of the \$2,546,207 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures — Kansas soldiers' home account, the sum of \$80,012 is hereby lapsed.

(d) On the effective date of this act, of the \$2,952,488 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures — Kansas veterans' home account, the sum of \$96,170 is hereby lapsed.

(e) On the effective date of this act, the \$4,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures — Persian Gulf War veterans health initiatives account, is hereby lapsed.

(f) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures — Persian Gulf War veterans health initiatives account, the sum of \$3,884 is hereby lapsed.

(g) On the effective date of this act, of the \$544,778 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operations — state veterans cemeteries account, the sum of \$17,690 is hereby lapsed.

(h) On the effective date of this act, of the \$457,465 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the additional operating expenditures — veterans homes and cemeteries account, the sum of \$13,995 is hereby lapsed.

(i) On the effective date of this act, of the \$550,875 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the veterans claim assistance program — service grants account, the sum of \$16,527 is hereby lapsed.

(j) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131 of the 2008 Session Laws of Kansas for the Kansas commission on veterans affairs is hereby decreased from 536.75 to 522.00.

(k) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:

Soldiers home medicare fund..... No limit

(l) During the fiscal year ending June 30, 2009, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2009, from the state general fund for the Kansas commission on veterans affairs or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs to another item of appropriation for fiscal year 2009 from the state general fund for the Kansas commission on veterans affairs

or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(m) (1) During the fiscal year ending June 30, 2009, notwithstanding the provisions of K.S.A. 73-1231, 73-1906, 73-1953 or 75-3728g, and amendments thereto, or K.S.A. 2008 Supp. 73-1233, and amendments thereto, or any other statute, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs to another special revenue fund of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection (m), “special revenue fund” means the soldiers’ home fee fund, veterans’ home fee fund, soldiers’ home outpatient clinic fund, soldiers’ home benefit fund, soldiers’ home work therapy fund, veterans’ home canteen fund, veterans’ home benefit fund, Persian Gulf War veterans health initiative fund, state veterans cemeteries fee fund, state veterans cemeteries donations and contributions fund, and Kansas veterans memorials fund.

(n) (1) During the fiscal year ending June 30, 2009, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget and subject to the applicable restrictions and limitations or other provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas commission on veterans affairs to another federal fund of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection (n), “federal fund” means the VA burial reimbursement fund — federal, veterans home federal fund, soldiers home federal fund, commission on veterans affairs federal fund, and outpatient clinic patient federal reimbursement fund — federal.

Sec. 47.

DEPARTMENT OF HEALTH AND ENVIRONMENT—
DIVISION OF HEALTH

(a) On the effective date of this act, of the \$4,387,916 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$229,728 is hereby lapsed.

(b) On the effective date of this act, of the \$4,588,103 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) — health account, the sum of \$87,209 is hereby lapsed.

(c) On the effective date of this act, of the \$5,051,807 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the aid to local units account, the sum of \$22,425 is hereby lapsed.

(d) On the effective date of this act, of the \$537,660 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the teen pregnancy prevention activities account, the sum of \$1,873 is hereby lapsed.

(e) On the effective date of this act, of the \$869,598 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the vaccine purchases account, the sum of \$801 is hereby lapsed.

(f) On the effective date of this act, of the \$400,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general

fund in the pregnancy maintenance initiative account, the sum of \$100,000 is hereby lapsed.

(g) On the effective date of this act, of the \$550,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the immunization programs account, the sum of \$44,129 is hereby lapsed.

(h) On the effective date of this act, of the \$350,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the youth mentoring program account, the sum of \$36,495 is hereby lapsed.

(i) On the effective date of this act, of the \$3,771,305 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the infant and toddler program account, the sum of \$85,809 is hereby lapsed.

(j) On the effective date of this act, of the \$2,500,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 7(a) of chapter 184 of the 2008 Session Laws of Kansas from the state general fund in the aid to local units — primary health projects account, the sum of \$338,957 is hereby lapsed.

(k) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:

Real ID — federal fund \$25,000

Sec. 48.

DEPARTMENT OF HEALTH AND ENVIRONMENT—
DIVISION OF ENVIRONMENT

(a) On the effective date of this act, of the \$4,924,193 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 96(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$104,000 is hereby lapsed.

(b) On the effective date of this act, of the \$3,962,899 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 96(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) — laboratories account, the sum of \$81,972 is hereby lapsed.

(c) On the effective date of this act, of the \$274,827 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 96(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the use attainability analyses account, the sum of \$5,600 is hereby lapsed.

(d) On the effective date of this act, any unencumbered balance in the following account of the state general fund is hereby lapsed: Treece buy-out.

(e) On the effective date of this act, of the \$976,151 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 96(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the contamination remediation account, the sum of \$195,924 is hereby lapsed.

(f) On the effective date of this act, of the \$800,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 96(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the watershed restoration and protection plan account, the sum of \$229,011 is hereby lapsed.

(g) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 96(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the newborn screening account, the sum of \$3,251 is hereby lapsed.

(h) (1) The director of accounts and reports shall not make the transfer of \$250,000 prescribed to be transferred from the state general fund to the waste tire management fund of the department of health and envi-

ronment — division of environment by section 13(a)(4) of chapter 3 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2009, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the waste tire management fund to the state general fund pursuant to section 13(a)(1) of chapter 3 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 13(a)(4) of chapter 3 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(2) On or before June 30, 2011, during fiscal year 2011, 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 — division of environment for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section 13(a) of chapter 3 of the 2003 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 (j)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(i) (1) The director of accounts and reports shall not make the transfer of \$2,500,000 prescribed to be transferred from the state general fund to the underground petroleum storage tank release trust fund of the department of health and environment — division of environment by section 13(b)(4) of chapter 3 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2009, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the underground petroleum storage tank release trust fund to the state general fund pursuant to section 13(b)(1) of chapter 3 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 13(b)(4) of chapter 3 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(2) On or before June 30, 2011, during fiscal year 2011, 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 of the department of health and environment — division of environment for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section 13(b) of chapter 3 of the 2003 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 (k)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

Sec. 49.

DEPARTMENT ON AGING

(a) On the effective date of this act, of the \$946,781 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the administration account, the sum of \$6,450 is hereby lapsed.

(b) On the effective date of this act, of the \$148,204 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the administration — assessments account, the sum of \$2,962 is hereby lapsed.

(c) On the effective date of this act, of the \$287,870 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the administration — assessments — Level I care account, the sum of \$5,423 is hereby lapsed.

(d) On the effective date of this act, of the \$1,643,427 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the administration — medicaid account, the sum of \$10,198 is hereby lapsed.

(e) On the effective date of this act, of the \$3,410,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a)

of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the senior care act account, the sum of \$615,562 is hereby lapsed.

(f) On the effective date of this act, of the \$3,569,403 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the program grants — nutrition — state match account, the sum of \$46,122 is hereby lapsed.

(g) On the effective date of this act, of the \$2,612,627 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the LTC — medicaid assistance — TCM/FE account, the sum of \$736,306 is hereby lapsed.

(h) On the effective date of this act, of the \$2,818,146 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the LTC — medicaid assistance — PACE account, the sum of \$2,716,085 is hereby lapsed.

(i) On the effective date of this act, of the \$1,035,440 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the nursing facilities regulation — title XIX account, the sum of \$4,968 is hereby lapsed.

(j) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 75-4265, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$600,000 from the loans account of the long-term care loan and grant fund of the department on aging to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the loans account of the long-term care loan and grant fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the loans account of the long-term care loan and grant fund 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 department on aging by other state agencies which receive appropriations from the state general fund to provide such services.

(k) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 75-4265, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$205,000 from the grants account of the long-term care loan and grant fund of the department on aging to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the grants account of the long-term care loan and grant fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the grants account of the long-term care loan and grant fund 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 department on aging by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 50.

KANSAS HEALTH POLICY AUTHORITY

(a) On the effective date of this act, of the \$22,814,018 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 98(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$2,162,595 is hereby lapsed.

(b) On the effective date of this act, the \$400,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 98(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the generic drug program account, is hereby lapsed.

(c) On the effective date of this act, of the \$18,551,261 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 98(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the children's health insurance program account, the sum of \$2,513,551 is hereby lapsed.

(d) On the effective date of this act, of the \$14,037,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 41(a) of chapter 184 of the 2008 Session Laws of Kansas from the state general fund in the other medical assistance account, the sum of \$9,297,907 is hereby lapsed.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas on the medical programs fee fund is hereby increased from \$38,500,000 to \$41,000,000.

(f) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:

Independence in employment \$538,000

(g) On the effective date of this act, of the \$500,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 98(c) of chapter 131 of the 2008 Session Laws of Kansas from the children's initiatives fund in the immunization outreach account, the sum of \$222,124 is hereby lapsed.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas on the salaries and wages and other operating expenditures account of the state workers compensation self-insurance fund is hereby decreased from \$3,788,047 to \$3,514,525.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas on the salaries and wages and other operating expenditures account of the non-state employer group benefit fund is hereby decreased from \$186,130 to \$167,885.

(j) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas on the salaries and wages and other operating expenditures account of the cafeteria benefits fund is hereby decreased from \$2,244,540 to \$2,071,005.

(k) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas on the salaries and wages and other operating expenditures account of the dependent care assistance program fund is hereby decreased from \$56,773 to \$50,892.

(l) On and after the effective date of this act, in addition to the other purposes for which expenditures may be made by the Kansas health policy authority from the medical programs fee fund for the fiscal year ending June 30, 2009, as authorized by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas or by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the Kansas health policy authority from the medical programs fee fund for fiscal year 2009 for payment of contingent fees for medicaid estate recovery services provided under a contingent fee for services contract: *Provided*, That expenditures for contingent fees for medicaid estate recovery services shall be in addition to any expenditure limitation imposed on the medical programs fee fund for fiscal year 2009.

Sec. 51.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) On the effective date of this act, of the \$7,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 99(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the community mental health centers supplemental funding account, the sum of \$1,800,000 is hereby lapsed.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:

Community based services \$6,538,435

(c) On the effective date of this act, of the \$3,208,938 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 99(c) of chapter 131 of the 2008 Session Laws of Kansas from the children's initiatives fund in the community services for child welfare account, the sum of \$72,004 is hereby lapsed.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2009, the following:

Family preservation \$72,004

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the social welfare fund is hereby increased from \$20,681,682 to \$26,203,099.

(f) On the effective date of this act, of the \$3,907,100 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 140(a) of chapter 131 of the 2008 Session Laws of Kansas from the state institutions building fund in the debt service — new state security hospital account, the sum of \$339,403 is hereby lapsed.

(g) On the effective date of this act, of the \$2,585,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 140(a) of chapter 131 of the 2008 Session Laws of Kansas from the state institutions building fund in the debt service — state hospitals rehabilitation and repair account, the sum of \$193,064 is hereby lapsed.

(h) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:

Larned state hospital — sexual predator treatment program \$323,928

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 99(b) of chapter 131 of the 2008 Session Laws of Kansas on the Larned state hospital fee fund is hereby increased from \$3,465,843 to \$3,887,929.

(j) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 76-1201c, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$541,202 from the Osawatomie state hospital fee fund of the department of social and rehabilitation services to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the Osawatomie state hospital fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the Osawatomie state hospital fee fund 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 department of social and rehabilitation services by other state agencies which receive appropriations from the state general fund to provide such services.

(k) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the Osawatomie state hospital fee fund is hereby increased from \$4,843,177 to \$5,212,495.

(l) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the Rainbow mental health facility fee fund is hereby increased from \$1,005,558 to \$1,059,523.

(m) On the effective date of this act, of the \$28,783,932 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 99(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Larned state hospital — operating expenditures account, the sum of \$422,086 is hereby lapsed.

(n) On the effective date of this act, of the \$16,629,385 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 99(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Osawatomie state hospital — operating expenditures account, the sum of \$1,638,118 is hereby lapsed.

(o) On the effective date of this act, of the \$5,107,986 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 99(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Rainbow mental health facility — operating expenditures account, the sum of \$53,965 is hereby lapsed.

(p) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$5,200 from the problem gambling and addiction grant fund to the state general fund.

Sec. 52.

KANSAS GUARDIANSHIP PROGRAM

(a) On the effective date of this act, of the \$1,297,557 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 100(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Kansas guardianship program account, the sum of \$101,169 is hereby lapsed.

Sec. 53.

DEPARTMENT OF EDUCATION

~~—(a) On the effective date of this act, of the \$2,187,377,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 30(a) of chapter 197 of the 2006 Session Laws of Kansas from the state general fund in the general state aid account, the sum of \$27,840,710 is hereby lapsed.~~

~~—(b) On the effective date of this act, of the \$54,500,455 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 101(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the special education services aid account, the sum of \$4,464,507 is hereby lapsed.~~

(c) On the effective date of this act, of the \$7,934,825 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 101(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the school district juvenile detention facilities and Flint Hills job corps center grants account, the sum of \$1,249,370 is hereby lapsed.

(d) On the effective date of this act, of the \$292,891,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 30(a) of chapter 197 of the 2006 Session Laws of Kansas from the state general fund in the supplemental general state aid account, the sum of \$8,530,369 is hereby lapsed.

(e) On the effective date of this act, of the \$420,120 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 34(a) of chapter 201 of the 2007 Session Laws of Kansas from the state general fund in the Kansas career pipeline grant account, the sum of \$8,305 is hereby lapsed.

(f) On the effective date of this act, the \$37,170,000 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 10(a) of chapter 172 of the 2008 Session Laws of Kansas from the state general fund in the general state aid account is hereby lapsed.

(g) (1) On the effective date of this act, notwithstanding the provisions of section 11 of chapter 172 of the 2008 Session Laws of Kansas, or any other statute, the director of accounts and reports shall transfer all moneys in the keeping education promises trust fund to the state general fund. On the effective date of this act, the keeping education promises trust fund is hereby abolished.

(2) The director of accounts and reports shall not make the transfer of \$37,170,000 prescribed to be transferred from the keeping education promises trust fund to the state general fund by section 11(c) of chapter 172 of the 2008 Session Laws of Kansas, which was directed to be made on July 1, 2009. On July 1, 2009, the provisions of section 11(c) of chapter 172 of the 2008 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(h) On the effective date of this act, of the \$200,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 101(c) of chapter 131 of the 2008 Session Laws of Kansas from the children's initiatives fund in the grant to the Kansas optometric association for vision study account, the sum of \$100,000 is hereby lapsed.

Sec. 54.

STATE LIBRARY

(a) On the effective date of this act, of the \$2,393,562 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 102(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the grants to libraries and library systems — grants-in-aid account, the sum of \$166,289 is hereby lapsed.

(b) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131

of the 2008 Session Laws of Kansas for the state library is hereby decreased from 27.00 to 26.00.

Sec. 55.

KANSAS ARTS COMMISSION

(a) On the effective date of this act, of the \$354,601 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 103(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$59,344 is hereby lapsed.

(b) On the effective date of this act, of the \$1,399,196 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 103(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the arts programming grants and challenge grants account, the sum of \$210,527 is hereby lapsed.

Sec. 56.

KANSAS STATE SCHOOL FOR THE BLIND

(a) On the effective date of this act, of the \$5,658,707 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 104(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$148,191 is hereby lapsed.

Sec. 57.

KANSAS STATE SCHOOL FOR THE DEAF

(a) On the effective date of this act, of the \$9,112,020 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 105(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$215,793 is hereby lapsed.

Sec. 58.

STATE HISTORICAL SOCIETY

(a) On the effective date of this act, of the \$6,027,353 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 106(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$329,751 is hereby lapsed.

(b) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 145(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the rehabilitation and repair projects account, the sum of \$50,199 is hereby lapsed.

(c) On the effective date of this act, of the \$81,830 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 106(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Kansas humanities council account, the sum of \$1,637 is hereby lapsed.

Sec. 59.

EMPORIA STATE UNIVERSITY

(a) On the effective date of this act, of the \$33,865,048 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 111(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$1,056,090 is hereby lapsed.

(b) On the effective date of this act, of the \$242,889 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 111(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the reading recovery program account, the sum of \$7,287 is hereby lapsed.

(c) On the effective date of this act, of the \$145,766 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 111(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Nat'l Board Cert/Future Teacher Academy account, the sum of \$4,373 is hereby lapsed.

Sec. 60.

FORT HAYS STATE UNIVERSITY

(a) On the effective date of this act, of the \$35,720,190 appropriated for the above agency for the fiscal year ending June 30, 2009, by section

107(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$1,112,844 is hereby lapsed.

(b) On the effective date of this act, of the \$150,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 107(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the master's-level nursing capacity account, the sum of \$4,500 is hereby lapsed.

(c) On the effective date of this act, of the \$309,430 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 107(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Kansas wetlands education center at Cheyenne bottoms account, the sum of \$9,283 is hereby lapsed.

Sec. 61.

KANSAS STATE UNIVERSITY

(a) On the effective date of this act, of the \$113,487,252 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 108(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$3,511,398 is hereby lapsed.

(b) On the effective date of this act, of the \$150,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 108(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the midwest institute for comparative stem cell biology account, the sum of \$4,500 is hereby lapsed.

Sec. 62.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) On the effective date of this act, of the \$696,754 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 109(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$26,007 is hereby lapsed.

(b) On the effective date of this act, of the \$20,514,007 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 109(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the cooperative extension service (including official hospitality) account, the sum of \$638,476 is hereby lapsed.

(c) On the effective date of this act, of the \$32,727,735 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 109(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the agricultural experiment stations (including official hospitality) account, the sum of \$1,019,230 is hereby lapsed.

(d) On the effective date of this act, of the \$300,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 109(c) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the agricultural experiment stations account, the sum of \$19,500 is hereby lapsed.

Sec. 63.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) On the effective date of this act, of the \$10,927,680 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 110(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$338,618 is hereby lapsed.

Sec. 64.

PITTSBURG STATE UNIVERSITY

(a) On the effective date of this act, of the \$37,197,366 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 112(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$1,157,566 is hereby lapsed.

(b) On the effective date of this act, of the \$326,999 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 151(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the armory/classroom/recreation center debt service account, the sum of \$160,000 is hereby lapsed.

Sec. 65.

UNIVERSITY OF KANSAS

(a) On the effective date of this act, of the \$142,852,221 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 113(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$4,408,520 is hereby lapsed.

(b) On the effective date of this act, of the \$6,571,267 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 113(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the geological survey account, the sum of \$202,794 is hereby lapsed.

(c) On the effective date of this act, of the \$150,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 113(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the umbilical cord matrix project account, the sum of \$4,500 is hereby lapsed.

(d) On the effective date of this act, of the \$1,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 152(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the school of pharmacy expansion planning account, the sum of \$30,000 is hereby lapsed.

(e) On the effective date of this act, of the \$40,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 113(d) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the geological survey account, the sum of \$8,000 is hereby lapsed.

Sec. 66.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) On the effective date of this act, of the \$111,465,815 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 114(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$3,472,009 is hereby lapsed.

(b) On the effective date of this act, of the \$1,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 114(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Wichita center for graduate medical education account, the sum of \$75,000 is hereby lapsed.

(c) On the effective date of this act, of the \$908,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 153(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the energy conservation debt service account, the sum of \$27,240 is hereby lapsed.

(d) On the effective date of this act, of the \$5,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 114(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the cancer center account, the sum of \$150,000 is hereby lapsed.

~~(e) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:~~

~~Wichita center for graduate medical education..... \$2,900,000~~

Sec. 67.

WICHITA STATE UNIVERSITY

(a) On the effective date of this act, of the \$71,758,241 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 115(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$2,229,691 is hereby lapsed.

(b) On the effective date of this act, of the \$2,500,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 115(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the aviation infrastructure account, the sum of \$75,000 is hereby lapsed.

(c) On the effective date of this act, of the \$5,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 115(d) of chapter 131 of the 2008 Session Laws of Kansas from the state

economic development initiatives fund in the aviation research account, the sum of \$325,133 is hereby lapsed.

(d) On the effective date of this act, of the \$2,500,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 115(d) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the aviation infrastructure account, the sum of \$162,500 is hereby lapsed.

Sec. 68.

STATE BOARD OF REGENTS

(a) On the effective date of this act, of the \$3,385,455 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$104,087 is hereby lapsed.

(b) On the effective date of this act, of the \$106,265,068 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the community college operating grant account, the sum of \$3,289,566 is hereby lapsed.

(c) On the effective date of this act, of the \$2,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the KAN-ED operating expenditures account, the sum of \$60,138 is hereby lapsed.

(d) On the effective date of this act, of the \$34,010,397 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the postsecondary aid for vocational education account, the sum of \$1,052,834 is hereby lapsed.

(e) On the effective date of this act, of the \$779,687 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the postsecondary technical education authority account, the sum of \$23,794 is hereby lapsed.

(f) On the effective date of this act, of the \$12,126,216 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the municipal university operating grant account, the sum of \$375,382 is hereby lapsed.

(g) On the effective date of this act, of the \$441,040 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the technology equipment at community colleges and Washburn university account, the sum of \$13,653 is hereby lapsed.

(h) On the effective date of this act, of the \$10,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the postsecondary education operating grant account, the sum of \$81,758 is hereby lapsed.

(i) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:

Vocational education capital outlay aid..... \$79,305

Provided, That expenditures from the vocational education capital outlay aid account for each grant of vocational education capital outlay aid shall be matched by the area vocational school, the area vocational-technical school or the technical college awarded such grant in an amount which is equal to 50% of the grant.

(j) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2009, the following:

EBF — state building insurance..... \$475,000

Provided, That, notwithstanding the provisions of K.S.A. 76-6b02, and amendments thereto, expenditures may be made by the above agency from the EBF — state building insurance account of the Kansas educational building fund for state educational institutions building insurance premiums.

(k) On the effective date of this act, of the \$2,565,000 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section 116(g) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the SEDIF — vocational education capital outlay aid account, the sum of \$166,725 is hereby lapsed.

(l) On the effective date of this act, of the \$180,500 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(g) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the SEDIF — technology innovation and internship program account, the sum of \$16,137 is hereby lapsed.

(m) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:

Payment to KPERS \$1,755

Sec. 69.

DEPARTMENT OF CORRECTIONS

(a) On the effective date of this act, of the \$19,069,339 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$1,718,455 is hereby lapsed.

(b) On the effective date of this act, of the \$19,548,912 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the community corrections account, the sum of \$1,000,000 is hereby lapsed.

(c) On the effective date of this act, of the \$7,531,429 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the day reporting centers and reentry programs account, the sum of \$857,118 is hereby lapsed.

(d) On the effective date of this act, of the \$3,371,324 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the community correctional conservation camps account, the sum of \$563,000 is hereby lapsed.

(e) On the effective date of this act, of the \$54,717,573 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the treatment and programs account, the sum of \$2,139,447 is hereby lapsed.

(f) On the effective date of this act, of the \$13,913,121 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the facilities operations account, the sum of \$454,436 is hereby lapsed.

(g) On the effective date of this act, of the \$1,549,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 156(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the debt service payment for the infrastructure projects bond issue account, the sum of \$798,000 is hereby lapsed.

(h) On the effective date of this act, of the \$35,891,511 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Lansing correctional facility — facilities operations account, the sum of \$175,000 is hereby lapsed.

(i) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,122,096 from the correctional industries fund to the department of corrections — general fees fund.

(j) On the effective date of this act, of the \$23,410,329 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the El Dorado correctional facility — facilities operations account, the sum of \$199,000 is hereby lapsed.

(k) On the effective date of this act, of the \$1,401,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 156(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the debt service payment for the reception and diagnostic unit relocation bond issue account, the sum of \$40,000 is hereby lapsed.

Sec. 70.

JUVENILE JUSTICE AUTHORITY

(a) On the effective date of this act, of the \$20,188,218 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$309,424 is hereby lapsed.

(b) On the effective date of this act, of the \$1,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the incentive funding account, the sum of \$547,000 is hereby lapsed.

(c) On the effective date of this act, of the \$14,999,886 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Kansas juvenile correctional complex facility operations account, the sum of \$127,270 is hereby lapsed.

(d) On the effective date of this act, of the \$5,603,011 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Atchison juvenile correctional facility operations account, the sum of \$1,960,029 is hereby lapsed.

(e) On the effective date of this act, of the \$4,003,018 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Beloit juvenile correctional facility operations account, the sum of \$68,780 is hereby lapsed.

(f) On the effective date of this act, of the \$8,315,291 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Larned juvenile correctional facility operations account, the sum of \$160,486 is hereby lapsed.

(g) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:

Purchase of services..... \$961,059

(h) During the fiscal year ending June 30, 2009, the commissioner of juvenile justice, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2009, from the children’s initiatives fund for the juvenile justice authority to another item of appropriation for fiscal year 2009 from the children’s initiatives fund for the juvenile justice authority. The commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 118(c) of chapter 131 of the 2008 Session Laws of Kansas on the juvenile detention facilities fund is hereby increased from \$3,995,690 to \$4,899,190.

(j) On the effective date of this act, of the \$3,997,763 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 157(a) of chapter 131 of the 2008 Session Laws of Kansas from the state institutions building fund in the debt service — Topeka complex and Larned juvenile correctional facility account, the sum of \$6,173 is hereby lapsed.

Sec. 71.

ADJUTANT GENERAL

(a) (1) On the effective date of this act, the \$37,296 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 119(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the NG life insurance premium reimbursement account, is hereby lapsed.

(2) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 119(a) of chapter 131 of the 2008 Session Laws of Kansas from the state

general fund in the NG life insurance premium reimbursement account, the sum of \$56,889 is hereby lapsed.

(b) On the effective date of this act, of the \$477,097 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 160(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the rehabilitation and repair projects account, the sum of \$1,406 is hereby lapsed.

(c) On the effective date of this act, the \$100,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 160(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the regional training center spoke 1 planning account, is hereby lapsed.

(d) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 48-281, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$319,657 from the national guard life insurance premium reimbursement fund of the adjutant general to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the national guard life insurance premium reimbursement fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the national guard life insurance premium reimbursement fund 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 adjutant general by other state agencies which receive appropriations from the state general fund to provide such services.

(e) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$1,883,892 from the adjutant general expense fund-hazardous mitigation of the adjutant general to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the adjutant general expense fund-hazardous mitigation to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the adjutant general expense fund-hazardous mitigation 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 adjutant general by other state agencies which receive appropriations from the state general fund to provide such services.

(f) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:

NG death benefits	\$250,000
Operating expenditures	\$25,212

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 14(d) of chapter 184 of the 2008 Session Laws of Kansas on the national guard museum assistance fund is hereby decreased from no limit to \$0.

(h) On the effective date of this act, of the \$2,226,807 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 160(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the debt service — rehabilitation and repair of the state-wide armories account, the sum of \$1,140,000 is hereby lapsed.

(i) On the effective date of this act, of the \$115,188 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 160(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the debt service — armory/classroom/recreation center at PSU account, the sum of \$55,000 is hereby lapsed.

Sec. 72.

STATE FIRE MARSHAL

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the fire marshal fee fund is hereby decreased from \$3,935,859 to \$3,770,616.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council

on the hazardous material program fund is hereby decreased from \$385,032 to \$377,330.

(c) On the effective date of this act, the amount of \$189,979.50 authorized by section 120(b) of chapter 131 of the 2008 Session Laws of Kansas to be transferred by the director of accounts and reports from the fire marshal fee fund to the hazardous material program fund of the state fire marshal on January 1, 2009, is hereby decreased to \$138,649.50: *Provided*, That on the effective date of this act, or as soon after as moneys are available, the director of accounts and reports shall reverse part of such transfer of moneys from the fire marshal fee fund to the hazardous material program fund of the state fire marshal made prior to the effective date of this act pursuant to such section by transferring \$51,330 from the hazardous material program fund of the state fire marshal to the fire marshal fee fund: *Provided further*, That reversing entries shall be entered upon the accounting records of the state treasurer therefor.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the state fire marshal liquefied petroleum gas fee fund is hereby increased from \$162,487 to \$171,613.

Sec. 73.

KANSAS PAROLE BOARD

(a) On the effective date of this act, of the \$494,582 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 121(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the parole from adult correctional institutions account, the sum of \$20,231 is hereby lapsed.

Sec. 74.

KANSAS HIGHWAY PATROL

(a) On the effective date of this act, of the \$36,301,567 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 122(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$1,124,973 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the Kansas highway patrol operations fund is hereby increased from \$19,982,339 to \$20,140,639.

(c) On the effective date of this act, the amount of \$7,825,391.75 authorized by section 122(i) of chapter 131 of the 2008 Session Laws of Kansas to be transferred by the director of accounts and reports from the state highway fund of the department of transportation to the state general fund on April 1, 2009, is hereby increased to \$7,897,947.75.

Sec. 75.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

(a) On the effective date of this act, of the \$16,335,662 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 123(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$907,607 is hereby lapsed.

(b) On the effective date of this act, of the \$100,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 158(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the rehabilitation and repair projects account, the sum of \$50,000 is hereby lapsed.

(c) On the effective date of this act, of the \$311,850 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 158(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the debt service — headquarters building account, the sum of \$285,000 is hereby lapsed.

Sec. 76.

EMERGENCY MEDICAL SERVICES BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the emergency medical services operating fund is hereby decreased from \$1,469,242 to \$1,422,165.

(b) On the effective date of this act, the amount of \$150,000 authorized by section 124(d) of chapter 131 of the 2008 Session Laws of Kansas to

be transferred by the director of accounts and reports from the emergency medical services operating fund to the educational incentive grant payment fund of the emergency medical services board on January 1, 2009, is hereby decreased to \$144,000: *Provided*, That on the effective date of this act, or as soon after as moneys are available, the director of accounts and reports shall reverse part of such transfer of moneys from the emergency medical services operating fund to the educational incentive grant payment fund of the emergency medical services board made prior to the effective date of this act pursuant to such section by transferring \$6,000 from the educational incentive grant payment fund of the emergency medical services board to the emergency medical services operating fund: *Provided further*, That reversing entries shall be entered upon the accounting records of the state treasurer therefor.

Sec. 77.

KANSAS SENTENCING COMMISSION

(a) On the effective date of this act, of the \$718,511 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 125(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$79,791 is hereby lapsed.

(b) On the effective date of this act, of the \$8,900,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 125(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the substance abuse treatment programs account, the sum of \$612,298 is hereby lapsed.

Sec. 78.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the Kansas commission on peace officers' standards and training fund is hereby decreased from \$722,502 to \$643,000.

Sec. 79.

KANSAS DEPARTMENT OF AGRICULTURE

(a) On the effective date of this act, of the \$11,454,531 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 127(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$540,033 is hereby lapsed.

(b) On the effective date of this act, of the \$739,996 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 127(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the basin management account, the sum of \$28,849 is hereby lapsed.

(c) On the effective date of this act, of the \$60,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 127(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the water use account, the sum of \$12,000 is hereby lapsed.

(d) On the effective date of this act, of the \$576,577 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 127(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the interstate water issues account, the sum of \$49,463 is hereby lapsed.

Sec. 80.

KANSAS ANIMAL HEALTH DEPARTMENT

(a) On the effective date of this act, of the \$911,876 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 128(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$28,238 is hereby lapsed.

Sec. 81.

STATE FAIR BOARD

(a) On the effective date of this act, of the \$50,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 129(c) of chapter 131 of the 2008 Session Laws of Kansas from the state

economic development initiatives fund in the ticket marketing account, the sum of \$4,459 is hereby lapsed.

(b) On the effective date of this act, of the \$1,540,821 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 129(b) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the state fair debt service account, the sum of \$410,000 is hereby lapsed.

Sec. 82.

STATE CONSERVATION COMMISSION

(a) On the effective date of this act, of the \$887,594 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 130(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$27,341 is hereby lapsed.

(b) On the effective date of this act, of the \$3,414,907 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the water resources cost share account, the sum of \$322,092 is hereby lapsed.

(c) On the effective date of this act, of the \$3,623,754 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the nonpoint source pollution assistance account, the sum of \$783,542 is hereby lapsed.

(d) On the effective date of this act, of the \$1,055,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the watershed dam construction account, the sum of \$234,623 is hereby lapsed.

(e) On the effective date of this act, of the \$350,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the Kansas water quality buffer initiatives account, the sum of \$90,802 is hereby lapsed.

(f) On the effective date of this act, of the \$251,782 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the riparian and wetland program account, the sum of \$60,650 is hereby lapsed.

(g) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the water transition assistance program account, the sum of \$1,228,078 is hereby lapsed.

(h) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 4(a) of chapter 184 of the 2008 Session Laws of Kansas from the state water plan fund in the conservation reserve enhancement program account, the sum of \$307,427 is hereby lapsed.

Sec. 83.

KANSAS WATER OFFICE

(a) On the effective date of this act, of the \$2,302,856 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 131(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the water resources operating expenditures account, the sum of \$88,489 is hereby lapsed.

(b) On the effective date of this act, of the \$860,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 131(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the assessment and evaluation account, the sum of \$180,035 is hereby lapsed.

(c) On the effective date of this act, of the \$624,919 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 131(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the technical assistance to water users account, the sum of \$158,230 is hereby lapsed.

(d) On the effective date of this act, of the \$84,000 appropriated for

the above agency for the fiscal year ending June 30, 2009, by section 131(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the water resource education account, the sum of \$24,300 is hereby lapsed.

(e) On the effective date of this act, of the \$100,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 131(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the weather stations account, the sum of \$20,000 is hereby lapsed.

Sec. 84.

DEPARTMENT OF WILDLIFE AND PARKS

(a) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 162(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the state parks capital improvement projects account, the sum of \$1,005,329 is hereby lapsed.

(b) On the effective date of this act, of the \$1,500,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 162(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the parks ongoing rehabilitation account, the sum of \$264,671 is hereby lapsed.

(c) On the effective date of this act, of the \$40,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 132(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the stream monitoring account, the sum of \$8,000 is hereby lapsed.

Sec. 85.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the agency operations account of the state highway fund is hereby decreased from \$277,020,766 to \$269,758,653.

(b) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$967,929 from the homeland security interoperability grant account of the state general fund of the Kansas highway patrol to the other federal grants fund of the department of transportation.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131 of the 2008 Session Laws of Kansas for the department of transportation is hereby decreased from 3,150.50 to 3,113.50.

Sec. 86. (a) On the effective date of this act, the director of accounts and reports shall transfer all moneys credited in each Kansas savings incentive program account in the state general fund of each state agency to the state general fund. On the effective date of this act, all liabilities of each such Kansas savings incentive program account in the state general fund are hereby transferred to and imposed on the state general fund. On the effective date of this act, the Kansas savings incentive program is hereby suspended for the remainder of the fiscal year ending June 30, 2009, and the director of accounts and reports shall not process payments from any Kansas savings incentive program accounts of any special revenue funds of a state agency for the remainder of the fiscal year ending June 30, 2009.

~~(b) On the effective date of this act, notwithstanding the provisions of subsection (j) of K.S.A. 40-3403, and amendments thereto, or any other statute, the aggregate amount of moneys transferred pursuant to the provisions of subsection (j) of K.S.A. 40-3403, and amendments thereto, or any other statute, from the state general fund to the health care stabilization fund for the fiscal year ending June 30, 2009, shall not exceed \$2,805,000.~~

(c) On the effective date of this act, notwithstanding the provisions of K.S.A. 2008 Supp. 79-34,171, and amendments thereto, or any other statute, the director of accounts and reports shall not make any transfers pursuant to the provisions of K.S.A. 2008 Supp. 79-34,171, and amendments thereto, or any other statute, from the state general fund to the Kansas retail dealer incentive fund during the fiscal year ending June 30, 2009: *Provided further*, That any transfers of moneys from the state gen-

eral fund to the Kansas retail dealer incentive fund during the fiscal year ending June 30, 2009, pursuant to the provisions of K.S.A. 2008 Supp. 79-34,171, and amendments thereto, or any other statute, that have been made prior to the effective date of this act shall be reversed by the director of accounts and reports and reversing entries shall be entered upon the accounting records of the state treasurer therefor.

(d) (1) The director of accounts and reports shall not make the transfer of \$23,652,162 prescribed to be transferred from the state general fund to the state highway fund of the department of transportation by section 19(b)(3) of chapter 3 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2009, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the state highway fund to the state general fund pursuant to section 40(a) of chapter 205 of the 2002 Session Laws of Kansas. On the effective date of this act, the provisions of section 19(b)(3) of chapter 3 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(2) On or before June 30, 2011, during the fiscal year ending June 30, 2011, 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 (d)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(e) (1) The director of accounts and reports shall not make the transfer of \$7,220,145 prescribed to be transferred from the state general fund to the state highway fund of the department of transportation by section 73(k)(3) of chapter 138 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2009, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the state highway fund to the state general fund pursuant to section 73(j) of chapter 138 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 73(k)(3) of chapter 138 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(2) On or before June 30, 2011, during the fiscal year ending June 30, 2011, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$7,220,145 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 73(j) of chapter 138 of the 2003 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 (e)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(f) (1) The director of accounts and reports shall not make the transfer of \$23,901.75 prescribed to be transferred from the state general fund to the state highway fund of the department of transportation by section 19(c)(4) of chapter 160 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2009, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the state highway fund to the state general fund pursuant to section 19(c) of chapter 160 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 19(c)(4) of chapter 160 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(2) On or before June 30, 2011, during the fiscal year ending June 30, 2011, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$23,901.75 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 19(c) of chapter 160 of the 2003 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 (f)(2), the director of the

budget shall deliver a copy of such certification to the director of the legislative research department.

(g) On the effective date of this act, notwithstanding the provisions of subsection (g) of K.S.A. 2008 Supp 79-4804, and amendments thereto, or any other statute, the amount directed to be transferred by the director of accounts and reports from the state economic development initiatives fund to the state water plan fund by subsection (g) of K.S.A. 79-4804, and amendments thereto, which was directed to be made on or before January 15, 2009, is hereby decreased from \$1,000,000 to \$802,141.

~~(h) On the effective date of this act, notwithstanding the provisions of K.S.A. 2008 Supp. 74-99b34, and amendments thereto, or any other statute, the aggregate amount equal to (1) the annual amount equal to 95% of withholding above the base, as certified or estimated and reconciled by the secretary of revenue, plus (2) annual interest earnings based on the average daily balance of moneys in the bioscience development and investment fund and the net earnings rate of the pooled money investment portfolio, that is directed to be transferred during the fiscal year ending June 30, 2009, from the state general fund to the bioscience development and investment fund by K.S.A. 2008 Supp. 74-99b34, and amendments thereto, is hereby decreased from such aggregate amount, which would otherwise be transferred pursuant to K.S.A. 2008 Supp. 74-99b34, and amendments thereto, to the aggregate annual amount of \$39,000,000. *Provided*, That not more than \$39,000,000 shall be transferred from the state general fund to the bioscience development and investment fund during the fiscal year ending June 30, 2009, pursuant to K.S.A. 2008 Supp. 74-99b34, and amendments thereto. *Provided further*, That the state treasurer shall certify to the director of the budget and the director of legislative research when \$39,000,000 has been transferred from the state general fund to the bioscience development and investment fund during the fiscal year ending June 30, 2009, pursuant to K.S.A. 2008 Supp. 74-99b34, and amendments thereto.~~

(i) (1) The director of accounts and reports shall not make the transfer of \$1,000,000 prescribed to be transferred from the state general fund to the workers compensation fund of the insurance department by section 10(a)(4) of chapter 3 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2009, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the workers compensation fund to the state general fund pursuant to section 10(a)(1) of chapter 3 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 10(a)(4) of chapter 3 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(2) On or before June 30, 2011, during fiscal year 2011, 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 section 10(a) of chapter 3 of the 2003 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 (i)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

Sec. 87. On the effective date of this act, K.S.A. 2008 Supp. 55-193 is hereby amended to read as follows: 55-193. On July 15, 1996, and on the 15th day of each calendar quarter thereafter before July 1, 2016, the director of accounts and reports shall transfer \$100,000 from the state general fund, \$100,000 from the state water plan fund established by K.S.A. 82a-951 and amendments thereto and \$100,000 from the conservation fee fund established by K.S.A. 55-143 and amendments thereto to the abandoned oil and gas well fund established by K.S.A. 55-192 and amendments thereto, except that: (a) No transfers shall be made pursuant to this section from the state general fund to the abandoned oil and gas well fund during state fiscal year 2009; and (b) the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2009 shall not exceed ~~\$400,000~~ \$320,000.

Sec. 88. On the effective date of this act, K.S.A. 2008 Supp. 79-2978

is hereby amended to read as follows: 79-2978. (a) There is hereby established in the state treasury the business machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the business machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying ad valorem taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2007 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2008, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (e).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2008 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On ~~or before February 15, 2009~~ *March 2, 2009, and on June 1, 2009*, subject to the provisions of subsection (d) *and subsection (g)*, the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (e).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2009 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference for distribution as provided in subsection (e).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2010 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (e).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2011 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before

February 15, 2012, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (e).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) The calculations required by subsection (b) shall be based upon a certification made by the county clerk on or before November 15 of the tax year and submitted to the director of property valuation. Such certification shall be in a format devised and prescribed by the director of property valuation. Such certification shall report the total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment. The county clerk shall provide a copy of such certification to the county treasurer for the purpose of determining the distribution of moneys pursuant to the provisions of subsection (e)(2) paid to the county pursuant to subsection (b) by the state treasurer.

(d) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(e) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the business machinery and equipment tax reduction assistance fund, *except that (A) the aggregate amount of moneys transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2009, pursuant to this section shall not exceed the maximum amount determined pursuant to subsection (g), and (B) an amount equal to 50% of the maximum amount determined pursuant to subsection (g) shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund on March 2, 2009, and an amount equal to 50% of the maximum amount determined pursuant to subsection (g) shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund on June 1, 2009.*

(2) The state treasurer shall apportion and distribute the moneys credited to the business machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the ad valorem taxing subdivisions imposing ad valorem taxes on commercial and industrial machinery and equipment in an amount equal to the difference between the total ad valorem taxes on commercial and industrial machinery and equipment levied by each such ad valorem taxing subdivision for the tax year 2005 and the total ad valorem taxes on commercial and industrial machinery and equipment levied by each such ad valorem taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(f) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of ad valorem taxes on commercial and industrial machinery and equipment not included in the total ad valorem taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and such abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for

all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

(g) (1) *The maximum amount that may be transferred during the fiscal year ending June 30, 2009, from the state general fund to the business machinery and equipment tax reduction assistance fund pursuant to this section shall be equal to (A) the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2008 Supp. 79-2979, and amendments thereto, multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2008 Supp. 79-2979, and amendments thereto.*

(2) *If a maximum amount is imposed under this subsection and the aggregate amount transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during state fiscal year 2009 pursuant to this section is reduced, then the amount allocated to each county by the state treasurer under subsection (b)(2) shall be reduced proportionately with respect to aggregate reduction in the amount of such transfer from the state general fund to the business machinery and equipment tax reduction assistance fund during state fiscal year 2009.*

Sec. 89. On the effective date of this act, K.S.A. 2008 Supp. 79-2979 is hereby amended to read as follows: 79-2979. (a) There is hereby established in the state treasury the telecommunications and railroad machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the telecommunications and railroad machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying ad valorem taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2007 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2008, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (d).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2008 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On ~~or before February 15, 2009~~ *March 2, 2009, and on June 1, 2009,* subject to the provisions of subsection (c) *and subsection (f)*, the state treasurer shall pay to the county treasurer of each county an

amount equal to 70% of such difference for distribution as provided in subsection (d).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2009 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference for distribution as provided in subsection (d).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2010 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (d).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2011 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2012, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (d).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(d) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund, *except that (A) the aggregate amount of moneys transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2009, pursuant to this section shall not exceed the maximum amount determined pursuant to subsection (f), and (B) an amount equal to 50% of the maximum amount determined pursuant to subsection (f) shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction*

assistance fund on March 2, 2009, and an amount equal to 50% of the maximum amount determined pursuant to subsection (f) shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund on June 1, 2009.

(2) The state treasurer shall apportion and distribute the moneys credited to the telecommunications and railroad machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the ad valorem taxing subdivisions imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment in an amount equal to the difference between the total ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such ad valorem taxing subdivision for the tax year 2005 and the total ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such ad valorem taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(e) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment not included in the total of ad valorem taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and the abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

(f) (1) The maximum amount that may be transferred during the fiscal year ending June 30, 2009, from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund pursuant to this section shall be equal to (A) the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2008 Supp. 79-2978, and amendments thereto, multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2008 Supp. 79-2978, and amendments thereto.

(2) If a maximum amount is imposed under this subsection and the aggregate amount transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during state fiscal year 2009 pursuant to this section is reduced, then the amount allocated to each county by the state treasurer under subsection (b)(2) shall be reduced proportionately with respect to aggregate reduction in the amount of such transfer from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during state fiscal year 2009.

Sec. 90. On the effective date of this act, K.S.A. 2008 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 trans-

fers are subject to reduction under K.S.A. 75-6704, and amendments thereto; ~~and~~ (2) *the amount of moneys transferred from the state general fund to the special city and county highway fund during state fiscal year 2009 on each such date shall not exceed \$3,330,543.50; and* (3) the amount of moneys transferred from the state general fund to the special city and county highway fund during state fiscal years ~~2009~~ and year 2010 on each such date shall not exceed \$5,031,832 ; and (4) *notwithstanding the provisions of K.S.A. 79-3425c and 75-3425i, and amendments thereto, or any other statute, the aggregate amount of \$6,661,087 of the moneys credited to the special city and county highway fund shall be paid on or before April 14, 2009, by the state treasurer in accordance with the following to the following counties in the amounts specified respectively therefor with the requirement that the moneys received by each such county shall be deposited and administered in accordance with K.S.A. 79-3425c, and amendments thereto, including any redistributions provided for by that statute: Barton county, \$174,544.98; Butler county, \$890,898.90; Chautauqua county, \$7,293.76; Clay county, \$15,533.75; Comanche county, \$15,525.56; Cowley county, \$151,493.36; Douglas county, \$1,152,561.96; Finney county, \$38,376.16; Geary county, \$41,101.83; Grant county, \$11,827.23; Lane county, \$6,986.21; Leavenworth county, \$655,874.14; Ness county, \$13,000.51; Rice county, \$9,780.91; Russell county, \$18,610.55; Shawnee county, \$3,299,659.69; Sherman county, \$29,689.72; Stevens county, \$7,532.41; Trego county, \$4,257.37; and Wyandotte county, \$116,537.47, which shall be for the purpose of providing such counties, cities and other local governmental entities the amounts that were not paid as directed by statute during state fiscal years 2006, 2007 and 2008. 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 years ending June 30, 2009, and June 30, 2010, shall be considered to be revenue transfers from the state general fund. Any transfers of moneys from the state general fund to the special city and county highway fund during the state fiscal year ending June 30, 2009, pursuant to the provisions of K.S.A. 79-3425i, and amendments thereto, or any other statute, that have been made prior to the effective date of this act shall be reversed by the director of accounts and reports and reversing entries shall be entered upon the accounting records of the state treasurer therefor.*

Sec. 91. On the effective date of this act, K.S.A. 2008 Supp. 79-34,156 is hereby amended to read as follows: 79-34,156. On April 1, 2007, the director of accounts and reports shall transfer \$437,500 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund. If sufficient moneys are not available in the state economic development initiatives fund for such transfer on April 1, 2007, then the director of accounts and reports shall transfer on such date the amount available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund. On July 1, 2007, and quarterly thereafter, the director of accounts and reports shall transfer \$875,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund, *except that the amount of moneys transferred from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund on April 1, 2009, shall not exceed \$849,000.* If sufficient moneys are not available in the state economic development initiatives fund for such transfer on July 1, 2007, and on the first day of any calendar quarter thereafter, in any such fiscal year, then the director of accounts and reports shall transfer on such date the amount available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund.

Sec. 92. On the effective date of this act, K.S.A. 2008 Supp. 79-4801 is hereby amended to read as follows: 79-4801. There is hereby created the state gaming revenues fund in the state treasury. All moneys credited to such fund shall be expended or transferred only for the purposes and

in the manner provided by this act and all expenditures from the state gaming revenues fund shall be made in accordance with appropriation acts. All moneys credited to such fund shall be allocated and credited monthly to the funds and in the amounts specified by this act except that the total of the amounts credited to such funds in any one fiscal year pursuant to this act shall not exceed \$50,000,000, *except that the total of the amounts credited to such funds for fiscal year 2009, pursuant to this act shall not exceed \$48,059,846*. All amounts credited to such fund in any one fiscal year which are in excess of \$50,000,000 shall be transferred and credited to the state general fund on July 15, 1996, and June 25, 1997, and each year thereafter on June 25, except that: (a) All amounts credited to the state gaming revenues fund in fiscal year 2009 which are in excess of ~~\$50,000,000~~ *\$48,059,846* shall be transferred and credited to the state general fund on July 15, 2009, and shall be recorded and accounted for as receipts to the state general fund for fiscal year 2009; and (b) all amounts credited to the state gaming revenues fund in fiscal year 2010 which are in excess of \$50,000,000 shall be transferred and credited to the state general fund on July 15, 2010, and shall be recorded and accounted for as receipts to the state general fund for fiscal year 2010.

Sec. 93. On the effective date of this act, K.S.A. 2008 Supp. 82a-953a is hereby amended to read as follows: 82a-953a. During each fiscal year, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, one-half of such amount to be transferred on July 15 and one-half to be transferred on January 15, except that (1) such transfers during each fiscal year commencing after June 30, 2008, are subject to reduction under K.S.A. 75-6704, and amendments thereto, and (2) *the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2009, shall not exceed \$2,000,000. On the effective date of this act, the director of accounts and reports shall transfer the amount in excess of \$2,000,000 which was transferred from the state general fund to the state water plan fund prior to the effective date of this act during the fiscal year ending June 30, 2009, as certified by the director of the budget to the director of accounts and reports to the state general fund.* 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 years ending June 30, 2008, and June 30, 2009, shall be considered revenue transfers from the state general fund.

Sec. 94. On the effective date of this act, K.S.A. 2008 Supp. 55-193, 79-2978, 79-2979, 79-3425i, 79-34,156, 79-4801 and 82a-953a are hereby repealed.

Sec. 95. (a) On the effective date of this act, of the amount of each appropriation or reappropriation for a state agency for the fiscal year ending June 30, 2009, made by chapter 131, 156, 159, 160, 164, 172 or 184 of the 2008 Session Laws of Kansas, or by this or other appropriation act of the 2009 regular session of the legislature from the state general fund, the sum equal to 1.25% of such appropriation or reappropriation, which is not exempt, is hereby lapsed. The following are exempt from and shall not be reduced by such lapsing provision: (1) Any item of appropriation or reappropriation for debt service for payments pursuant to contractual bond obligations, (2) any item of appropriation or reappropriation for employer contributions for the employers who are eligible employers as specified in subsections (1), (2) and (3) of K.S.A. 74-4931, and amendments thereto, under the Kansas public employees retirement system pursuant to K.S.A. 74-4939, and amendments thereto, (3) any item of appropriation or reappropriation for the department of education, and (4) any item of appropriation or reappropriation from the state general fund for fiscal year ending June 30, 2009, for the department of social and rehabilitation services, Kansas health policy authority, or the department on aging which are required to meet caseload obligations under the state medicaid plan including nursing facilities, general medical, targeted case management, mental health, community supports and services, or addiction and prevention services or for the department of social and rehabilitation services to meet caseload obligations for nursing facilities for mental health, general assistance, temporary assistance for families, foster care and reintegration services contracts or adoption services con-

tracts, as certified by the director of the budget to the director of accounts and reports for the purposes of this clause: *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 clause (4), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(b) The provisions of this section shall not apply to any transfer of moneys to the: (1) School district capital improvements fund for distribution to school districts pursuant to K.S.A. 75-2319, and amendments thereto, and (2) school district capital outlay state aid fund for distribution to school districts pursuant to K.S.A. 72-8814, and amendments thereto.

Sec. 96. (a) (1) On and after the effective date of this act, notwithstanding the provisions of K.S.A. 74-4927, and amendments thereto, or any other statute, no state agency shall pay to the Kansas public employees retirement system any amounts to the group insurance reserve fund attributable to the months of March, April, May, or June 2009, that constitute such state agency's portion of the state's contribution to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto.

(2) 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, 2009, by chapter 131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session Laws of Kansas or by this or other appropriation act of the 2009 regular session of the legislature and that is budgeted for payment to the Kansas public employees retirement system as a contribution for March, April, May and June 2009, to the group insurance reserve fund 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 fiscal year 2009, is hereby lapsed from each such account.

(3) On the effective date of this act, or as soon thereafter as moneys are available, 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, 2009, by chapter 131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session Laws of Kansas or by this or other appropriation act of the 2009 regular session of the legislature and that is budgeted for payment to the Kansas public employees retirement system as a contribution for March, April, May and June 2009, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, subject to any applicable federal limitations or restrictions, as certified by the director of the budget to the director of accounts and reports for fiscal year 2009, from such special revenue fund, or account thereof, to the state general fund: *Provided*, That the amounts transferred from special revenue funds to the state general fund pursuant to this subsection (a)(3) are 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.

(b) (1) On and after the effective date of this act, notwithstanding the provisions of K.S.A. 75-6508 or 75-6512, and amendments thereto, or any other statute, no state agency shall pay to the Kansas health policy authority any amounts specified by the Kansas state employees health care commission for employees of the state agency who are participating in the state health care benefits program, excluding any amounts prescribed under the cafeteria plan, that are attributable to the payroll periods commencing on or after March 8, 2009, and ending on or before June 13, 2009, that constitute such state agency's portion of the state's contribution for persons participating in the state health care benefits program under K.S.A. 75-6501 et seq., and amendments thereto, for such payroll periods.

(2) 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, 2009, by chapter 131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session Laws of Kansas or by this or other appropriation act of the 2009 regular session of the legislature and that is budgeted for payment to the Kansas health policy authority for employees of the state agency who are partic-

icipating in the state health care benefits program, excluding any amounts prescribed under the cafeteria plan, that are attributable to the payroll periods commencing on or after March 8, 2009, and ending on or before June 13, 2009, under K.S.A. 75-6508, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2009, is hereby lapsed from each such account.

(3) On the effective date of this act, or as soon thereafter as moneys are available, 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, 2009, by chapter 131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session Laws of Kansas or by this or other appropriation act of the 2009 regular session of the legislature and that is budgeted for payment to the Kansas health policy authority for employees of such state agency who are participating in the state health care benefits program, excluding any amounts prescribed under the cafeteria plan, that are attributable to the payroll periods commencing on or after March 8, 2009, and ending on or before June 13, 2009, under K.S.A. 75-6508, and amendments thereto, subject to any applicable federal limitations or restrictions, as certified by the director of the budget to the director of accounts and reports for fiscal year 2009, from such special revenue fund, or account thereof, to the state general fund: *Provided*, That the amounts transferred from special revenue funds to the state general fund pursuant to this subsection (b)(3) are 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.

Sec. 97. *Severability*. If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 98. *Appeals to exceed position limitations*. 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, 2009, made in chapter 5, chapter 131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session Laws of Kansas or in this act or in any other appropriation act of the 2009 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 99. *Appeals to exceed expenditure limitations*. (a) 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.

(b) This section shall not apply to the expanded lottery act revenues fund, state economic development initiatives fund, the children's initiatives fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any of such funds.

Sec. 100. 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 SENATE, and passed that body

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE
as amended _____

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.