

SENATE BILL No. 556

By Committee on Ways and Means

2-23

9 AN ACT making and concerning appropriations for the fiscal years ending
10 June 30, 2010, June 30, 2011, June 30, 2012, June 30, 2013, June 30,
11 2014, and June 30, 2015, for state agencies; authorizing certain trans-
12 fers, capital improvement projects and fees, imposing certain restric-
13 tions and limitations, and directing or authorizing certain receipts, dis-
14 bursements and acts incidental to the foregoing; amending K.S.A. 2009
15 Supp. 2-223, 12-5256, 40-3403, 55-193, 72-8814, 75-2319, 75-6702,
16 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-
17 3425i, 79-34,156, 79-34,171, 79-4801 and 82a-953a and repealing the
18 existing sections.
19

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

21 Section 1. (a) For the fiscal years ending June 30, 2010, June 30, 2011,
22 June 30, 2012, June 30, 2013, June 30, 2014, and June 30, 2015, appro-
23 priations are hereby made, restrictions and limitations are hereby im-
24 posed, and transfers, capital improvement projects, fees, receipts, dis-
25 bursements and acts incidental to the foregoing are hereby directed or
26 authorized as provided in this act.

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

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

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

35 Sec. 2.

DEPARTMENT OF COMMERCE

36
37 (a) On the effective date of this act, of the \$14,019,902 appropriated
38 for the above agency for the fiscal year ending June 30, 2010, by section
39 54(b) of chapter 124 of the 2009 Session Laws of Kansas from the state
40 economic development initiatives fund in the operating grant (including
41 official hospitality) account, the sum of \$5,001 is hereby lapsed.

42 (b) There is appropriated for the above agency from the state economic
43 development initiatives fund for the fiscal year ending June 30, 2010, the

1 following:

| | | |
|---|--|---------|
| 2 | Senior community service employment program — ARRA | |
| 3 | match | \$5,000 |
| 4 | Sec. 3. | |

5 KANSAS LOTTERY

6 (a) On the effective date of this act, the amount authorized by section
7 9(b) of chapter 144 of the 2009 Session Laws of Kansas to be transferred
8 from the lottery operating fund to the state gaming revenues fund during
9 the fiscal year ending June 30, 2010, is hereby decreased from
10 \$70,540,000 to \$70,400,000.

11 (b) On the effective date of this act, the position limitation established
12 for the fiscal year ending June 30, 2010, by section 99(a) of chapter 124
13 of the 2009 Session Laws of Kansas for the Kansas lottery is hereby de-
14 creased from 99.00 to 89.00.

15 Sec. 4.

16 KANSAS RACING AND GAMING COMMISSION

17 (a) There is appropriated for the above agency from the following spe-
18 cial revenue fund or funds for the fiscal year ending June 30, 2010, all
19 moneys now or hereafter lawfully credited to and available in such fund
20 or funds, except that expenditures other than refunds authorized by law
21 shall not exceed the following:

| | | |
|----|---|----------|
| 22 | Gaming background investigation fund..... | No limit |
| 23 | Education and training fund | No limit |

24 *Provided*, That expenditures may be made from the education and train-
25 ing fund for operating expenditures, including official hospitality, in-
26 curred for hosting or providing training, in-service workshops and con-
27 ferences: *Provided further*, That the Kansas racing and gaming
28 commission is hereby authorized to fix, charge and collect fees for hosting
29 or providing training, in-service workshops and conferences: *And pro-*
30 *vided further*, That such fees shall be fixed in order to recover all or part
31 of the operating expenditures incurred for hosting or providing such train-
32 ing, in-service workshops and conferences: *And provided further*, That
33 all fees received for hosting or providing such training, in-service work-
34 shops and conferences shall be deposited in the state treasury in accord-
35 ance with the provisions of K.S.A. 75-4215, and amendments thereto, and
36 shall be credited to the education and training fund.

37 Sec. 5.

38 STATE CORPORATION COMMISSION

39 (a) On the effective date of this act, the expenditure limitation estab-
40 lished for the fiscal year ending June 30, 2010, by section 46(b) of chapter
41 124 of the 2009 Session Laws of Kansas on the aggregate limit of the
42 public service regulation fund, the motor carrier license fees fund and
43 the conservation fee fund is hereby increased from \$16,290,795 to

1 \$16,900,839.

2 (b) On the effective date of this act, the position limitation established
3 for the fiscal year ending June 30, 2010, by section 99(a) of chapter 124
4 of the 2009 Session Laws of Kansas for the state corporation commission
5 is hereby increased from 214.00 to 216.00.

6 Sec. 6.

7

DEPARTMENT OF REVENUE

8 (a) On the effective date of this act, the director of accounts and reports
9 shall transfer \$195,395 from the Kansas qualified biodiesel fuel producer
10 incentive fund of the state department of revenue to the state general
11 fund.

12 Sec. 7.

13

STATE COURT OF TAX APPEALS

14 (a) On the effective date of this act, the expenditure limitation estab-
15 lished for the fiscal year ending June 30, 2010, by the state finance council
16 on the COTA filing fee fund of the state court of tax appeals is hereby
17 increased from \$546,492 to \$589,299.

18 Sec. 8.

19

ABSTRACTERS' BOARD OF EXAMINERS

20 (a) On the effective date of this act, the expenditure limitation estab-
21 lished for the fiscal year ending June 30, 2010, by section 8(a) of chapter
22 124 of the 2009 Session Laws of Kansas on the abstracters' fee fund is
23 hereby increased from \$21,207 to \$23,407.

24 (b) On July 1, 2010, the expenditure limitation established for the fiscal
25 year ending June 30, 2011, by section 8(a) of chapter 124 of the 2009
26 Session Laws of Kansas on the abstracters' fee fund is hereby increased
27 from \$21,207 to \$23,407.

28 Sec. 9.

29

BOARD OF ACCOUNTANCY

30 (a) On the effective date of this act, the expenditure limitation estab-
31 lished for the fiscal year ending June 30, 2011, by section 9(a) of chapter
32 124 of the 2009 Session Laws of Kansas on the board of accountancy fee
33 fund is hereby increased from \$309,832 to \$311,611.

34 Sec. 10.

35

GOVERNMENTAL ETHICS COMMISSION

36 (a) On the effective date of this act, the expenditure limitation estab-
37 lished for the fiscal year ending June 30, 2010, by section 43(b) of chapter
38 144 of the 2009 Session Laws of Kansas on the governmental ethics com-
39 mission fee fund of the governmental ethics commission is hereby in-
40 creased from \$238,394 to \$251,282.

41 (b) On July 1, 2010, of the \$472,411 appropriated for the above agency
42 for the fiscal year ending June 30, 2011, by section 27(a) of chapter 124
43 of the 2009 Session Laws of Kansas from the state general fund in the

1 operating expenditures account, the sum of \$15,040 is hereby lapsed.

2 (c) On July 1, 2010, the expenditure limitation established for the fiscal
3 year ending June 30, 2011, by section 27(b) of chapter 124 of the 2009
4 Session Laws of Kansas on the governmental ethics commission fee fund
5 of the governmental ethics commission is hereby increased from \$227,417
6 to \$251,489.

7 Sec. 11.

8 KANSAS HOME INSPECTORS REGISTRATION BOARD

9 (a) On the effective date of this act, the expenditure limitation estab-
10 lished for the fiscal year ending June 30, 2010, by section 28(a) of chapter
11 124 of the 2009 Session Laws of Kansas on the home inspectors registra-
12 tion fee fund of the Kansas home inspectors registration board is hereby
13 decreased from no limit to \$36,020.

14 (b) On July 1, 2010, the expenditure limitation established for the fiscal
15 year ending June 30, 2011, by section 28(a) of chapter 124 of the 2009
16 Session Laws of Kansas on the home inspectors registration fee fund of
17 the Kansas home inspectors registration board is hereby decreased from
18 no limit to \$35,750.

19 Sec. 12.

20 STATE BOARD OF MORTUARY ARTS

21 (a) On July 1, 2010, the expenditure limitation established for the fiscal
22 year ending June 30, 2011, by section 17(a) of chapter 124 of the 2009
23 Session Laws of Kansas on the mortuary arts fee fund of the state board
24 of mortuary arts is hereby increased from \$270,657 to \$271,510.

25 Sec. 13.

26 BOARD OF NURSING

27 (a) On July 1, 2010, the expenditure limitation established for the fiscal
28 year ending June 30, 2011, by section 19(a) of chapter 124 of the 2009
29 Session Laws of Kansas on the board of nursing fee fund of the board of
30 nursing is hereby increased from \$1,812,999 to \$1,887,059.

31 Sec. 14.

32 OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

33 (a) On July 1, 2010, or as soon thereafter as moneys are available,
34 notwithstanding the provisions of K.S.A. 17-12a601, and amendments
35 thereto, or any other statute, the director of accounts and reports shall
36 transfer \$1,250,000 from the investor education fund of the office of the
37 securities commissioner of Kansas to the state general fund: *Provided*,
38 That the transfer of such amount shall be in addition to any other transfer
39 from the investor education fund to the state general fund as prescribed
40 by law: *Provided further*, That the amount transferred from the investor
41 education fund to the state general fund pursuant to this subsection is to
42 reimburse the state general fund for accounting, auditing, budgeting, le-
43 gal, payroll, personnel and purchasing services and any other govern-

1 mental services which are performed on behalf of the office of the se-
2 curities commissioner of Kansas by other state agencies which receive
3 appropriations from the state general fund to provide such services.

4 Sec. 15.

5 STATE BOARD OF TECHNICAL PROFESSIONS

6 (a) On the effective date of this act, the expenditure limitation estab-
7 lished for the fiscal year ending June 30, 2011, by section 25(a) of chapter
8 124 of the 2009 Session Laws of Kansas on the technical professions fee
9 fund is hereby increased from \$583,468 to \$586,103.

10 Sec. 16.

11 STATE BOARD OF VETERINARY EXAMINERS

12 (a) On the effective date of this act, the expenditure limitation estab-
13 lished for the fiscal year ending June 30, 2010, by section 17(a) of chapter
14 144 of the 2009 Session Laws of Kansas on the veterinary examiners fee
15 fund of the state board of veterinary examiners is hereby decreased from
16 \$266,706 to \$264,908.

17 (b) On July 1, 2010, the expenditure limitation established for the fiscal
18 year ending June 30, 2011, by section 26(a) of chapter 124 of the 2009
19 Session Laws of Kansas on the veterinary examiners fee fund of the state
20 board of veterinary examiners is hereby increased from \$266,706 to
21 \$268,382.

22 Sec. 17.

23 ATTORNEY GENERAL

24 (a) On the effective date of this act, or as soon thereafter as moneys
25 are available, the director of accounts and reports shall transfer \$232,432
26 from the Kansas endowment for youth fund to the tobacco master settle-
27 ment agreement compliance fund of the attorney general.

28 (b) On the effective date of this act, or as soon thereafter as moneys
29 are available, the director of accounts and reports shall transfer \$686,998
30 from the medicaid fraud prosecution revolving fund of the attorney gen-
31 eral to the interstate water litigation fund of the attorney general.

32 (c) On the effective date of this act, or as soon thereafter as moneys
33 are available, the director of accounts and reports shall transfer \$20,000
34 from the crime victims assistance fund of the attorney general to the
35 sexually violent predator expense fund of the attorney general.

36 Sec. 18.

37 JUDICIAL BRANCH

38 (a) There is appropriated for the above agency from the following spe-
39 cial revenue fund or funds for the fiscal year ending June 30, 2010, all
40 moneys now or hereafter lawfully credited to and available in such fund
41 or funds, except that expenditures other than refunds authorized by law
42 shall not exceed the following:

43

1 District magistrate judge supplemental compensation
 2 fund..... No limit
 3 *Provided*, That all moneys received by the judicial branch from the county
 4 or counties comprising a judicial district to supplement the salary of, or
 5 to pay any compensation to, any district magistrate judge of a judicial
 6 district pursuant to K.S.A. 2009 Supp. 75-3120k, and amendments
 7 thereto, shall be deposited in the state treasury in accordance with the
 8 provisions of K.S.A. 75-4215, and amendments thereto, and shall be cred-
 9 ited to the district magistrate judge supplemental compensation fund:
 10 *Provided further*, That all moneys credited to the district magistrate judge
 11 supplemental compensation fund shall be paid to, or on behalf of, the
 12 district magistrate judge or district magistrate judges for whom such mon-
 13 eys were remitted by the county or counties: *And provided further*, That
 14 all expenditures from the district magistrate judge supplemental com-
 15 pensation fund for such purposes shall be made in the same manner and
 16 at the same times that biweekly compensation is payable for the biweekly
 17 pay periods ending on or after January 1, 2010, which are chargeable to
 18 fiscal year 2010, subject to the same conditions or restrictions imposed
 19 or prescribed by law as the salary or other compensation payable by law
 20 to such district magistrate judge or district magistrate judges, including
 21 any applicable withholding or other taxes, associated employer contri-
 22 butions and authorized deductions.

23 Sec. 19.

24 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

- 25 (a) On the effective date of this act, the expenditure limitation estab-
 26 lished for the fiscal year ending June 30, 2010, by section 64(b) of chapter
 27 124 of the 2009 Session Laws of Kansas on the social welfare fund is
 28 hereby increased from \$29,496,729 to \$30,639,326.
- 29 (b) On the effective date of this act, the expenditure limitation estab-
 30 lished for the fiscal year ending June 30, 2010, by section 64(b) of chapter
 31 124 of the 2009 Session Laws of Kansas on the title XIX fund is hereby
 32 increased from \$45,210,781 to \$52,258,499.
- 33 (c) On the effective date of this act, the expenditure limitation estab-
 34 lished for the fiscal year ending June 30, 2010, by section 64(b) of chapter
 35 124 of the 2009 Session Laws of Kansas on the Kansas neurological in-
 36 stitute fee fund is hereby increased from \$1,178,211 to \$1,272,665.
- 37 (d) On the effective date of this act, the expenditure limitation estab-
 38 lished for the fiscal year ending June 30, 2010, by section 64(b) of chapter
 39 124 of the 2009 Session Laws of Kansas on the Osawatomie state hospital
 40 fee fund is hereby increased from \$5,225,669 to \$7,578,727.
- 41 (e) On the effective date of this act, the expenditure limitation estab-
 42 lished for the fiscal year ending June 30, 2010, by section 64(b) of chapter
 43 124 of the 2009 Session Laws of Kansas on the Parsons state hospital and

1 training center fee fund is hereby increased from \$1,229,990 to
2 \$1,297,748.

3 (f) On the effective date of this act, the expenditure limitation estab-
4 lished for the fiscal year ending June 30, 2010, by section 64(b) of chapter
5 124 of the 2009 Session Laws of Kansas on the Rainbow mental health
6 facility fee fund is hereby increased from \$1,063,053 to \$1,375,252.

7 (g) On the effective date of this act, the expenditure limitation estab-
8 lished for the fiscal year ending June 30, 2010, by section 64(b) of chapter
9 124 of the 2009 Session Laws of Kansas on the Larned state hospital fee
10 fund is hereby increased from \$3,897,760 to \$4,428,237.

11 Sec. 20.

12 KANSAS HEALTH POLICY AUTHORITY

13 (a) On the effective date of this act, the expenditure limitation estab-
14 lished for the fiscal year ending June 30, 2010, by section 63(b) of chapter
15 124 of the 2009 Session Laws of Kansas on the medical programs fee
16 fund is hereby decreased from \$49,200,000 to \$40,567,543.

17 (b) On the effective date of this act, the expenditure limitation estab-
18 lished for the fiscal year ending June 30, 2010, by the state finance council
19 on expenditures from the state workers compensation self-insurance fund
20 for salaries and wages and other operating expenditures is hereby in-
21 creased from \$3,347,628 to \$3,711,658.

22 (c) On the effective date of this act, the expenditure limitation estab-
23 lished for the fiscal year ending June 30, 2010, by the state finance council
24 on expenditures from the cafeteria benefits fund for salaries and wages
25 and other operating expenditures is hereby decreased from \$2,327,068
26 to \$2,324,288.

27 (d) On the effective date of this act, the expenditure limitation estab-
28 lished for the fiscal year ending June 30, 2010, by section 63(b) of chapter
29 124 of the 2009 Session Laws of Kansas on expenditures from the de-
30 pendent care assistance program fund for salaries and wages and other
31 operating expenditures is hereby increased from \$133,902 to \$225,935.

32 (e) On the effective date of this act, the expenditure limitation estab-
33 lished for the fiscal year ending June 30, 2010, by section 63(b) of chapter
34 124 of the 2009 Session Laws of Kansas on the preventative health care
35 program fund is hereby increased from \$333,815 to \$1,324,421.

36 (f) On the effective date of this act, the expenditure limitation estab-
37 lished for the fiscal year ending June 30, 2010, by section 63(b) of chapter
38 124 of the 2009 Session Laws of Kansas on the other state fees fund is
39 hereby increased from \$252,644 to \$336,456.

40 (g) On the effective date of this act, the expenditure limitation estab-
41 lished for the fiscal year ending June 30, 2010, by section 63(b) of chapter
42 124 of the 2009 Session Laws of Kansas on the health committee insur-
43 ance fund is hereby decreased from \$339,223 to \$253,788.

1 (h) On the effective date of this act, the position limitation established
2 by section 99(a) of chapter 124 of the 2009 Session Laws of Kansas for
3 the Kansas health policy authority is hereby increased from 272.70 to
4 279.65.

5 Sec. 21.

6 KANSAS COMMISSION ON VETERANS AFFAIRS

7 (a) There is appropriated for the above agency from the following spe-
8 cial revenue fund or funds for the fiscal year ending June 30, 2010, all
9 moneys now or hereafter lawfully credited to and available in such fund
10 or funds, except that expenditures other than refunds authorized by law
11 shall not exceed the following:

| | |
|---------------------------------------|----------|
| 12 Soldiers' home medicaid fund | No limit |
| 13 Veterans' home medicaid fund | No limit |

14 Sec. 22.

15 DEPARTMENT OF EDUCATION

16 (a) On the effective date of this act, the director of accounts and reports
17 shall transfer an amount certified by the commissioner of education from
18 the motorcycle safety fund of the department of education to the motor-
19 cycle safety fund of the state board of regents: *Provided*, That the amount
20 to be transferred shall be determined by the commissioner of the edu-
21 cation based on the amounts required to be paid pursuant to subsection
22 (b)(2) of K.S.A. 8-272, and amendments thereto.

23 Sec. 23.

24 STATE BOARD OF REGENTS

25 (a) On and after the effective date of this act, during the fiscal year
26 ending June 30, 2010, no expenditures shall be made by the state board
27 of regents from any moneys appropriated from the state general fund or
28 from any special revenue fund for fiscal year 2010, as authorized by chap-
29 ter 2, chapter 124 or chapter 144 of the 2009 Session Laws of Kansas or
30 by this or other appropriation act of the 2010 regular session of the leg-
31 islature, to provide for the issuance of bonds by the Kansas development
32 finance authority in accordance with K.S.A. 74-8905, and amendments
33 thereto, K.S.A. 2009 Supp. 76-7,120, and amendments thereto, or any
34 other statute, for any projects under the postsecondary educational insti-
35 tution infrastructure finance program: *Provided further*, That, notwith-
36 standing the provisions of K.S.A. 74-8905, and amendments thereto,
37 K.S.A. 2009 Supp. 76-7,120, and amendments thereto, or any other stat-
38 ute, no projects under the postsecondary educational institution infra-
39 structure finance program are approved for the state board of regents for
40 the purposes of subsection (b) of K.S.A. 74-8905, and amendments
41 thereto, and the authorization of the issuance of bonds by the Kansas
42 development finance authority in accordance with that statute, K.S.A.
43 2009 Supp. 76-7,120, and amendments thereto, or any other statute for

1 any project under the postsecondary educational institution infrastructure
 2 finance program: *And provided further*, That, on and after the effective
 3 date of this act, during the fiscal year ending June 30, 2010, no bonds
 4 shall be issued by the Kansas development finance authority in accord-
 5 ance with K.S.A. 74-8905, and amendments thereto, K.S.A. 2009 Supp.
 6 76-7,120, and amendments thereto, or any other statute, for any projects
 7 under the postsecondary educational institution infrastructure finance
 8 program for the state board of regents.

9 (b) On and after the effective date of this act, during the fiscal year
 10 ending June 30, 2010, in addition to the other purposes for which ex-
 11 penditures may be made by the state board of regents from moneys ap-
 12 propriated from the state general fund for fiscal year 2010 in the PEI
 13 infrastructure — debt service account of the state general fund for fiscal
 14 year 2010 after the principal payment has been received for fiscal year
 15 2010 by the state treasurer from the postsecondary institutions that were
 16 recipients of the PEI infrastructure bond proceeds, (1) the state board of
 17 regents may expend the amount of moneys appropriated for fiscal year
 18 2010 in the PEI infrastructure — debt service account for the principal
 19 payment from the PEI infrastructure — debt service account for any
 20 other purpose for which moneys are appropriated for fiscal year 2010
 21 from the state general fund for the state board of regents; or (2) the state
 22 board of regents may transfer such amount of moneys from the PEI
 23 infrastructure — debt service account of the state general fund for fiscal
 24 year 2010 to an account or accounts of the state general fund of any
 25 institution under the control and supervision of the state board of regents
 26 to be expended by the institution for a purpose for which expenditures
 27 may be made for fiscal year 2010 from such account or accounts and
 28 which is approved by the state board of regents: *Provided*, That the state
 29 board of regents shall certify to the director of accounts and reports each
 30 such transfer of moneys from the PEI infrastructure — debt service ac-
 31 count of the state general fund for fiscal year 2010: *Provided further*,
 32 That the state board of regents shall transmit a copy of each such certi-
 33 fication to the director of the budget and to the director of legislative
 34 research.

35 Sec. 24.

36 KANSAS STATE UNIVERSITY

37 (a) There is appropriated for the above agency from the following spe-
 38 cial revenue fund or funds for the fiscal year ending June 30, 2010, all
 39 moneys now or hereafter lawfully credited to an available in such fund or
 40 funds, except that expenditures shall not exceed the following:
 41 Energy conservation improvements fund No limit
 42
 43

1 Sec. 25.

2 DEPARTMENT OF CORRECTIONS

3 (a) On the effective date of this act, of the \$3,231,303 appropriated for
4 the above agency for the fiscal year ending June 30, 2010, by section
5 122(b) of chapter 124 of the 2009 Session Laws of Kansas from the cor-
6 rectional institutions building fund in the capital improvements — re-
7 habilitation and repair of correctional institutions account, the sum of
8 \$108,687 is hereby lapsed.

9 Sec. 26.

10 JUVENILE JUSTICE AUTHORITY

11 (a) On the effective date of this act, of the \$687,500 appropriated for
12 the above agency for the fiscal year ending June 30, 2010, by section 83(a)
13 of chapter 124 of the 2009 Session Laws of Kansas from the state general
14 fund in the incentive funding account, the sum of \$162,301 is hereby
15 lapsed.

16 Sec. 27.

17 ADJUTANT GENERAL

18 (a) On the effective date of this act, of the \$4,893,433 appropriated for
19 the above agency for the fiscal year ending June 30, 2010, by section 84(a)
20 of chapter 124 of the 2009 Session Laws of Kansas from the state general
21 fund in the operating expenditures account, the sum of \$26,089 is hereby
22 lapsed.

23 (b) There is appropriated for the above agency from the state general
24 fund for the fiscal year ending June 30, 2010, the following:

| | |
|---|----------|
| 25 Civil air patrol — operating expenditures..... | \$4,231 |
| 26 Military activation payments..... | \$21,858 |

27 (c) On the effective date of this act, or as soon thereafter as moneys
28 are available, the director of accounts and reports shall transfer \$180,000
29 from the adjutant general’s expense fund of the adjutant general to the
30 state general fund: *Provided*, That the transfer of such amount shall be
31 in addition to any other transfer from the adjutant general expense fund
32 to the state general fund as prescribed by law: *Provided further*, That the
33 amount transferred from the adjutant general expense fund to the state
34 general fund pursuant to this subsection is to reimburse the state general
35 fund for accounting, auditing, budgeting, legal, payroll, personnel and
36 purchasing services and any other governmental services which are per-
37 formed on behalf of the adjutant general by other state agencies which
38 receive appropriations from the state general fund to provide such serv-
39 ices.

40 Sec. 28.

41 STATE FIRE MARSHAL

42 (a) On the effective date of this act, the expenditure limitation estab-
43 lished for the fiscal year ending June 30, 2010, by the state finance council

1 on the fire marshal fee fund is hereby decreased from \$3,650,981 to
2 \$3,628,716.

3 (b) On the effective date of this act, the expenditure limitation estab-
4 lished for the fiscal year ending June 30, 2010, by section 85(a) of chapter
5 124 of the 2009 Session Laws of Kansas on the hazardous materials emer-
6 gency fund is hereby increased from \$238,000 to \$250,000.

7 Sec. 29.

8 KANSAS HIGHWAY PATROL

9 (a) On the effective date of this act, the Kansas highway patrol is au-
10 thorized to make expenditures for fiscal year 2010 from the amount in
11 excess of \$100 as of June 30, 2009, in the operating expenditures account
12 of the state general fund that was reappropriated for fiscal year 2010 by
13 section 87(a) of chapter 124 of the 2009 Session Laws of Kansas: *Pro-*
14 *vided*, That the Kansas highway patrol may make such expenditures for
15 fiscal year 2010 from such reappropriated balance without first obtaining
16 the approval of the state finance council pursuant to the second proviso
17 to the appropriation of such reappropriated balance: *Provided further*,
18 That the provisions of such proviso requiring the prior approval by the
19 state finance council to make expenditures for fiscal year 2010 from such
20 reappropriated balance are hereby declared to be null and void and shall
21 be of no force and effect.

22 (b) On the effective date of this act, or as soon thereafter as moneys
23 are available, the director of accounts and reports shall transfer \$220,025
24 from the highway patrol training center clearing fund to the highway
25 patrol training center fund of the Kansas highway patrol.

26 Sec. 30.

27 KANSAS PAROLE BOARD

28 (a) There is appropriated for the above agency from the state general
29 fund for the fiscal year ending June 30, 2010, the following:

30 Parole from adult correctional institutions..... \$28,090

31 Sec. 31.

32 STATE FAIR BOARD

33 (a) On the effective date of this act, or as soon thereafter as moneys
34 are available, the director of accounts and reports shall transfer \$186,283
35 from the state emergency fund — building damage May 23/25 2008 ac-
36 count of the state fair board to the state general fund: *Provided*, That the
37 transfer of such amount shall be in addition to any other transfer from
38 the state emergency fund — building damage May 23/25 2008 account
39 to the state general fund as prescribed by law.

40 Sec. 32.

41 DEPARTMENT OF WILDLIFE AND PARKS

42 (a) There is appropriated for the above agency from the state general
43 fund for the fiscal year ending June 30, 2010, for the capital improvement

1 project or projects specified, the following:
 2 Kansas city district office — debt service \$8,419

3 (b) In addition to the other purposes for which expenditures may be
 4 made by the above agency from the boating fee fund for fiscal year 2010,
 5 expenditures may be made by the above agency from the following capital
 6 improvement account or accounts of the boating fee fund for fiscal year
 7 2010 for the following capital improvement project or projects, subject
 8 to the expenditure limitations prescribed therefor:

9 Kansas city district office — debt service \$13,832

10 (c) In addition to the other purposes for which expenditures may be
 11 made by the above agency from the wildlife fee fund for fiscal year 2010,
 12 expenditures may be made by the above agency from the following capital
 13 improvement account or accounts of the wildlife fee fund for fiscal year
 14 2010 for the following capital improvement project or projects, subject
 15 to the expenditure limitations prescribed therefor:

16 Kansas city district office — debt service \$37,887

17 Sec. 33.

18 DEPARTMENT OF TRANSPORTATION

19 (a) On the effective date of this act, the expenditure limitation estab-
 20 lished for the fiscal year ending June 30, 2010, by the state finance council
 21 on the agency operations account of the state highway fund is hereby
 22 decreased from \$278,651,194 to \$253,732,286.

23 Sec. 34.

24 LEGISLATIVE COORDINATING COUNCIL

25 (a) There is appropriated for the above agency from the state general
 26 fund for the fiscal year ending June 30, 2011, the following:

27 Legislative coordinating council — operations \$727,436

28 *Provided*, That any unencumbered balance in the legislative coordinating
 29 council — operations account in excess of \$100 as of June 30, 2010, is
 30 hereby reappropriated for fiscal year 2011.

31 Legislative research department — operations..... \$3,420,862

32 *Provided*, That any unencumbered balance in the legislative research de-
 33 partment — operations account in excess of \$100 as of June 30, 2010, is
 34 hereby reappropriated for fiscal year 2011.

35 Office of revisor of statutes — operations \$3,215,664

36 *Provided*, That any unencumbered balance in the office of revisor of
 37 statutes — operations account in excess of \$100 as of June 30, 2010, is
 38 hereby reappropriated for fiscal year 2011.

39 (b) There is appropriated for the above agency from the following spe-
 40 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 41 moneys now or hereafter lawfully credited to and available in such fund
 42 or funds, except that expenditures other than refunds authorized by law
 43 shall not exceed the following:

1 Legislative research department special revenue fund..... No limit
 2 Sec. 35.

3 LEGISLATURE

4 (a) There is appropriated for the above agency from the state general
 5 fund for the fiscal year
 6 ending June 30, 2011, the following:

7 Operations (including official hospitality) \$15,955,987

8 *Provided*, That any unencumbered balance in the operations (including
 9 official hospitality) account in excess of \$100 as of June 30, 2010, is hereby
 10 reappropriated for fiscal year 2011: *Provided further*, That expenditures
 11 may be made from this account, pursuant to vouchers approved by the
 12 chairperson or vice-chairperson of the legislative coordinating council, to
 13 pay compensation and travel expenses and subsistence expenses or allow-
 14 ances as authorized by K.S.A. 75-3212, and amendments thereto, for
 15 members and associate members of the advisory committee to the Kansas
 16 commission on interstate cooperation established under K.S.A. 46-407a,
 17 and amendments thereto, for attendance at meetings of the advisory com-
 18 mittee which are authorized by the legislative coordinating council, except
 19 that (1) the legislative coordinating council may establish restrictions or
 20 limitations, or both, on travel expenses, subsistence expenses or allow-
 21 ances, or any combination thereof, paid to members and associate mem-
 22 bers of such advisory committee, and (2) any person who is an associate
 23 member of such advisory committee, by reason of such person having
 24 been accredited by the national conference of commissioners on uniform
 25 state laws as a life member of that organization, shall receive the same
 26 travel expenses and subsistence expenses for attendance at meetings of
 27 the advisory committee as a regular member, but shall receive no per
 28 diem compensation: *And provided further*, That expenditures may be
 29 made from this account for services, facilities and supplies provided for
 30 legislators in addition to those provided under the approved budget and
 31 for related copying, facsimile transmission and other services provided to
 32 persons other than legislators, in accordance with policies and any restric-
 33 tions or limitations prescribed by the legislative coordinating council: *And*
 34 *provided further*, That no expenditures shall be made from this account
 35 for any meeting of any joint committee, or of any subcommittee of any
 36 joint committee, during fiscal year 2011 unless such meeting is approved
 37 by the legislative coordinating council.

38 (b) There is appropriated for the above agency from the following spe-
 39 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 40 moneys now or hereafter lawfully credited to and available in such fund
 41 or funds, except that expenditures other than refunds authorized by law
 42 shall not exceed the following:

43 Legislative special revenue fund No limit

1 *Provided*, That expenditures may be made from the legislative special
2 revenue fund, pursuant to vouchers approved by the chairperson or the
3 vice-chairperson of the legislative coordinating council, to pay compen-
4 sation and travel expenses and subsistence expenses or allowances as au-
5 thorized by K.S.A. 75-3212, and amendments thereto, for members and
6 associate members of the advisory committee to the Kansas commission
7 on interstate cooperation established under K.S.A. 46-407a, and amend-
8 ments thereto, for attendance at meetings of the advisory committee
9 which are authorized by the legislative coordinating council, except that
10 (1) the legislative coordinating council may establish restrictions or limi-
11 tations, or both, on travel expenses, subsistence expenses or allowances,
12 or any combination thereof, paid to members and associate members of
13 such advisory committee, and (2) any person who is an associate member
14 of such advisory committee, by reason of such person having been ac-
15 credited by the national conference of commissioners on uniform state
16 laws as a life member of that organization, shall receive the same travel
17 expenses and subsistence expenses for attendance at meetings of the ad-
18 visory committee as a regular member, but shall receive no per diem
19 compensation: *Provided further*, That expenditures may be made from
20 this fund for services, facilities and supplies provided for legislators in
21 addition to those provided under the approved budget and for related
22 copying, facsimile transmission and other services provided to persons
23 other than legislators, in accordance with policies and any restrictions or
24 limitations prescribed by the legislative coordinating council: *And pro-*
25 *vided further*, That amounts are hereby authorized to be collected for
26 such services, facilities and supplies in accordance with policies of the
27 council: *And provided further*, That such amounts shall be fixed in order
28 to recover all or part of the expenses incurred for providing such services,
29 facilities and supplies and shall be consistent with policies and fees estab-
30 lished in accordance with K.S.A. 46-1207a, and amendments thereto: *And*
31 *provided further*, That all such amounts received shall be deposited in
32 the state treasury in accordance with the provisions of K.S.A. 75-4215,
33 and amendments thereto, and shall be credited to the legislative special
34 revenue fund: *And provided further*, That all donations, gifts or bequests
35 of money for the legislative branch of government which are received and
36 accepted by the legislative coordinating council shall be deposited in the
37 state treasury and credited to an account of the legislative special revenue
38 fund: *And provided further*, That no expenditures shall be made from
39 this fund for any meeting of any joint committee, or of any subcommittee
40 of any joint committee, during fiscal year 2011 unless such meeting is
41 approved by the legislative coordinating council.
42 Capitol restoration — gifts and donations fund..... No limit
43 (c) As used in this section, “joint committee” includes the joint com-

1 mittee on rules and regulations, health care stabilization fund oversight
 2 committee, joint committee on special claims against the state, legislative
 3 budget committee, legislative educational planning committee, joint com-
 4 mittee on economic development, joint committee on state building con-
 5 struction, joint committee on the arts and cultural resources, joint com-
 6 mittee on information technology, joint committee on pensions,
 7 investments and benefits, joint committee on state-tribal relations, work-
 8 ers compensation fund oversight committee, confirmation oversight com-
 9 mittee, joint committee on corrections and juvenile justice oversight, joint
 10 committee on children’s issues, compensation commission, joint com-
 11 mittee on Kansas security, 2010 commission, joint committee on health
 12 policy oversight, state employee pay plan oversight committee, joint com-
 13 mittee on energy and environmental policy, joint committee on home and
 14 community based services oversight, capitol restoration commission, Kan-
 15 sas criminal code recodification commission, Kansas DUI commission,
 16 redistricting advisory group, and any other committee, commission or
 17 other body for which expenditures are to be paid from moneys approp-
 18 riated for the legislature for the expenses of any meeting of any such
 19 body or for the expenses of any member thereof.

20 Sec. 36.

21 DIVISION OF POST AUDIT

22 (a) There is appropriated for the above agency from the state general
23 fund for the fiscal year ending June 30, 2011, the following:

24 Operations (including legislative post audit committee).... \$2,557,658
 25 *Provided*, That any unencumbered balance in the operations (including
 26 legislative post audit committee) account in excess of \$100 as of June 30,
 27 2010, is hereby reappropriated for fiscal year 2011.

28 (b) There is appropriated for the above agency from the following spe-
 29 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 30 moneys now or hereafter lawfully credited to and available in such fund
 31 or funds, except that expenditures shall not exceed the following:

32 Audit services fund..... No limit
 33 *Provided*, That the division of post audit is hereby authorized to fix, charge
 34 and collect fees for copies of public records of the division, including
 35 distribution of such copies: *Provided further*, That such fees shall be fixed
 36 to recover all or part of the expenses incurred for reproducing and dis-
 37 tributing such copies and shall be consistent with policies and fees estab-
 38 lished in accordance with K.S.A. 46-1207a, and amendments thereto: *And*
 39 *provided further*, That all moneys received for such fees shall be depos-
 40 ited in the state treasury in accordance with the provisions of K.S.A. 75-
 41 4215, and amendments thereto, and shall be credited to the audit services
 42 fund.
 43 Conversion of materials and equipment fund No limit

1 State agency audits fund..... No limit
 2 Sec. 37.

3 GOVERNOR'S DEPARTMENT

4 (a) There is appropriated for the above agency from the state general
 5 fund for the fiscal year ending June 30, 2011, the following:

6 Governor's department \$2,219,950

7 *Provided*, That any unencumbered balance in the governor's department
 8 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
 9 for fiscal year 2011: *Provided further*, That expenditures may be made
 10 from this account for official hospitality and contingencies without limi-
 11 tation at the discretion of the governor.

12 Domestic violence prevention grants..... \$3,849,109

13 *Provided*, That any unencumbered balance in the domestic violence pre-
 14 vention grants account in excess of \$100 as of June 30, 2010, is hereby
 15 reappropriated for fiscal year 2011: *Provided further*, That expenditures
 16 may be made from the domestic violence prevention grants account for
 17 official hospitality and contingencies without limitation at the discretion
 18 of the governor.

19 Child advocacy centers..... \$898,245

20 *Provided*, That any unencumbered balance in the child advocacy centers
 21 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
 22 for fiscal year 2011: *Provided further*, That expenditures may be made
 23 from the child advocacy centers account for official hospitality and con-
 24 tingencies without limitation at the discretion of the governor.

25 (b) Expenditures may be made by the above agency for travel expenses
 26 of the governor's spouse when accompanying the governor or when rep-
 27 resenting the governor on official state business, for travel and subsistence
 28 expenditures for security personnel when traveling with the governor and
 29 for entertainment of officials and other persons as guests from the amount
 30 appropriated for the fiscal year ending June 30, 2011, by subsection (a)
 31 from the state general fund in the governor's department account.

32 (c) There is appropriated for the above agency from the following special
 33 revenue fund or funds for the fiscal year ending June 30, 2011, all
 34 moneys now or hereafter lawfully credited to and available in such fund
 35 or funds, except that expenditures shall not exceed the following:

36 Special programs fund..... No limit

37 *Provided*, That expenditures may be made from the special programs
 38 fund for operating expenditures for the governor's department, including
 39 conferences and official hospitality: *Provided further*, That the governor
 40 is hereby authorized to fix, charge and collect fees for such conferences:
 41 *And provided further*, That fees for such conferences shall be fixed in
 42 order to recover all or part of the operating expenses incurred for such
 43 conferences, including official hospitality: *And provided further*, That all

1 fees received for such conferences shall be deposited in the state treasury
2 in accordance with the provisions of K.S.A. 75-4215, and amendments
3 thereto, and shall be credited to the special programs fund.

4 Hispanic and Latino American affairs fee fund No limit
5 Miscellaneous projects fund No limit

6 *Provided*, That expenditures may be made from the miscellaneous pro-
7 jects fund for operating expenditures for the governor’s department, in-
8 cluding conferences and official hospitality: *Provided further*, That the
9 governor is hereby authorized to fix, charge and collect fees for such
10 conferences: *And provided further*, That fees for such conferences shall
11 be fixed in order to recover all or part of the operating expenses incurred
12 for such conferences, including official hospitality: *And provided further*,
13 That all fees received for such conferences and all fees received by the
14 governor’s department under the open records act for providing access
15 to or furnishing copies of public records, shall be deposited in the state
16 treasury in accordance with the provisions of K.S.A. 75-4215, and amend-
17 ments thereto, and shall be credited to the miscellaneous projects fund.

18 Intragovernmental service fund No limit

19 *Provided*, That expenditures may be made from the intragovernmental
20 service fund for operating expenditures for the governor’s department,
21 including conferences and official hospitality: *Provided further*, That the
22 governor is hereby authorized to fix, charge and collect fees for such
23 conferences: *And provided further*, That fees for such conferences shall
24 be fixed in order to recover all or part of the operating expenses incurred
25 for such conferences, including official hospitality: *And provided further*,
26 That all fees received for such conferences shall be deposited in the state
27 treasury in accordance with the provisions of K.S.A. 75-4215, and amend-
28 ments thereto, and shall be credited to the intragovernmental service
29 fund.

30 Conversion of materials and equipment fund No limit
31 Federal grants fund No limit
32 Justice assistance grant — federal fund No limit

33 Hispanic and Latino American affairs commission — do-
34 nations fund No limit

35 Advisory commission on African-American affairs — do-
36 nations fund No limit

37 Wireless enhanced 911 grant fund No limit

38 *Provided*, That expenditures may be made from the wireless enhanced
39 911 grant fund for operating expenditures for the governor’s department,
40 including conferences and official hospitality: *Provided further*, That the
41 governor is hereby authorized to fix, charge and collect fees for such
42 conferences: *And provided further*, That fees for such conferences shall
43 be fixed in order to recover all or part of the operating expenses incurred

1 for such conferences, including official hospitality: *And provided further*,
 2 That all fees received for such conferences and all fees received by the
 3 governor’s department under the open records act for providing access
 4 to or furnishing copies of public records, shall be remitted to the state
 5 treasurer in accordance with the provisions of K.S.A. 75-4215, and
 6 amendments thereto: *And provided further*, That, upon receipt of each
 7 such remittance, the state treasurer shall deposit the entire amount in the
 8 state treasury to the credit of the wireless enhanced 911 grant fund.

9 Sec. 38.

10 LIEUTENANT GOVERNOR

11 (a) There is appropriated for the above agency from the state general
 12 fund for the fiscal year ending June 30, 2011, the following:

13 Operations \$196,212

14 *Provided*, That any unencumbered balance in the operations account in
 15 excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal
 16 year 2011.

17 (b) There is appropriated for the above agency from the following special
 18 revenue fund or funds for the fiscal year ending June 30, 2011, all
 19 moneys now or hereafter lawfully credited to and available in such fund
 20 or funds, except that expenditures other than refunds authorized by law
 21 shall not exceed the following:

22 Special programs fund..... No limit

23 *Provided*, That expenditures may be made from the special programs
 24 fund for operating expenditures for the lieutenant governor, including
 25 conferences and official hospitality: *Provided further*, That the lieutenant
 26 governor is hereby authorized to fix, charge and collect fees for such
 27 conferences: *And provided further*, That fees for such conferences shall
 28 be fixed in order to recover all or part of the operating expenses incurred
 29 for such conferences, including official hospitality: *And provided further*,
 30 That all fees received for such conferences and all fees received by the
 31 lieutenant governor under the open records act for providing access to
 32 or furnishing copies of public records, shall be deposited in the state
 33 treasury in accordance with the provisions of K.S.A. 75-4215, and amend-
 34 ments thereto, and shall be credited to the special programs fund.

35 (c) Expenditures may be made by the above agency for travel expenses
 36 of the lieutenant governor’s spouse when accompanying the lieutenant
 37 governor on official state business and for travel and subsistence expend-
 38 itures for security personnel when traveling with the lieutenant governor
 39 on official state business from the amount appropriated by subsection (a)
 40 from the state general fund for the fiscal year ending June 30, 2011, in
 41 the operations account.

42 (d) Expenditures may be made by the above agency for official hospi-
 43 tality and contingencies from the amount appropriated by subsection (a)

1 from the state general fund for the fiscal year ending June 30, 2011, in
2 the operations account without limit at the discretion of the lieutenant
3 governor.

4 Sec. 39.

5 ATTORNEY GENERAL

6 (a) There is appropriated for the above agency from the state general
7 fund for the fiscal year ending June 30, 2011, the following:

8 Operating expenditures \$2,071,562

9 *Provided*, That any unencumbered balance in the operating expenditures
10 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
11 for fiscal year 2011: *Provided, however*, That expenditures from this ac-
12 count for official hospitality shall not exceed \$2,000.

13 Litigation costs..... \$85,000

14 *Provided*, That any unencumbered balance in the litigation costs account
15 in excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal
16 year 2011.

17 Internet training education for Kansas kids \$318,345

18 *Provided*, That any unencumbered balance in excess of \$100 as of June
19 30, 2010, in the internet training education for Kansas kids account is
20 hereby reappropriated for fiscal year 2011.

21 Abuse, neglect and exploitation unit..... \$99,228

22 *Provided*, That any unencumbered balance in excess of \$100 as of June
23 30, 2010, in the abuse, neglect and exploitation unit account is hereby
24 reappropriated for fiscal year 2011: *Provided further*, That expenditures
25 may be made by the attorney general from the abuse, neglect and ex-
26 ploitation unit account pursuant to contracts with other agencies or or-
27 ganizations to provide services related to the investigation or litigation of
28 findings related to abuse, neglect or exploitation.

29 (b) There is appropriated for the above agency from the following special
30 revenue fund or funds for the fiscal year ending June 30, 2011, all
31 moneys now or hereafter lawfully credited to and available in such fund
32 or funds, except that expenditures other than refunds authorized by law
33 shall not exceed the following:

34 Court cost fund..... No limit

35 Bond transcript review fee fund No limit

36 Conversion of materials and equipment fund No limit

37 Attorney general's antitrust special revenue fund No limit

38 Private gifts fund..... No limit

39 Medicaid fraud reimbursement fund..... No limit

40 Attorney general's antitrust suspense fund No limit

41 Attorney general's consumer protection clearing fund..... No limit

42 Attorney general's committee on crime prevention fee
43 fund..... No limit

1 *Provided*, That expenditures may be made from the attorney general's
 2 committee on crime prevention fee fund for operating expenditures di-
 3 rectly or indirectly related to conducting training seminars organized by
 4 the attorney general's committee on crime prevention, including official
 5 hospitality: *Provided further*, That the attorney general is hereby author-
 6 ized to fix, charge and collect fees for conducting training seminars or-
 7 ganized by the attorney general's committee on crime prevention: *And*
 8 *provided further*, That such fees shall be fixed in order to recover all or
 9 part of the direct and indirect operating expenses incurred for conducting
 10 such seminars, including official hospitality: *And provided further*, That
 11 all fees received for conducting such seminars shall be deposited in the
 12 state treasury in accordance with the provisions of K.S.A. 75-4215, and
 13 amendments thereto, and shall be credited to the attorney general's com-
 14 mittee on crime prevention fee fund.

15 Tort claims fund..... No limit

16 Crime victims compensation fund..... No limit

17 *Provided*, That expenditures from the crime victims compensation fund
 18 for state operations shall not exceed \$434,368: *Provided further*, That any
 19 expenditures for payment of compensation to crime victims are author-
 20 ized to be made from this fund regardless of when the claim was awarded:
 21 *And provided further*, That, notwithstanding the provisions of K.S.A. 75-
 22 752, and amendments thereto, or any other statute, on July 1, 2010, or
 23 as soon thereafter as moneys are available, the director of accounts and
 24 reports shall transfer \$300,000 from the crime victims compensation fund
 25 to the crime victims assistance fund.

26 Crime victims assistance fund No limit

27 Protection from abuse fund No limit

28 Victims of crime assistance act — federal fund No limit

29 Crime victims grants and gifts fund..... No limit

30 *Provided*, That all private grants and gifts received by the crime victims
 31 compensation board shall be deposited to the credit of the crime victims
 32 grants and gifts fund.

33 Attorney general's medicaid fraud control fund..... No limit

34 Other federal grants and reimbursement fund No limit

35 Debt collection administration cost recovery fund..... No limit

36 *Provided*, That the attorney general shall deposit in the state treasury to
 37 the credit of the debt collection administration cost recovery fund all
 38 moneys remitted to the attorney general as administrative costs under
 39 contracts entered into pursuant to K.S.A. 75-719, and amendments
 40 thereto.

41 Medicaid fraud prosecution revolving fund No limit

42 *Provided*, That all moneys recovered by the medicaid fraud and abuse
 43 division of the attorney general's office in the enforcement of state and

1 federal law which are in excess of any restitution for overcharges and
2 interest, including all moneys recovered as recoupment of expenses of
3 investigation and prosecution, shall be deposited in the state treasury to
4 the credit of the medicaid fraud prosecution revolving fund: *Provided*
5 *further*, That, notwithstanding the provisions of K.S.A. 21-3851, and
6 amendments thereto, or any other statute, expenditures may be made
7 from the medicaid fraud prosecution revolving fund for other operating
8 expenditures of the attorney general's office other than for medicaid fraud
9 prosecution costs.

10 Interstate water litigation fund No limit

11 *Provided*, That, in addition to the other purposes authorized by K.S.A.
12 82a-1802, and amendments thereto, expenditures may be made from the
13 interstate water litigation fund for: (1) Litigation costs for the case of
14 Kansas v. Colorado No. 105, Original in the Supreme Court of the United
15 States, including repayment of past contributions; (2) expenses related to
16 the appointment of a river master or such other official as may be ap-
17 pointed by the Supreme Court to administer, implement or enforce its
18 decree or other orders of the Supreme Court related to this case; and (3)
19 expenses incurred by agencies of the state of Kansas to monitor actions
20 of the state of Colorado and its water users and to enforce any settlement,
21 decree or order of the Supreme Court related to this case.

22 Suspense fund No limit

23 Children's advocacy center fund No limit

24 Abuse, neglect and exploitation of people with disabilities
25 unit grant acceptance fund No limit

26 Concealed weapon licensure fund No limit

27 Tobacco master settlement agreement compliance fund... No limit

28 Sexually violent predator expense fund No limit

29 False claims litigation revolving fund No limit

30 *Provided*, That expenditures may be made from the false claims litigation
31 revolving fund for costs associated with litigation under the Kansas false
32 claims act, K.S.A. 2009 Supp. 75-7501 et seq., and amendments thereto.

33 VAWA ARRA federal fund No limit

34 Victims of crime act ARRA federal fund No limit

35 JAG ARRA federal fund No limit

36 Project safe neighborhood 2009 federal fund No limit

37 Project safe neighborhood multi federal fund No limit

38 Project safe neighborhood 2006 federal fund No limit

39 Project safe neighborhood 2007 federal fund No limit

40 Congressional earmark COPS meth initiative federal
41 fund No limit

42 KDOT DUI prosecutor federal fund No limit

43 GTEAP federal fund No limit

1 Criminal justice federal fund..... No limit

2 (c) During the fiscal year ending June 30, 2011, grants made pursuant
3 to K.S.A. 74-7325, and amendments thereto, from the protection from
4 abuse fund and grants made pursuant to K.S.A. 74-7334, and amend-
5 ments thereto, from the crime victims assistance fund shall be made after
6 consideration of the recommendation of an entity that has been desig-
7 nated by the United States department of health and human services and
8 by the centers for disease control as the official domestic violence or
9 sexual assault coalition.

10 (d) On July 1, 2010, or as soon thereafter as moneys are available, the
11 director of accounts and reports shall transfer \$475,985 from the Kansas
12 endowment for youth fund to the tobacco master settlement agreement
13 compliance fund of the attorney general.

14 (e) On July 1, 2010, or as soon thereafter as moneys are available,
15 notwithstanding the provisions of K.S.A. 21-3851, and amendments
16 thereto, or any other statute, the director of accounts and reports shall
17 transfer \$578,605 from the medicaid fraud prosecution revolving fund of
18 the attorney general to the interstate water litigation fund of the attorney
19 general.

20 (f) On July 1, 2010, or as soon thereafter as moneys are available, the
21 director of accounts and reports shall transfer \$578,605 from the court
22 cost fund of the attorney general to the interstate water litigation fund of
23 the attorney general.

24 (g) On July 1, 2010, or as soon thereafter as moneys are available,
25 notwithstanding the provisions of K.S.A. 74-7334, and amendments
26 thereto, or any other statute, the director of accounts and reports shall
27 transfer \$20,000 from the crime victims assistance fund of the attorney
28 general to the sexually violent predator expense fund of the attorney gen-
29 eral.

30 (h) On July 1, 2010, or as soon thereafter as moneys are available,
31 notwithstanding the provisions of K.S.A. 21-3851, and amendments
32 thereto, or any other statute, the director of accounts and reports shall
33 transfer \$1,450,000 from the medicaid fraud prosecution revolving fund
34 of the attorney general to the court cost fund of the attorney general.

35 Sec. 40.

36 SECRETARY OF STATE

37 (a) There is appropriated for the above agency from the following spe-
38 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
39 moneys now or hereafter lawfully credited to and available in such fund
40 or funds, except that expenditures shall not exceed the following:

- 41 Cemetery and funeral audit fee fund..... No limit
- 42 HAVA ELVIS fund No limit
- 43 Conversion of materials and equipment fund No limit

| | | |
|----|--|----------|
| 1 | Information and services fee fund..... | No limit |
| 2 | <i>Provided</i> , That expenditures from the information and services fee fund | |
| 3 | for official hospitality shall not exceed \$2,500. | |
| 4 | State register fee fund..... | No limit |
| 5 | Uniform commercial code fee fund..... | No limit |
| 6 | State flag and banner fund..... | No limit |
| 7 | Secretary of state fee refund fund..... | No limit |
| 8 | Electronic voting machine examination fund | No limit |
| 9 | Credit card clearing fund..... | No limit |
| 10 | Suspense fund | No limit |
| 11 | Prepaid services fund..... | No limit |
| 12 | Athlete agent registration fee fund..... | No limit |
| 13 | Democracy fund | No limit |
| 14 | <i>Provided</i> , That all expenditures from the democracy fund shall be to pro- | |
| 15 | vide matching funds to implement Title II of the federal help America | |
| 16 | vote act of 2002, public law 107-252, as prescribed under that act. | |
| 17 | Technology communication fee fund..... | No limit |
| 18 | HAVA federal fund..... | No limit |
| 19 | Sec. 41. | |

STATE TREASURER

21 (a) There is appropriated for the above agency from the following special
22 revenue fund or funds for the fiscal year ending June 30, 2011, all
23 moneys now or hereafter lawfully credited to and available in such fund
24 or funds, except that expenditures shall not exceed the following:
25 State treasurer operating fund..... \$1,558,756
26 *Provided*, That, notwithstanding the provisions of the uniform unclaimed
27 property act, K.S.A. 58-3934 et seq., and amendments thereto, or any
28 other statute, of all the moneys received under the uniform unclaimed
29 property act, K.S.A. 58-3934 et seq., and amendments thereto, during
30 fiscal year 2011, the state treasurer is hereby authorized and directed to
31 credit the first \$1,558,756 received and deposited in the state treasury to
32 the state treasurer operating fund: *Provided further*, That, after such ag-
33 gregate amount has been credited to the state treasurer operating fund,
34 then all of the moneys received under the uniform unclaimed property
35 act during fiscal year 2011 shall be credited as prescribed under the un-
36 claimed property act, K.S.A. 58-3934 et seq., and amendments thereto:
37 *Provided further*, That all moneys credited to the state treasurer operating
38 fund during fiscal year 2011 are to reimburse the state treasurer for ac-
39 counting, auditing, budgeting, legal, payroll, personnel and purchasing
40 services and any other governmental services which are performed to
41 administer the provisions of the uniform unclaimed property act, K.S.A.
42 58-3934 et seq., and amendments thereto, that are not otherwise reim-
43 bursed under any other provision of law.

| | | |
|----|--|----------|
| 1 | Fiscal agency fund..... | No limit |
| 2 | Bond services fee fund..... | No limit |
| 3 | City bond finance fund..... | No limit |
| 4 | Local ad valorem tax reduction fund | No limit |
| 5 | County and city revenue sharing fund | No limit |
| 6 | Suspense fund | No limit |
| 7 | County and city retailers' sales tax fund | No limit |
| 8 | County and city compensating use tax fund..... | No limit |
| 9 | Local alcoholic liquor fund | No limit |
| 10 | Local alcoholic liquor equalization fund..... | No limit |
| 11 | Unclaimed property claims fund..... | No limit |
| 12 | Unclaimed property expense fund | No limit |
| 13 | <i>Provided</i> , That expenditures from the unclaimed property expense fund | |
| 14 | for official hospitality shall not exceed \$2,000. | |
| 15 | County and city transient guest tax fund | No limit |
| 16 | Racing admissions tax fund | No limit |
| 17 | Rental motor vehicle excise tax fund | No limit |
| 18 | Transportation development district sales tax fund | No limit |
| 19 | Redevelopment bond fund | No limit |
| 20 | Municipal investment pool fund | No limit |
| 21 | Pooled money investment portfolio fee fund | No limit |
| 22 | <i>Provided</i> , That on or before the fifth day of each month of the fiscal year | |
| 23 | ending June 30, 2011, the state treasurer shall certify to the pooled money | |
| 24 | investment board an accounting of the banking fees incurred by the state | |
| 25 | treasurer during the second preceding month that are attributable to the | |
| 26 | investment of the pooled money investment portfolio during such month: | |
| 27 | <i>Provided further</i> , That, prior to the 10th day of each month during the | |
| 28 | fiscal year ending June 30, 2011, the pooled money investment board | |
| 29 | shall review the certification from the state treasurer and shall make ex- | |
| 30 | penditures from the pooled money investment portfolio fee fund to pay | |
| 31 | the amount of banking fees incurred by the state treasurer during the | |
| 32 | second preceding month that are attributable to the investment of the | |
| 33 | pooled money investment portfolio during the second preceding month, | |
| 34 | as determined by the pooled money investment board: <i>And provided</i> | |
| 35 | <i>further</i> , That expenditures from the pooled money investment portfolio | |
| 36 | fee fund for official hospitality shall not exceed \$800. | |
| 37 | Special qualified industrial manufacturer fund..... | No limit |
| 38 | <i>Provided</i> , That, notwithstanding the provisions of K.S.A. 2009 Supp. 74- | |
| 39 | 50,122, and amendments thereto, or any other statute, the special qual- | |
| 40 | ified industrial manufacturer fund shall be maintained in the state treas- | |
| 41 | ury and shall be administered by the state treasurer for the purposes of | |
| 42 | the qualified industrial manufacturer act: <i>Provided further</i> , That on the | |
| 43 | 15th day of each month that commences during fiscal year 2011, the | |

1 secretary of commerce and the secretary of revenue shall consult and
 2 determine the amount of revenue received by the state from withholding
 3 taxes paid by each taxpayer that is a qualified industrial manufacturer
 4 during the preceding month and then, jointly, shall certify the amount so
 5 determined to the director of accounts and reports and, at the same time
 6 as such certification is transmitted to the director of accounts and reports,
 7 shall transmit a copy of such certification to the director of the budget
 8 and the director of legislative research: *And provided further*, That, upon
 9 receipt of each such certification, the director of accounts and reports
 10 shall transfer the amount certified from the state general fund to the
 11 special qualified industrial manufacturer fund established by this subsec-
 12 tion: *And provided further*, That, on or before the 10th day of each month
 13 commencing during fiscal year 2011, the director of accounts and reports
 14 shall transfer from the state general fund to the special qualified industrial
 15 manufacturer fund interest earnings based on: (1) The average daily bal-
 16 ance of moneys in the special qualified industrial manufacturer fund es-
 17 tablished by this subsection for the preceding month; and (2) the net
 18 earnings rate of the pooled money investment portfolio for the preceding
 19 month: *And provided further*, That the moneys credited to the special
 20 qualified industrial manufacturer fund from the withholding taxes paid
 21 by a qualified industrial manufacturer shall be paid by the state treasurer
 22 to such qualified industrial manufacturer on such dates as are mutually
 23 agreed to by the secretary of commerce and the state treasurer, serving
 24 as paying agent in accordance with the terms of the agreement entered
 25 into pursuant to K.S.A. 2009 Supp. 74-50,122, and amendments thereto,
 26 by the secretary of commerce and such qualified industrial manufacturer:
 27 *And provided further*, That not more than \$2,000,000 shall be paid from
 28 the special qualified industrial manufacturer fund established by this sub-
 29 section by the state treasurer to a qualified industrial manufacturer: *And*
 30 *provided further*, That the words and phrases used in these provisos to
 31 appropriation of moneys in the special qualified industrial manufacturer
 32 fund shall have the meanings respectively ascribed thereto by K.S.A. 2009
 33 Supp. 74-50,121, and amendments thereto, unless the context requires
 34 otherwise.

35 Kansas postsecondary education savings program trust
 36 fund..... \$265,000

37 *Provided*, That notwithstanding the provisions of subsection (f) of K.S.A.
 38 2009 Supp. 75-650, and amendments thereto, or any other statute, mon-
 39 eys are hereby appropriated for the fiscal year ending June 30, 2011, for
 40 the purpose of matching contributions of qualified applicants approved
 41 between January 1, 2010, and June 30, 2010.

42
 43

1 Kansas postsecondary education savings program expense
2 fund..... \$346,043
3 Conversion of materials and equipment fund No limit
4 Tax increment financing revenue replacement fund No limit
5 Spirit bonds fund No limit
6 *Provided*, That, on the 15th day of each month that commences during
7 fiscal year 2011, the secretary of revenue shall determine the amount of
8 revenue received by the state during the preceding month from with-
9 holding taxes paid with respect to an eligible project by each taxpayer
10 that is an eligible business for which bonds have been issued under K.S.A.
11 2009 Supp. 74-50,136, and amendments thereto, and shall certify the
12 amount so determined to the director of accounts and reports and, at the
13 same time as such certification is transmitted to the director of accounts
14 and reports, shall transmit a copy of such certification to the director of
15 the budget and the director of legislative research: *Provided further*, That,
16 upon receipt of each such certification, the director of accounts and re-
17 ports shall transfer the amount certified from the state general fund to
18 the spirit bonds fund: *And provided further*, That, on or before the 10th
19 day of each month commencing during fiscal year 2011, the director of
20 accounts and reports shall transfer from the state general fund to the
21 spirit bonds fund interest earnings based on: (1) The average daily balance
22 of moneys in the spirit bonds fund for the preceding month; and (2) the
23 net earnings rate of the pooled money investment portfolio for the pre-
24 ceding month: *And provided further*, That the moneys credited to the
25 spirit bonds fund from the withholding taxes paid by an eligible business
26 and the interest earnings thereon shall be transferred by the state trea-
27 surer from the spirit bonds fund to the special economic revitalization
28 fund administered by the state treasurer in accordance with K.S.A. 2009
29 Supp. 74-50,136, and amendments thereto.
30 Business machinery and equipment tax reduction assis-
31 tance fund \$0
32 Telecommunications and railroad machinery and equip-
33 ment tax reduction assistance fund \$0
34 Community improvement district sales tax fund..... No limit
35 (b) During the fiscal year ending June 30, 2011, notwithstanding the
36 provisions of K.S.A. 75-1514, and amendments thereto, or any other stat-
37 ute, the commissioner of insurance shall remit all moneys received by the
38 commissioner under K.S.A. 75-1508, and amendments thereto, to the
39 state treasurer in accordance with the provisions of K.S.A. 75-4215, and
40 amendments thereto: *Provided*, That, upon receipt of each such remit-
41 tance, the state treasurer shall deposit the entire amount in the state
42 treasury: *Provided, however*, That, for each such remittance deposited in
43 the state treasury during fiscal year 2011, the state treasurer shall not

1 credit such deposit pursuant to K.S.A. 75-1514, and amendments thereto,
 2 but shall credit such deposit in accordance with the provisions of this
 3 subsection: *Provided further*, That the state treasurer shall credit 20% of
 4 each such deposit to the state general fund and the state treasurer shall
 5 credit the remainder of each such deposit as follows: (1) The amount
 6 equal to 64% of the remainder of such deposit shall be credited to the
 7 fire marshal fee fund of the state fire marshal; (2) the amount equal to
 8 20% of the remainder of such deposit shall be credited to the emergency
 9 medical services board operating fund of the emergency medical services
 10 board; and (3) the amount equal to 16% of the remainder of such deposit
 11 shall be credited to the fire service training program fund of the university
 12 of Kansas: *And provided further*, That the amount of each such deposit
 13 that is credited to the state general fund pursuant to this subsection is to
 14 reimburse the state general fund for accounting, auditing, budgeting, le-
 15 gal, payroll, personnel and purchasing services and any other govern-
 16 mental services which are performed on behalf of the state fire marshal,
 17 the emergency medical services board, and the fire service training pro-
 18 gram of the university of Kansas by other state agencies which receive
 19 appropriations from the state general fund to provide such services: *And*
 20 *provided further*, That, whenever in fiscal year 2011 the aggregate
 21 amount that the 20% credit to the state general fund prescribed by this
 22 subsection is equal to \$200,000, then (1) the provisions of this subsection
 23 prescribing the 20% credit to the state general fund no longer shall apply
 24 to moneys received pursuant to K.S.A. 75-1508, and amendments thereto,
 25 and (2) for the remainder of fiscal year 2011, the state treasurer shall
 26 credit the full 100% so received of each such deposit as follows: (A) The
 27 amount equal to 64% of such deposit shall be credited to the fire marshal
 28 fee fund of the state fire marshal; (B) the amount equal to 20% of such
 29 deposit shall be credited to the emergency medical services board oper-
 30 ating fund of the emergency medical services board; and (C) the amount
 31 equal to 16% of such deposit shall be credited to the fire service training
 32 program fund of the university of Kansas.

33 Sec. 42.

34 INSURANCE DEPARTMENT

35 (a) There is appropriated for the above agency from the following spe-
 36 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 37 moneys now or hereafter lawfully credited to and available in such fund
 38 or funds, except that expenditures other than refunds authorized by law
 39 shall not exceed the following:

| | |
|---|----------|
| 40 Insurance department service regulation fund | No limit |
|---|----------|

41 *Provided*, That expenditures from the insurance department service reg-
 42 ulation fund for official hospitality shall not exceed \$2,500: *Provided fur-*
 43 *ther*, That transfers may be made from this fund to the insurance de-

1 partment rehabilitation and repair fund of the insurance department.
2 Insurance company examination fund..... No limit
3 *Provided*, That transfers may be made from the insurance company ex-
4 amination fund to the insurance department rehabilitation and repair
5 fund of the insurance department.
6 Insurance company annual statement examination fund... No limit
7 Insurance company examiner training fund..... No limit
8 Conversion of materials and equipment fund No limit
9 Commissioner’s travel reimbursement fund..... No limit
10 *Provided*, That expenditures may be made from the commissioner’s travel
11 reimbursement fund only to reimburse the commissioner of insurance,
12 or any designated employee, for expenses incurred for in-state or out-of-
13 state travel for official purposes, including travel to meetings of public or
14 private associations: *Provided further*, That all moneys received by the
15 commissioner of insurance for such travel from any non-state agency
16 source shall be deposited in the state treasury to the credit of this fund.
17 Workers compensation fund No limit
18 *Provided*, That expenditures from the workers compensation fund for
19 attorney fees and other costs and benefit payments may be made regard-
20 less of when services were rendered or when the initial award of benefits
21 was made.
22 State firefighters relief fund..... No limit
23 *Provided*, That notwithstanding the provisions of K.S.A. 40-1706, and
24 amendments thereto, or any other statute, transfers may be made from
25 the state firefighters relief fund to the insurance department rehabilita-
26 tion and repair fund of the insurance department: *Provided further*, That,
27 pursuant to provisions of section 34(a) of chapter 131 of the 2008 Session
28 Laws of Kansas, one or more transfers may be made during fiscal year
29 2011 from the state firefighters relief fund to the insurance department
30 service regulation fund to repay the amount that was borrowed for the
31 special distribution in FY 2008 pursuant to section 34(a) of chapter 131
32 of the 2008 Session Laws of Kansas, relating to the overpayment to the
33 firefighters relief association for Manhattan, KS: *And provided further*,
34 That, as used in this proviso, (1) “2011 formula amount” means the
35 amount determined in accordance with the formula and other provisions
36 of K.S.A. 40-1706, and amendments thereto, for the firefighters relief
37 association for Manhattan, KS, for fiscal year 2011, (2) “2008 payment
38 amount” means the amount actually paid to the firefighters relief asso-
39 ciation for Manhattan, KS, from the state firefighters relief fund for fiscal
40 year 2008, and (3) “2011 repayment amount” means the difference be-
41 tween the 2011 formula amount and the 2008 payment amount: *And*
42 *provided further*, That, notwithstanding the provisions of K.S.A. 40-1706,
43 and amendments thereto, or any other statute, the amount of the distri-

1 bution to be paid to the firefighters relief association for Manhattan, KS,
2 from the state firefighters relief fund for fiscal year 2011 shall not exceed
3 the 2008 payment amount: *And provided further*, That the commissioner
4 of insurance shall certify the 2011 repayment amount to the director of
5 accounts and reports and the outstanding amount that remains to be
6 repaid to the insurance department service regulation fund pursuant to
7 provisions of section 34(a) of chapter 131 of the 2008 Session Laws of
8 Kansas after the transfer to the insurance department service regulation
9 fund pursuant to this proviso: *And provided further*, That, upon receipt
10 of such certification, the director of accounts and reports shall transfer
11 the amount equal to the 2011 repayment amount from the state firefigh-
12 ters relief fund to the insurance department service regulation fund: *And*
13 *provided further*, That, at the same time that the commissioner of insur-
14 ance transmits such certification to the director of accounts and reports,
15 the commissioner of insurance shall transmit a copy of such certification
16 to the director of the budget and to the director of legislative research.

17 Insurance company tax and fee refund fund..... No limit
18 Group-funded workers' compensation pools fee fund No limit
19 *Provided*, That transfers may be made from the group-funded workers'
20 compensation pools fee fund to the insurance department rehabilitation
21 and repair fund of the insurance department.

22 Municipal group-funded pools fee fund..... No limit
23 *Provided*, That transfers may be made from the municipal group-funded
24 pools fee fund to the insurance department rehabilitation and repair fund
25 of the insurance department.

26 Uninsurable health insurance plan fund..... No limit
27 Insurance education and training fund No limit
28 *Provided*, That expenditures may be made from the insurance education
29 and training fund for training programs and official hospitality: *Provided*
30 *further*, That the insurance commissioner is hereby authorized to fix,
31 charge and collect fees for such training programs: *And provided further*,
32 That fees for such training programs shall be fixed in order to collect all
33 or part of the operating expenses incurred for such training programs,
34 including official hospitality: *And provided further*, That all fees received
35 for such training programs shall be deposited in the state treasury in
36 accordance with the provisions of K.S.A. 75-4215, and amendments
37 thereto, and shall be credited to the insurance education and training
38 fund.

39 Other federal grants fund..... No limit
40 *Provided*, That the above agency is authorized to make expenditures from
41 the other federal grants fund of any moneys credited to this fund from
42 any individual grant if the grant: (1) Is less than or equal to \$250,000 in
43 the aggregate, and (2) does not require the matching expenditure of any

1 other moneys in the state treasury during fiscal year 2011 other than
2 moneys appropriated by this or other appropriation act of the 2010 reg-
3 ular session of the legislature: *Provided, however*, That, upon application
4 to and authorization by the governor, the above agency may make ex-
5 penditures of moneys credited to this fund from any individual federal
6 grant which is more than \$250,000 in the aggregate or which requires the
7 matching expenditure of moneys in the state treasury during fiscal year
8 2011, other than moneys appropriated by this or other appropriation act
9 of the 2010 regular session of the legislature.

10 Monumental life settlement fund..... No limit
11 *Provided*, That all expenditures from the monumental life settlement
12 fund shall be made for scholarship purposes: *Provided further*, That the
13 scholarship recipients shall be African-American students who are cur-
14 rently enrolled and are attending an accredited higher education insti-
15 tution in the state of Kansas and who have designated a major in math-
16 ematics, computer science or business.

17 Fines and penalties fund \$10,000
18 *Provided*, That, notwithstanding the provisions of K.S.A. 40-2606, and
19 amendments thereto, or any other statute, all moneys received during
20 fiscal year 2011 for penalties imposed pursuant to K.S.A. 40-2606, and
21 amendments thereto, shall be remitted to the state treasurer in accord-
22 ance with the provisions of K.S.A. 75-4215, and amendments thereto:
23 *Provided further*, That, upon receipt of each such remittance, the state
24 treasurer shall deposit the entire amount in the state treasury to the credit
25 of the fines and penalties fund.

26 Settlements fund..... No limit
27 *Provided*, That moneys may be transferred or otherwise credited to the
28 settlements fund as the result of or pursuant to court orders under K.S.A.
29 40-3644, and amendments thereto, court-ordered settlements, or legis-
30 lative authority: *Provided further*, That expenditures from the settlements
31 fund shall be made for the purpose of providing consumer education and
32 outreach or for costs that the insurance department may incur in closeout
33 of any troubled insurance company matters.

34 (b) In addition to the other purposes for which expenditures may be
35 made by the insurance department from the insurance company exami-
36 nation fund for fiscal year 2011 as authorized by K.S.A. 40-223, and
37 amendments thereto, notwithstanding the provisions of K.S.A. 40-223 or
38 75-3721, and amendments thereto, or any other statute, expenditures may
39 be made by the insurance department from the insurance company ex-
40 amination fund for fiscal year 2011 for the examination of annual state-
41 ments filed with the commissioner of insurance, regardless of when the
42 services were rendered, when the expenses were incurred or when any
43 claim was submitted or processed for payment and regardless of whether

1 or not the services were rendered or the expenses were incurred prior to
2 the effective date of this act.

3 (c) On July 1, 2010, or as soon thereafter as moneys are available,
4 notwithstanding the provisions of K.S.A. 40-112, and amendments
5 thereto, or of any other statute, the director of accounts and reports shall
6 transfer \$5,000,000 from the insurance department service regulation
7 fund to the state general fund: *Provided*, That the transfer of such amount
8 shall be in addition to any other transfer from the insurance department
9 service regulation fund to the state general fund as prescribed by law:
10 *Provided further*, That the amount transferred from the insurance de-
11 partment service regulation fund to the state general fund pursuant to
12 this subsection is to reimburse the state general fund for accounting,
13 auditing, budgeting, legal, payroll, personnel and purchasing services and
14 any other governmental services which are performed on behalf of the
15 insurance department by other state agencies which receive appropria-
16 tions from the state general fund to provide such services.

17 Sec. 43.

18 HEALTH CARE STABILIZATION FUND BOARD
19 OF GOVERNORS

20 (a) There is appropriated for the above agency from the following spe-
21 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
22 moneys now or hereafter lawfully credited to and available in such fund
23 or funds, except that expenditures other than refunds authorized by law
24 shall not exceed the following:

| | |
|--|----------|
| 25 Health care stabilization fund..... | No limit |
| 26 Conference fee fund..... | No limit |

27 (b) Expenditures from the health care stabilization fund for the fiscal
28 year ending June 30, 2011, other than refunds authorized by law for the
29 following specified purposes shall not exceed the limitations prescribed
30 therefor as follows:

| | |
|---------------------------------|-------------|
| 31 Operating expenditures | \$1,658,928 |
|---------------------------------|-------------|

32 *Provided*, That expenditures from the operating expenditures account for
33 official hospitality shall not exceed \$500.

| | |
|---|----------|
| 34 Legal services and other claims expenses | No limit |
| 35 Claims and benefits | No limit |

36 Sec. 44.

37 JUDICIAL COUNCIL

38 (a) There is appropriated for the above agency from the following spe-
39 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
40 moneys now or hereafter lawfully credited to and available in such fund
41 or funds, except that expenditures other than refunds authorized by law
42 shall not exceed the following:

| | |
|--------------------------------|----------|
| 43 Judicial council fund | No limit |
|--------------------------------|----------|

1 Grants and gifts fund No limit
 2 *Provided*, That all private grants and gifts received by the judicial council,
 3 other than moneys received as grants, gifts or donations for the prepa-
 4 ration, publication or distribution of legal publications, shall be deposited
 5 to the credit of the grants and gifts fund.

6 Publications fee fund No limit
 7 Judicial performance fund No limit

8 (b) On June 30, 2011, notwithstanding the provisions of K.S.A. 20-2207,
 9 and amendments thereto, or any other statute, the director of accounts
 10 and reports shall transfer the amount of any unencumbered balance in
 11 the publications fee fund as of June 30, 2011, in excess of \$175,000 from
 12 the publications fee fund to the state general fund: *Provided*, That the
 13 transfer of such amount shall be in addition to any other transfer from
 14 the publications fee fund to the state general fund as prescribed by law:
 15 *Provided further*, That the amount transferred from the publications fee
 16 fund to the state general fund pursuant to this subsection is to reimburse
 17 the state general fund for accounting, auditing, budgeting, legal, payroll,
 18 personnel and purchasing services and any other governmental services
 19 which are performed on behalf of the judicial council by other state agen-
 20 cies which receive appropriations from the state general fund to provide
 21 such services: *And provided further*, That when the judicial council must
 22 expend moneys for unforeseen and unbudgeted items, that such moneys
 23 shall be paid first from the judicial council fund and then from the pub-
 24 lication fees fund.

25 Sec. 45.

26 STATE BOARD OF INDIGENTS' DEFENSE SERVICES

27 (a) There is appropriated for the above agency from the state general
 28 fund for the fiscal year ending June 30, 2011, the following:
 29 Operating expenditures \$11,308,804
 30 *Provided*, That any unencumbered balance in the operating expenditures
 31 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
 32 for fiscal year 2011: *Provided, however*, That expenditures for indigents'
 33 defense services are authorized to be made from the operating expendi-
 34 tures account regardless of when services were rendered: *Provided fur-*
 35 *ther*, That expenditures may be made from the operating expenditures
 36 account for negotiated contracts for malpractice insurance for public de-
 37 fenders and deputy or assistant public defenders: *And provided further*,
 38 That all contracts for malpractice insurance for public defenders and dep-
 39 uty or assistant public defenders shall be negotiated and purchased by
 40 the state board of indigents' defense services, shall not be subject to ap-
 41 proval or purchase by the committee on surety bonds and insurance under
 42 K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be
 43 subject to the provisions of K.S.A. 75-3739, and amendments thereto.

1 Assigned counsel expenditures \$8,103,156
2 *Provided*, That any unencumbered balance in excess of \$100 as of June
3 30, 2010, in the assigned counsel expenditures account is hereby reap-
4 propriated for fiscal year 2011: *Provided further*, That expenditures for
5 indigents’ defense services are authorized to be made from the assigned
6 counsel expenditures account regardless of when services were rendered.
7 Capital defense operations..... \$2,242,571
8 *Provided*, That any unencumbered balance in excess of \$100 as of June
9 30, 2010, in the capital defense operations account is hereby reappro-
10 priated for fiscal year 2011: *Provided further*, That expenditures for in-
11 digents’ defense services are authorized to be made from the capital de-
12 fense operations account regardless of when services were rendered.
13 Legal services for prisoners..... \$308,658
14 (b) There is appropriated for the above agency from the following spe-
15 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
16 moneys now or hereafter lawfully credited to and available in such fund
17 or funds, except that expenditures other than refunds authorized by law
18 shall not exceed the following:
19 Indigents’ defense services fund No limit
20 *Provided*, That expenditures may be made from the indigents’ defense
21 services fund for the purpose of assigned counsel and other professional
22 services related to contract cases.
23 Inservice education workshop fee fund..... No limit
24 *Provided*, That expenditures may be made from the inservice education
25 workshop fee fund for operating expenditures, including official hospi-
26 tality, incurred for inservice workshops and conferences: *Provided fur-*
27 *ther*, That the state board of indigents’ defense services is hereby au-
28 thorized to fix, charge and collect fees for inservice workshops and
29 conferences: *And provided further*, That such fees shall be fixed in order
30 to recover all or part of such operating expenditures incurred for inservice
31 workshops and conferences: *And provided further*, That all fees received
32 for inservice workshops and conferences shall be deposited in the state
33 treasury in accordance with the provisions of K.S.A. 75-4215, and amend-
34 ments thereto, and shall be credited to the inservice education workshop
35 fee fund.
36 ARRA public defenders grant fund No limit
37 JAG grant server backup/recovery fund No limit
38 (c) During the fiscal year ending June 30, 2011, the executive director
39 of the state board of indigents’ defense services, with the approval of the
40 director of the budget, may transfer any part of any item of appropriation
41 for the fiscal year ending June 30, 2011, from the state general fund for
42 the state board of indigents’ defense services to any other item of appro-
43 priation for fiscal year 2011 from the state general fund for the state board

1 of indigents' defense services. The executive director shall certify each
2 such transfer to the director of accounts and reports and shall transmit a
3 copy of each such certification to the director of legislative research.

4 Sec. 46.

5 JUDICIAL BRANCH

6 (a) There is appropriated for the above agency from the state general
7 fund for the fiscal year ending June 30, 2011, the following:

8 Judiciary operations \$104,248,535

9 *Provided*, That any unencumbered balance in the judiciary operations
10 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
11 for fiscal year 2011: *Provided further*, That contracts for computer input
12 of judicial opinions and all purchases thereunder shall not be subject to
13 the provisions of K.S.A. 75-3739, and amendments thereto: *And provided*
14 *further*, That expenditures may be made from the judicial operations
15 account for contingencies without limitation at the discretion of the chief
16 justice: *And provided further*, That expenditures from the judicial oper-
17 ations account for such contingencies shall not exceed \$25,000: *And pro-*
18 *vided further*, That expenditures from the judicial operations account for
19 official hospitality shall not exceed \$4,000: *And provided further*, That
20 expenditures shall be made from the judicial operations account for the
21 travel expenses of panels of the court of appeals for travel to cities across
22 the state to hear appealed cases.

23 (b) There is appropriated for the above agency from the following special
24 revenue fund or funds for the fiscal year ending June 30, 2011, all
25 moneys now or hereafter lawfully credited to and available in such fund
26 or funds, except that expenditures other than refunds authorized by law
27 shall not exceed the following:

| | | |
|----|-------------------------------------|----------|
| 28 | Library report fee fund | No limit |
| 29 | Judiciary technology fund | No limit |
| 30 | Judicial branch gifts fund..... | No limit |
| 31 | Dispute resolution fund..... | No limit |
| 32 | Judicial branch education fund..... | No limit |

33 *Provided*, That expenditures may be made from the judicial branch ed-
34 ucation fund to provide services and programs for the purpose of edu-
35 cating and training judicial branch officers and employees, administering
36 the training, testing and education of municipal judges as provided in
37 K.S.A. 12-4114, and amendments thereto, educating and training munic-
38 ipal judges and municipal court support staff, and for the planning and
39 implementation of a family court system, as provided by law, including
40 official hospitality: *Provided further*, That the judicial administrator is
41 hereby authorized to fix, charge and collect fees for such services and
42 programs: *And provided further*, That such fees may be fixed to cover all
43 or part of the operating expenditures incurred in providing such services

1 and programs, including official hospitality: *And provided further*, That
2 all fees received for such services and programs, including official hos-
3 pitality, shall be deposited in the state treasury in accordance with the
4 provisions of K.S.A. 75-4215, and amendments thereto, and shall be cred-
5 ited to the judicial branch education fund.

| | |
|---|----------|
| 6 Conversion of materials and equipment fund | No limit |
| 7 Child welfare federal grant fund..... | No limit |
| 8 Child support enforcement contractual agreement fund... | No limit |
| 9 Bar admission fee fund | No limit |
| 10 Permanent families account — family and children invest- | |
| 11 ment fund | No limit |
| 12 Duplicate law book fund | No limit |
| 13 Court reporter fund..... | No limit |
| 14 Access to justice fund..... | No limit |
| 15 Judicial technology and building and grounds fund..... | No limit |
| 16 Judicial branch nonjudicial salary initiative fund..... | No limit |
| 17 Judicial branch nonjudicial salary adjustment fund | No limit |
| 18 Federal grants fund | No limit |
| 19 District magistrate judge supplemental compensation | |
| 20 fund..... | No limit |

21 *Provided*, That all moneys received by the judicial branch from the county
22 or counties comprising a judicial district to supplement the salary of, or
23 to pay any compensation to, any district magistrate judge of a judicial
24 district pursuant to K.S.A. 2009 Supp. 75-3120k, and amendments
25 thereto, shall be deposited in the state treasury in accordance with the
26 provisions of K.S.A. 75-4215, and amendments thereto, and shall be cred-
27 ited to the district magistrate judge supplemental compensation fund:
28 *Provided further*, That all moneys credited to the district magistrate judge
29 supplemental compensation fund shall be paid to, or on behalf of, the
30 district magistrate judge or district magistrate judges for whom such mon-
31 eys were remitted by the county or counties: *And provided further*, That
32 all expenditures from the district magistrate judge supplemental com-
33 pensation fund for such purposes shall be made in the same manner and
34 at the same times that biweekly compensation is payable for the biweekly
35 pay periods which are chargeable to fiscal year 2011, subject to the same
36 conditions or restrictions imposed or prescribed by law as the salary or
37 other compensation payable by law to such district magistrate judge or
38 district magistrate judges, including any applicable withholding or other
39 taxes, associated employer contributions and authorized deductions.

| | |
|---|----------|
| 40 Judicial branch surcharge fund | No limit |
|---|----------|

41
42
43

1 Sec. 47.

2 KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

3 (a) There is appropriated for the above agency from the state general
4 fund for the fiscal year ending June 30, 2011, the following:

5 13th retirement check — debt service..... \$3,213,748

6 (b) There is appropriated for the above agency from the following special
7 revenue fund or funds for the fiscal year ending June 30, 2011, all
8 moneys now or hereafter lawfully credited to and available in such fund
9 or funds, except that expenditures other than refunds authorized by law
10 shall not exceed the following:

11 Kansas public employees retirement fund..... No limit

12 *Provided*, That no expenditures may be made from the Kansas public
13 employees retirement fund other than for benefits, investments, refunds
14 authorized by law, and other purposes specifically authorized by this or
15 other appropriation act.

16 Kansas public employees deferred compensation fees
17 fund..... No limit

18 Group insurance reserve fund..... No limit

19 Optional death benefit plan reserve fund..... No limit

20 Kansas endowment for youth fund..... No limit

21 Senior services trust fund No limit

22 Family and children endowment account — family and
23 children investment fund No limit

24 Non-retirement administration fund..... No limit

25 *Provided*, That the executive officer of the Kansas public employees re-
26 tirement system shall certify to the director of accounts and reports the
27 amount of moneys to transfer from the Kansas endowment for youth
28 fund, the senior services trust fund, the family and children endowment
29 account — family and children investment fund, and the unclaimed prop-
30 erty account of the state general fund for the purpose of reimbursing the
31 costs of non-retirement related administrative activities and investment-
32 related expenses for managing such funds in accordance with K.S.A. 74-
33 4909b, and amendments thereto.

34 K DFA series 2003H bond debt service fund..... No limit

35 *Provided*, That notwithstanding the provisions of K.S.A. 74-4921 et seq.,
36 and amendments thereto, any employer contributions remitted in ac-
37 cordance with the provisions of K.S.A. 20-2605, and amendments thereto,
38 K.S.A. 74-4920, and amendments thereto, K.S.A. 74-4939, and amend-
39 ments thereto, and K.S.A. 74-4967, and amendments thereto, for the
40 purpose of paying the actuarial cost of the provisions of K.S.A. 74-49,109
41 et seq., and amendments thereto, shall be deposited in the K DFA series
42 2003H bond debt service fund: *Provided further*, That the executive di-
43 rector of the Kansas public employees retirement system shall certify to

1 the director of accounts and reports an amount to reimburse the state
2 general fund for bond debt service payments authorized in fiscal year
3 2011: *And provided further*, That the director of accounts and reports
4 shall transfer to the state general fund such amount certified as provided
5 by the executive director no later than June 30, 2011.

6 (c) Expenditures may be made from the expense reserve of the Kansas
7 public employees retirement fund for the fiscal year ending June 30,
8 2011, for the following specified purposes:

9 Agency operations \$8,803,613

10 *Provided*, That expenditures from the agency operations account may be
11 made for official hospitality.

12 Investment-related expenses No limit

13 KPERS technology project No limit

14 (d) Expenditures may be made from the non-retirement administration
15 fund for the fiscal year ending June 30, 2011, for the following specified
16 purposes:

17 Agency operations \$82,177

18 Investment-related expenses No limit

19 (e) On July 1, 2010, notwithstanding the provisions of K.S.A. 38-2102,
20 and amendments thereto, the amount prescribed by subsection (d)(4) of
21 K.S.A. 38-2102, and amendments thereto, to be transferred on July 1,
22 2010, by the director of accounts and reports from the Kansas endowment
23 for youth fund to the children’s initiatives fund is hereby increased to
24 \$67,118,748.

25 Sec. 48.

26 KANSAS HUMAN RIGHTS COMMISSION

27 (a) There is appropriated for the above agency from the state general
28 fund for the fiscal year ending June 30, 2011, the following:

29 Operating expenditures \$1,442,138

30 *Provided*, That any unencumbered balance in the operating expenditures
31 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
32 for fiscal year 2011: *Provided, however*, That expenditures from this ac-
33 count for official hospitality shall not exceed \$150: *Provided further*, That
34 expenditures for mediation services contracted with Kansas legal services
35 shall be made only upon certification by the executive director of the
36 human rights commission to the director of accounts and reports that
37 private moneys are available to match the expenditure of state moneys
38 on a \$1 of private moneys to \$3 of state moneys basis.

39 (b) There is appropriated for the above agency from the following spe-
40 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
41 moneys now or hereafter lawfully credited to and available in such fund
42 or funds, except that expenditures other than refunds authorized by law
43 shall not exceed the following:

- 1 Federal fund..... No limit
- 2 Conversion of materials and equipment fund No limit
- 3 Annual banquet fund No limit
- 4 *Provided*, That expenditures may be made from the annual banquet fund
- 5 for operating expenditures for the commission’s annual banquet, includ-
- 6 ing official hospitality: *Provided further*, That the executive director is
- 7 hereby authorized to fix, charge and collect fees for such banquet: *And*
- 8 *provided further*, That such fees shall be fixed in order to recover all or
- 9 part of the operating expenses incurred for such banquet, including of-
- 10 ficial hospitality: *And provided further*, That all fees received for such
- 11 banquet shall be deposited in the state treasury in accordance with the
- 12 provisions of K.S.A. 75-4215, and amendments thereto, and shall be cred-
- 13 ited to the annual banquet fund.
- 14 Education and training fund No limit
- 15 *Provided*, That expenditures may be made from the education and train-
- 16 ing fund for operating expenditures for the commission’s education and
- 17 training programs for the general public, including official hospitality:
- 18 *Provided further*, That the executive director is hereby authorized to fix,
- 19 charge and collect fees for such programs: *And provided further*, That
- 20 such fees shall be fixed in order to recover all or part of the operating
- 21 expenses incurred for such training programs, including official hospita-
- 22 lity: *And provided further*, That all fees received for such programs shall
- 23 be deposited in the state treasury in accordance with the provisions of
- 24 K.S.A. 75-4215, and amendments thereto, shall be credited to the edu-
- 25 cation and training fund.

26 Sec. 49.

27 STATE CORPORATION COMMISSION

28 (a) There is appropriated for the above agency from the following spe-
29 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
30 moneys now or hereafter lawfully credited to and available in such fund
31 or funds, except that expenditures other than refunds authorized by law
32 shall not exceed the following:

- 33 Public service regulation fund No limit
- 34 Motor carrier license fees fund..... No limit
- 35 Conservation fee fund..... No limit
- 36 *Provided*, That any expenditure made from the conservation fee fund for
- 37 plugging abandoned wells, cleanup of pollution from oil and gas activities
- 38 and testing of wells shall be in addition to any expenditure limitation
- 39 imposed on this fund: *Provided further*, That expenditures may be made
- 40 from this fund for debt collection and set-off administration: *And pro-*
- 41 *vided further*, That a percentage of the fees collected, not to exceed 27%,
- 42 shall be transferred from the conservation fee fund to the accounting
- 43 services recovery fund of the department of administration for services

1 rendered in collection efforts: *And provided further*, That all expenditures
2 made from the conservation fee fund for debt collection and set-off ad-
3 ministration shall be in addition to any expenditure limitation imposed
4 on this fund: *And provided further*, That the state corporation commis-
5 sion shall include as part of the fiscal year 2012 budget estimates for the
6 state corporation commission submitted pursuant to K.S.A. 75-3717, and
7 amendments thereto, a three-year projection of receipts to and expend-
8 itures from the conservation fee fund for fiscal years 2012, 2013 and 2014.
9 Energy grants management federal fund — ARRA No limit
10 *Provided*, That the state corporation commission is hereby designated as
11 the state agency to receive moneys from federal agencies for energy con-
12 servation and other energy related activities under the federal American
13 recovery and reinvestment act of 2009, as amended: *Provided, further*,
14 That, whenever moneys are received by the state corporation commission
15 from federal agencies for energy conservation and other energy-related
16 activities under the federal American recovery and reinvestment act of
17 2009, as amended, such moneys shall be deposited in the state treasury
18 in accordance with the provisions of K.S.A. 75-4215, and amendments
19 thereto, and shall be credited to the energy grants management federal
20 fund — ARRA.
21 Gas pipeline safety program special one call — federal
22 fund..... No limit
23 State electricity regulators assistance — ARRA federal
24 fund..... No limit
25 Energy efficiency revolving loan program — ARRA federal
26 fund..... No limit
27 *Provided*, That expenditures may be made from the energy efficiency
28 revolving loan program — ARRA federal fund for the energy efficiency
29 revolving loan program pursuant to vouchers approved by the chairperson
30 of the state corporation commission or by a person or persons designated
31 by the chairperson: *Provided further*, That the state corporation com-
32 mission is hereby authorized to establish the energy efficiency revolving
33 loan program for the purpose of making loans for energy conservation
34 and other energy-related activities: *And provided further*, That loans un-
35 der such program shall be made at an interest rate established by the
36 state corporation commission: *And provided further*, That the state cor-
37 poration commission is hereby authorized to enter into contracts with
38 other state agencies and with persons as may be necessary to administer
39 the energy efficiency revolving loan program: *And provided further*, That
40 any person who agrees to receive money from the energy efficiency re-
41 volving loan program — ARRA federal fund shall enter into an agreement
42 requiring such person to submit a written report to the state corporation
43 commission detailing and accounting for all expenditures and receipts

1 related to the use of the moneys received from the energy efficiency
 2 revolving loan program — ARRA federal fund: *And provided further,*
 3 That moneys repaid to the energy efficiency revolving loan program mon-
 4 eys shall be deposited in the state treasury in accordance with the pro-
 5 visions of K.S.A. 75-4215, and amendments thereto, and shall be credited
 6 to the energy efficiency revolving loan program — ARRA federal fund:
 7 *And provided further,* That, on or before the 10th day of each month,
 8 the director of accounts and reports shall transfer from the state general
 9 fund to the energy efficiency revolving loan program — ARRA federal
 10 fund interest earnings based on: (1) The average daily balance of repaid
 11 moneys in the energy efficiency revolving loan program — ARRA federal
 12 fund for the preceding month; and (2) the net earnings rate for the pooled
 13 money investment portfolio for the preceding month.

| | | |
|----|--|----------|
| 14 | Natural gas underground storage fee fund | No limit |
| 15 | Gas pipeline inspection fee fund..... | No limit |
| 16 | Abandoned oil and gas well fund | No limit |
| 17 | Well plugging assurance fund..... | No limit |
| 18 | Facility conservation improvement program fund..... | No limit |
| 19 | Gas pipeline safety program — federal fund | No limit |
| 20 | Carbon dioxide injection well and underground storage | |
| 21 | fund..... | No limit |
| 22 | Energy related grants — federal fund | No limit |
| 23 | Energy grants management fund | No limit |
| 24 | Energy conservation plan — federal fund | No limit |
| 25 | Underground injection control class II — federal fund | No limit |
| 26 | Pipeline damage prevention grant program — federal | |
| 27 | fund..... | No limit |
| 28 | Other federal grants fund | No limit |

29 *Provided,* That the above agency is authorized to make expenditures from
 30 the other federal grants fund of any moneys credited to this fund from
 31 any individual grant if the grant: (1) Is less than or equal to \$250,000 in
 32 the aggregate, and (2) does not require the matching expenditure of any
 33 other moneys in the state treasury during fiscal year 2011 other than
 34 moneys appropriated by this or other appropriation act of the 2010 reg-
 35 ular session of the legislature: *Provided, however,* That, upon application
 36 to and authorization by the governor, the above agency may make ex-
 37 penditures of moneys credited to this fund from any individual federal
 38 grant which is more than \$250,000 in the aggregate or which requires the
 39 matching expenditure of moneys in the state treasury during fiscal year
 40 2011, other than moneys appropriated by this or other appropriation act
 41 of the 2010 regular session of the legislature.

| | | |
|----|---|----------|
| 42 | Inservice education workshop fee fund..... | No limit |
| 43 | <i>Provided,</i> That expenditures may be made from the inservice education | |

1 workshop fee fund for operating expenditures, including official hospi-
 2 tality, incurred for inservice workshops and conferences conducted by the
 3 state corporation commission for staff and members of the state corpo-
 4 ration commission: *Provided further*, That the state corporation commis-
 5 sion is hereby authorized to fix, charge and collect fees for such inservice
 6 workshops and conferences: *And provided further*, That such fees shall
 7 be fixed in order to recover all or part of the operating expenditures
 8 incurred for conducting such inservice workshops and conferences: *And*
 9 *provided further*, That all moneys received for such fees shall be depos-
 10 ited in the state treasury in accordance with the provisions of K.S.A. 75-
 11 4215, and amendments thereto, and shall be credited to the inservice
 12 education workshop fee fund.

| | |
|---|----------|
| 13 Base state registration clearing fund..... | No limit |
| 14 Credit card clearing fund..... | No limit |
| 15 Suspense fund | No limit |
| 16 KETA development fund | No limit |

17 (b) Expenditures for the fiscal year ending June 30, 2011, by the state
 18 corporation commission from the public service regulation fund, the mo-
 19 tor carrier license fees fund and the conservation fee fund shall not ex-
 20 ceed, in the aggregate, \$16,468,621: *Provided*, That, within such limita-
 21 tion on the aggregate of expenditures, expenditures made for fiscal year
 22 2011 from the public service regulation fund, the motor carrier license
 23 fees fund and the conservation fee fund for official hospitality shall not
 24 exceed, in the aggregate, \$2,000.

25 (c) Expenditures for the fiscal year ending June 30, 2011, by the state
 26 corporation commission from the conservation fee fund or the abandoned
 27 oil and gas well fund may be made for the service of independent on-site
 28 supervision of well plugging contracts: *Provided*, That all expenditures
 29 from the conservation fee fund or the abandoned oil and gas well fund
 30 for the purpose of plugging of abandoned oil and gas wells shall be subject
 31 to the competitive bidding requirements of K.S.A. 75-3739, and amend-
 32 ments thereto, and shall not be exempt from such competitive bidding
 33 requirements on the basis of the estimated amount of such purchases.

34 (d) During the fiscal year ending June 30, 2011, the executive director
 35 of the state corporation commission, with the approval of the director of
 36 the budget, may transfer additional moneys from the conservation fee
 37 fund of the state corporation commission, which are in excess of \$400,000
 38 prescribed by K.S.A. 2009 Supp. 55-193, and amendments thereto, to the
 39 abandoned oil and gas well plugging fund of the state corporation com-
 40 mission: *Provided*, That the executive director of the state corporation
 41 commission shall certify each such transfer of additional moneys to the
 42 director of accounts and reports and shall transmit a copy of each such
 43 certification to the director of legislative research.

- 1 (e) During the fiscal year ending June 30, 2011, notwithstanding the
2 provisions of any other statute, the executive director of the state cor-
3 poration commission, with the approval of the director of the budget, may
4 transfer funds from any special revenue fund or funds of the state cor-
5 poration commission to any other special revenue fund or funds of the
6 state corporation commission. The executive director of the state corpo-
7 ration commission shall certify each such transfer to the director of ac-
8 counts and reports and shall transmit a copy of each such certification to
9 the director of legislative research.
- 10 (f) (1) In addition to other purposes for which expenditures may be
11 made by the state corporation commission from the public service reg-
12 ulation fund for fiscal year 2011 for the state corporation commission as
13 authorized by this or other appropriation act of the 2010 regular session
14 of the legislature, notwithstanding the provisions of any other statute to
15 the contrary, the state corporation commission may make expenditures
16 from the public service regulation fund for fiscal year 2011 for expenses
17 incurred by the Kansas electric transmission authority: *Provided*, That
18 expenditures from the public service regulation fund for the expenses of
19 the Kansas electric transmission authority for fiscal year 2011 shall not
20 exceed \$100,000.
- 21 (2) In addition to other purposes for which expenditures may be made
22 by the state corporation commission from the public service regulation
23 fund for fiscal year 2012 for the state corporation commission as author-
24 ized by this or other appropriation act of the 2010 regular session of the
25 legislature or by any appropriation act of the 2011 regular session of the
26 legislature, notwithstanding the provisions of any other statute to the con-
27 trary, the state corporation commission may make expenditures from the
28 public service regulation fund for fiscal year 2012 for expenses incurred
29 by the Kansas electric transmission authority, if the total expenditures for
30 such purpose authorized by the expenditure limitation prescribed by this
31 subsection (f) for fiscal year 2011 are not expended or encumbered for
32 fiscal year 2011, then the amount equal to the amount of such unex-
33 pended or encumbered expenditure authority for fiscal year 2011 re-
34 maining may be expended by the state corporation commission from the
35 public service regulation fund for fiscal year 2012 for expenses incurred
36 by the Kansas electric transmission authority and any such expenditures
37 for fiscal year 2012 shall be in addition to any expenditure limitation
38 imposed on the public service regulation fund for expenses incurred by
39 the Kansas electric transmission authority for fiscal year 2012.
- 40 (g) On July 1, 2010, or as soon thereafter as moneys are available, the
41 state corporation commission shall certify to the director of the budget
42 and director of accounts and reports an amount or amounts to be trans-
43 ferred on July 1, 2010, or as soon thereafter as moneys are available,

1 notwithstanding the provisions of K.S.A. 55-143, 55-167, 55-168, 55-180,
2 55-1,116, 66-1,142 or 66- 1a01, and amendments thereto, or any other
3 statute, from the public service regulation fund, the motor carrier license
4 fees fund, the conservation fee fund, the gas pipeline fee fund, the in-
5 service education fund, and the petroleum violation escrow fund of the
6 state corporation commission to the state general fund during fiscal year
7 2011: *Provided*, That the aggregate of the amounts specified in such cer-
8 tification to be transferred from such funds during fiscal year 2011 shall
9 be \$1,500,000: *Provided further*, That, upon receipt of such certification,
10 the director of accounts and reports shall transfer the amount or amounts
11 specified to be transferred from the public service regulation fund, the
12 motor carrier license fees fund, the conservation fee fund, the gas pipeline
13 fee fund, the in-service education fund, and the petroleum violation es-
14 crow fund of the state corporation commission to the state general fund
15 on the date or dates specified in such certification therefor, or as soon
16 thereafter as moneys are available: *Provided, however*, That the aggregate
17 of the amounts transferred in accordance with this subsection to the state
18 general fund from the public service regulation fund, the motor carrier
19 license fees fund, the conservation fee fund, the gas pipeline fee fund,
20 the in-service education fund, and the petroleum violation escrow fund
21 during fiscal year 2011 shall not exceed \$1,500,000: *And provided further*,
22 That the transfer of each such amount from the public service regulation
23 fund, the motor carrier license fees fund, the conservation fee fund, the
24 gas pipeline fee fund, the in-service education fund, and the petroleum
25 violation escrow fund to the state general fund pursuant to this subsection
26 shall be in addition to any other transfer from the public service regulation
27 fund, the motor carrier license fees fund, the conservation fee fund, the
28 gas pipeline fee fund, the in-service education fund, and the petroleum
29 violation escrow fund to the state general fund as prescribed by law: *And*
30 *provided further*, That the transfer of each such amount from the public
31 service regulation fund, the motor carrier license fees fund, the conser-
32 vation fee fund, the gas pipeline fee fund, the in-service education fund,
33 and the petroleum violation escrow fund to the state general fund pur-
34 suant to this subsection is to reimburse the state general fund for ac-
35 counting, auditing, budgeting, legal, payroll, personnel and purchasing
36 services and any other governmental services which are performed on
37 behalf of the state corporation commission by other state agencies which
38 receive appropriations from the state general fund to provide such serv-
39 ices.

40 Sec. 50.

41 CITIZENS' UTILITY RATEPAYER BOARD

42 (a) There is appropriated for the above agency from the following spe-
43 cial revenue fund or funds for the fiscal year ending June 30, 2011, all

1 moneys now or hereafter lawfully credited to and available in such fund
2 or funds, except that expenditures other than refunds authorized by law
3 shall not exceed the following:

4 Utility regulatory fee fund \$807,710

5 (b) On July 1, 2010, October 1, 2010, January 1, 2011, and April 1,
6 2011, or as soon after each such date as moneys are available, and upon
7 receipt of certification by the state corporation commission of the amount
8 to be transferred, the director of accounts and reports shall transfer from
9 the public service regulation fund of the state corporation commission to
10 the utility regulatory fee fund of the citizens' utility ratepayer board all
11 moneys assessed by the state corporation commission for the citizens'
12 utility ratepayer board under K.S.A. 66-1502 or 66-1503, and amend-
13 ments thereto, and deposited in the state treasury to the credit of the
14 public service regulation fund.

15 (c) During the fiscal year ending June 30, 2012, in addition to other
16 purposes for which expenditures may be made by the citizens' utility
17 ratepayer board from the utility regulatory fee fund for fiscal year 2012
18 for the citizens' utility ratepayer board as authorized by this or other
19 appropriation act of the 2010 regular session of the legislature or by any
20 appropriation act of the 2011 regular session of the legislature, notwith-
21 standing the provisions of any other statute to the contrary, if the total
22 expenditures authorized by the expenditure limitation prescribed by sub-
23 section (a) are not expended or encumbered for fiscal year 2011, then
24 the amount equal to the amount of such expenditure authority for fiscal
25 year 2011 remaining may be expended from the utility regulatory fee fund
26 for fiscal year 2012 pursuant to contracts for professional services and any
27 such expenditure for fiscal year 2012 shall be in addition to any expend-
28 iture limitation imposed on the utility regulatory fee fund for fiscal year
29 2012.

30 Sec. 51.

31 DEPARTMENT OF ADMINISTRATION

32 (a) There is appropriated for the above agency from the state general
33 fund for the fiscal year ending June 30, 2011, the following:

34 General administration \$976,545

35 *Provided*, That any unencumbered balance in the general administration
36 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
37 for fiscal year 2011: *Provided further*, That in addition to other positions
38 within the department of administration in the unclassified service as
39 prescribed by law, expenditures may be made from the general admin-
40 istration account for three employees in the unclassified service under
41 the Kansas civil service act: *And provided further*, That expenditures from
42 this account for official hospitality shall not exceed \$1,000.

43 Financial management system \$843,810

1 *Provided*, That any unencumbered balance in the financial management
2 system account in excess of \$100 as of June 30, 2010, is hereby reapprop-
3 priated for fiscal year 2011.
4 Department of administration systems..... \$2,172,614
5 *Provided*, That any unencumbered balance in the department of admin-
6 istration systems account in excess of \$100 as of June 30, 2010, is hereby
7 reappropriated for fiscal year 2011: *Provided further*, That expenditures
8 from the department of administration systems account for official hos-
9 pitality shall not exceed \$1,000.
10 Personnel services \$1,796,172
11 *Provided*, That any unencumbered balance in the personnel services ac-
12 count in excess of \$100 as of June 30, 2010, is hereby reappropriated for
13 fiscal year 2011.
14 Purchasing..... \$488,944
15 *Provided*, That any unencumbered balance in the purchasing account in
16 excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal
17 year 2011.
18 Budget analysis \$1,281,717
19 *Provided*, That any unencumbered balance in the budget analysis account
20 in excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal
21 year 2011: *Provided further*, That, in addition to other positions within
22 the department of administration in the unclassified service as prescribed
23 by law, expenditures may be made from the budget analysis account for
24 eight employees in the unclassified service under the Kansas civil service
25 act: *And provided further*, That expenditures from this account for official
26 hospitality shall not exceed \$1,000.
27 Gubernatorial transition \$150,000
28 Facilities management..... \$55,037
29 *Provided*, That any unencumbered balance in the facilities management
30 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
31 for fiscal year 2011.
32 Accounts and reports \$1,812,109
33 *Provided*, That any unencumbered balance in the accounts and reports
34 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
35 for fiscal year 2011.
36 Public broadcasting council grants \$1,806,322
37 *Provided*, That any unencumbered balance in the public broadcasting
38 council grants account in excess of \$100 as of June 30, 2010, is hereby
39 reappropriated for fiscal year 2011: *Provided further*, That all expendi-
40 tures from the public broadcasting council grants account for capital
41 equipment shall be made to provide matching funds for federal capital
42 equipment grants awarded to eligible public broadcasting stations: *And*
43 *provided further*, That expenditures from this account may be made to

1 provide matching funds for capital equipment projects funded from any
 2 nonstate source in the event federal capital equipment grants are not
 3 awarded: *And provided further*, That in the event the federal facility pro-
 4 grams cease to exist or fail to conduct grant solicitations, expenditures
 5 may be made from this account to provide matching funds for capital
 6 equipment projects funded from any nonstate source without first apply-
 7 ing for federal capital equipment grants.

| | | |
|----|--|--------------|
| 8 | KPERS bonds debt service | \$36,140,952 |
| 9 | Public broadcasting digital conversion debt service..... | \$609,200 |
| 10 | Policy analysis initiatives | \$156,122 |

11 *Provided*, That any unencumbered balance in the policy analysis initia-
 12 tives account in excess of \$100 as of June 30, 2010, is hereby reappro-
 13 priated for fiscal year 2011: *Provided further*, That expenditures from this
 14 account for official hospitality shall not exceed \$5,000.

| | | |
|----|--------------------------------|-----------|
| 15 | Long-term care ombudsman | \$264,705 |
|----|--------------------------------|-----------|

16 *Provided*, That any unencumbered balance in the long-term care om-
 17 budsman account in excess of \$100 as of June 30, 2010, is hereby reap-
 18 propriated for fiscal year 2011: *Provided further*, That expenditures from
 19 this account for official hospitality shall not exceed \$1,000.

20 (b) There is appropriated for the above agency from the following spe-
 21 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 22 moneys now or hereafter lawfully credited to and available in such fund
 23 or funds, except that expenditures other than refunds or indirect cost
 24 recoveries authorized by law shall not exceed the following:

| | | |
|----|---------------------------------------|----------|
| 25 | Federal cash management fund..... | No limit |
| 26 | State leave payment reserve fund..... | No limit |
| 27 | Building and ground fund..... | No limit |

28 *Provided*, That expenditures may be made from the building and ground
 29 fund for operating and other expenses for the Hiram Price Dillon House.

| | | |
|----|------------------------|----------|
| 30 | General fees fund..... | No limit |
|----|------------------------|----------|

31 *Provided*, That expenditures may be made from the general fees fund for
 32 operating expenditures for the division of personnel services, including
 33 human resources programs and official hospitality: *Provided further*, That
 34 the director of personnel services is hereby authorized to fix, charge and
 35 collect fees: *And provided further*, That fees shall be fixed in order to
 36 recover all or part of the operating expenses incurred, including official
 37 hospitality: *And provided further*, That all fees received, including fees
 38 received under the open records act for providing access to or furnishing
 39 copies of public records, shall be deposited in the state treasury in ac-
 40 cordance with the provisions of K.S.A. 75-4215, and amendments thereto,
 41 and shall be credited to the general fees fund of the department of ad-
 42 ministration.

43

1 Human resource information systems cost recovery
2 fund..... No limit
3 Budget fees fund..... No limit
4 *Provided*, That expenditures may be made from the budget fees fund for
5 operating expenditures for the division of the budget, including training
6 programs, special projects and official hospitality: *Provided further*, That
7 the director of the budget is hereby authorized to fix, charge and collect
8 fees for such training programs: *And provided further*, That fees for such
9 training programs and special projects shall be fixed in order to recover
10 all or part of the operating expenses incurred for such training programs
11 and special projects, including official hospitality: *And provided further*,
12 That all fees received for such training programs and special projects and
13 all fees received by the division of the budget under the open records act
14 for providing access to or furnishing copies of public records shall be
15 deposited in the state treasury in accordance with the provisions of K.S.A.
16 75-4215, and amendments thereto, and shall be credited to the budget
17 fees fund.
18 Purchasing fees fund..... No limit
19 *Provided*, That expenditures may be made from the purchasing fees fund
20 for operating expenditures of the division of purchases, including training
21 seminars and official hospitality: *Provided further*, That the director of
22 purchases is hereby authorized to fix, charge and collect fees for operating
23 expenditures incurred to reproduce and disseminate purchasing infor-
24 mation, administer vendor applications, administer state contracts and
25 conduct training seminars, including official hospitality: *And provided fur-*
26 *ther*, That such fees shall be fixed in order to recover all or part of such
27 operating expenses.
28 Architectural services fee fund No limit
29 *Provided*, That expenditures may be made from the architectural services
30 fee fund for operating expenditures for distribution of architectural in-
31 formation: *Provided further*, That the director of facilities management
32 is hereby authorized to fix, charge and collect fees for reproduction and
33 distribution of architectural information: *And provided further*, That such
34 fees shall be fixed in order to recover all or part of the operating expenses
35 incurred for reproducing and distributing architectural information: *And*
36 *provided further*, That all fees received for such reproduction and distri-
37 bution of architectural information shall be deposited in the state treasury
38 in accordance with the provisions of K.S.A. 75-4215, and amendments
39 thereto, and shall be credited to the architectural services fee fund.
40 Budget equipment conversion fund..... No limit
41 Conversion of materials and equipment fund No limit
42 Architectural services equipment conversion fund..... No limit
43 Property contingency fund..... No limit

1 Flood control emergency — federal fund No limit
2 CJIS Byrne Grant — federal fund No limit
3 FICA reimbursements medical residents fund..... No limit
4 Information technology fund..... No limit
5 *Provided*, That any moneys collected from a fee increase for information
6 services recommended by the governor shall be deposited in the state
7 treasury to the credit of the information technology fund.
8 Information technology reserve fund..... No limit
9 State buildings operating fund..... No limit
10 *Provided*, That expenditures may be made from the state buildings op-
11 erating fund for operating and other expenses for the Hiram Price Dillon
12 House: *Provided further*, That the secretary of administration is hereby
13 authorized to fix, charge and collect fees for use of the rooms and other
14 facilities of the Hiram Price Dillon House in accordance with policies
15 adopted by the legislative coordinating council under K.S.A. 75-3682, and
16 amendments thereto, for approving the use of such property: *And pro-*
17 *vided further*, That fees for approved use of such property shall be rea-
18 sonable and directly related to the costs of such use and shall be fixed in
19 order to recover all or part of the operating expenses incurred for such
20 use: *And provided further*, That all moneys received for such fees shall
21 be deposited in the state treasury in accordance with the provisions of
22 K.S.A. 75-4215, and amendments thereto, and shall be credited to the
23 state buildings operating fund or the building and ground fund, as deter-
24 mined and directed by the secretary of administration: *And provided fur-*
25 *ther*, That the secretary of administration is hereby authorized to fix,
26 charge and collect a real estate property leasing services fee at a reason-
27 able rate per square foot of space leased by state agencies as approved
28 by the secretary of administration under K.S.A. 75-3739, and amend-
29 ments thereto, to recover the costs incurred by the department of ad-
30 ministration in providing services to state agencies relating to leases of
31 real property: *And provided further*, That each state agency that is party
32 to a lease of real property that is approved by the secretary of adminis-
33 tration under K.S.A. 75-3739, and amendments thereto, shall remit to the
34 secretary of administration the real estate property leasing services fee
35 upon receipt of the billing therefor: *And provided further*, That all mon-
36 eys received for real estate property leasing services fees shall be depos-
37 ited in the state treasury in accordance with the provisions of K.S.A. 75-
38 4215, and amendments thereto, and shall be credited to the state
39 buildings operating fund or the building and ground fund, as determined
40 and directed by the secretary of administration: *And provided further*,
41 That the net proceeds from the sale of all or any part of the Topeka state
42 hospital property, as defined by subsection (a) of K.S.A. 2009 Supp. 75-
43 37,123, and amendments thereto, shall be deposited in the state treasury

1 and credited to the state buildings operating fund or the building and
 2 ground fund, as determined and directed by the secretary of administra-
 3 tion: *And provided further*, That the secretary of administration is hereby
 4 authorized to fix, charge and collect a surcharge against all state agency
 5 leased square footage in Shawnee County including both state-owned and
 6 privately-owned buildings: *And provided further*, That all moneys re-
 7 ceived for such surcharge shall be deposited in the state treasury in ac-
 8 cordance with the provisions of K.S.A. 75-4215, and amendments thereto,
 9 and shall be credited to the state buildings operating fund or the building
 10 and ground fund, as determined and directed by the secretary of admin-
 11 istration.

12 Accounting services recovery fund No limit
 13 *Provided*, That expenditures may be made from the accounting services
 14 recovery fund for the operating expenditures, including official hospital-
 15 ity, of the department of administration: *Provided further*, That the sec-
 16 retary of administration is hereby authorized to fix, charge and collect
 17 fees for services or sales provided by the department of administration
 18 which are not specifically authorized by any other statute: *And provided*
 19 *further*, That all fees received for such services or sales shall be deposited
 20 in the state treasury in accordance with the provisions of K.S.A. 75-4215,
 21 and amendments thereto, and shall be credited to the accounting services
 22 recovery fund.

23 Architectural services recovery fund..... No limit
 24 *Provided*, That expenditures may be made from the architectural services
 25 recovery fund for operating expenditures for the division of facilities man-
 26 agement: *Provided further*, That the director of facilities management is
 27 hereby authorized to charge and collect fees for services provided to other
 28 state agencies not directly related to the construction of a capital im-
 29 provement project: *And provided further*, That all fees received for all
 30 such services shall be deposited in the state treasury in accordance with
 31 the provisions of K.S.A. 75-4215, and amendments thereto, and shall be
 32 credited to the architectural services recovery fund.

33 Motor pool service fund No limit

34 Intragovernmental printing service fund No limit

35 Intragovernmental printing service depreciation reserve
 36 fund..... No limit

37 Municipal accounting and training services recovery
 38 fund..... No limit

39 *Provided*, That expenditures may be made from the municipal accounting
 40 and training services recovery fund to provide general ledger, payroll
 41 reporting, utilities billing, data processing, and accounting services to mu-
 42 nicipalities and to provide training programs conducted for municipal
 43 government personnel, including official hospitality: *Provided further*,

1 That the director of accounts and reports is hereby authorized to fix,
 2 charge and collect fees for such services and programs: *And provided*
 3 *further*, That such fees shall be fixed to cover all or part of the operating
 4 expenditures incurred in providing such services and programs, including
 5 official hospitality: *And provided further*, That all fees received for such
 6 services and programs, including official hospitality, shall be deposited in
 7 the state treasury in accordance with the provisions of K.S.A. 75-4215,
 8 and amendments thereto, and shall be credited to the municipal account-
 9 ing and training services recovery fund.

| | | |
|----|---|----------|
| 10 | Canceled warrants payment fund..... | No limit |
| 11 | State emergency fund | No limit |
| 12 | Bid and contract deposit fund | No limit |
| 13 | Federal withholding tax clearing fund..... | No limit |
| 14 | Financial management system development fund..... | No limit |

15 *Provided*, That the secretary of administration may establish fees and
 16 make special assessments in order to finance the costs of developing the
 17 financial management system: *Provided further*, That all moneys received
 18 for such fees and special assessments shall be deposited in the state treas-
 19 ury in accordance with the provisions of K.S.A. 75-4215, and amendments
 20 thereto, and shall be credited to the financial management system de-
 21 velopment fund of the department of administration.

| | | |
|----|--|----------|
| 22 | State gaming revenues fund..... | No limit |
| 23 | Financial management system development fund — on | |
| 24 | budget | No limit |
| 25 | Construction defects recovery fund..... | No limit |
| 26 | Facilities conservation improvement fund | No limit |
| 27 | State revolving fund services fee fund | No limit |
| 28 | Conversion of materials and equipment — recycling pro- | |
| 29 | gram fund..... | No limit |
| 30 | Curtis office building maintenance reserve fund | No limit |
| 31 | Equipment lease purchase program administration clear- | |
| 32 | ing fund | No limit |
| 33 | Suspense fund | No limit |
| 34 | Electronic funds transfer suspense fund | No limit |
| 35 | Surplus property program fund — on budget..... | No limit |
| 36 | Surplus property program fund — off budget..... | No limit |
| 37 | Older Americans act long-term care ombudsman federal | |
| 38 | fund..... | No limit |
| 39 | Long-term care ombudsman gift and grant fund..... | No limit |
| 40 | Title XIX — long-term care ombudsman medicaid federal | |
| 41 | grant fund | No limit |
| 42 | Wireless enhanced 911 grant fund..... | No limit |
| 43 | Landon state office building repair expense fund..... | No limit |

1 MacVicar avenue assessment expense fund No limit

2 (c) On July 1, 2010, the director of accounts and reports shall transfer
3 \$210,000 from the state highway fund to the state general fund for the
4 purpose of reimbursing the state general fund for the cost of providing
5 purchasing services to the department of transportation.

6 (d) During the fiscal year ending June 30, 2011, the secretary of ad-
7 ministration is hereby authorized to approve refinancing of equipment
8 being financed by state agencies through the department’s equipment
9 financing program. Such refinancing project is hereby approved for the
10 purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto.

11 (e) In addition to the other purposes for which expenditures may be
12 made by the above agency from moneys appropriated in any capital im-
13 provement account of any special revenue fund or in any capital improve-
14 ment account of the state general fund for the above agency for fiscal
15 year 2011 by this or other appropriation act of the 2010 regular session
16 of the legislature, expenditures may be made by the above agency from
17 any such capital improvement account of any special revenue fund or any
18 such capital improvement account of the state general fund for fiscal year
19 2011 for the purpose of making emergency repairs to any facility that is
20 under the charge, care, management or control of the department of
21 administration as provided by law: *Provided*, That the secretary of ad-
22 ministration shall make a full report on such repairs and expenditures to
23 the director of the budget and the director of legislative research.

24 (f) (1) On July 1, 2010, the director of accounts and reports shall record
25 a debit to the state treasurer’s receivables for the children’s initiatives
26 fund and shall record a corresponding credit to the children’s initiatives
27 fund in an amount certified by the director of the budget which shall be
28 equal to 50% of the amount estimated by the director of the budget to
29 be transferred and credited to the children’s initiatives fund during the
30 fiscal year ending June 30, 2011, except that such amount shall be pro-
31 portionally adjusted during fiscal year 2011 with respect to any change in
32 the moneys to be transferred and credited to the children’s initiatives
33 fund during fiscal year 2011. Among other appropriate factors, the direc-
34 tor of the budget shall take into consideration the estimated and actual
35 receipts and interest earnings of the Kansas endowment for youth fund
36 for fiscal year 2010 and fiscal year 2011 in determining the amount to be
37 certified under this subsection. All moneys transferred and credited to
38 the children’s initiatives fund during fiscal year 2011 shall reduce the
39 amount debited and credited to the children’s initiatives fund under this
40 subsection.

41 (2) On June 30, 2011, the director of accounts and reports shall adjust
42 the amounts debited and credited to the state treasurer’s receivables and
43 to the children’s initiatives fund pursuant to this subsection, to reflect all

1 moneys actually transferred and credited to the children's initiatives fund
2 during fiscal year 2011.

3 (3) The director of accounts and reports shall notify the state treasurer
4 of all amounts debited and credited to the children's initiatives fund pur-
5 suant to this subsection and all reductions and adjustments thereto made
6 pursuant to this subsection. The state treasurer shall enter all such
7 amounts debited and credited and shall make reductions and adjustments
8 thereto on the books and records kept and maintained for the children's
9 initiatives fund by the state treasurer in accordance with the notice
10 thereof.

11 (4) The reductions and adjustments prescribed to be made by the di-
12 rector of accounts and reports and the state treasurer pursuant to this
13 subsection for the children's initiatives fund to account for moneys ac-
14 tually received that are to be transferred and credited to the children's
15 initiatives fund shall be made after the reductions and adjustments pre-
16 scribed to be made by the director of accounts and reports and the state
17 treasurer pursuant to subsection (i) for the Kansas endowment for youth
18 fund to account for moneys actually received that are to be deposited in
19 the state treasury and credited to the Kansas endowment for youth fund.

20 (g) (1) On July 1, 2010, the director of accounts and reports shall record
21 a debit to the state treasurer's receivables for the state economic devel-
22 opment initiatives fund and shall record a corresponding credit to the
23 state economic development initiatives fund in an amount certified by
24 the director of the budget which shall be equal to 50% of the amount
25 estimated by the director of the budget to be transferred and credited to
26 the state economic development initiatives fund during the fiscal year
27 ending June 30, 2011, except that such amount shall be proportionally
28 adjusted during fiscal year 2011 with respect to any change in the moneys
29 to be transferred and credited to the state economic development initia-
30 tives fund during fiscal year 2011. All moneys transferred and credited to
31 the state economic development initiatives fund during fiscal year 2011
32 shall reduce the amount debited and credited to the state economic de-
33 velopment initiatives fund under this subsection.

34 (2) On June 30, 2011, the director of accounts and reports shall adjust
35 the amounts debited and credited to the state treasurer's receivables and
36 to the state economic development initiatives fund pursuant to this sub-
37 section, to reflect all moneys actually transferred and credited to the state
38 economic development initiatives fund during fiscal year 2011.

39 (3) The director of accounts and reports shall notify the state treasurer
40 of all amounts debited and credited to the state economic development
41 initiatives fund pursuant to this subsection and all reductions and adjust-
42 ments thereto made pursuant to this subsection. The state treasurer shall
43 enter all such amounts debited and credited and shall make reductions

1 and adjustments thereto on the books and records kept and maintained
2 for the state economic development initiatives fund by the state treasurer
3 in accordance with the notice thereof.

4 (h) (1) On July 1, 2010, the director of accounts and reports shall record
5 a debit to the state treasurer's receivables for the correctional institutions
6 building fund and shall record a corresponding credit to the correctional
7 institutions building fund in an amount certified by the director of the
8 budget which shall be equal to 80% of the amount estimated by the
9 director of the budget to be transferred and credited to the correctional
10 institutions building fund during the fiscal year ending June 30, 2011,
11 except that such amount shall be proportionally adjusted during fiscal year
12 2011 with respect to any change in the moneys to be transferred and
13 credited to the correctional institutions building fund during fiscal year
14 2011. All moneys transferred and credited to the correctional institutions
15 building fund during fiscal year 2011 shall reduce the amount debited
16 and credited to the correctional institutions building fund under this sub-
17 section.

18 (2) On June 30, 2011, the director of accounts and reports shall adjust
19 the amounts debited and credited to the state treasurer's receivables and
20 to the correctional institutions building fund pursuant to this subsection,
21 to reflect all moneys actually transferred and credited to the correctional
22 institutions building fund during fiscal year 2011.

23 (3) The director of accounts and reports shall notify the state treasurer
24 of all amounts debited and credited to the correctional institutions build-
25 ing fund pursuant to this subsection and all reductions and adjustments
26 thereto made pursuant to this subsection. The state treasurer shall enter
27 all such amounts debited and credited and shall make reductions and
28 adjustments thereto on the books and records kept and maintained for
29 the correctional institutions building fund by the state treasurer in ac-
30 cordance with the notice thereof.

31 (i) (1) On July 1, 2010, the director of accounts and reports shall record
32 a debit to the state treasurer's receivables for the Kansas endowment for
33 youth fund and shall record a corresponding credit to the Kansas endow-
34 ment for youth fund in an amount certified by the director of the budget
35 which shall be equal to 80% of the amount approved for expenditure by
36 the children's cabinet during the fiscal year ending June 30, 2011, as
37 certified by the director of the budget. All moneys received and credited
38 to the Kansas endowment for youth fund during fiscal year 2011 shall
39 reduce the amount debited and credited to the Kansas endowment for
40 youth fund under this subsection.

41 (2) On June 30, 2011, the director of accounts and reports shall adjust
42 the amounts debited and credited to the state treasurer's receivables and
43 to the Kansas endowment for youth fund pursuant to this subsection, to

1 reflect all moneys actually transferred and credited to the Kansas endow-
2 ment for youth fund during fiscal year 2011.

3 (3) The director of accounts and reports shall notify the state treasurer
4 of all amounts debited and credited to the Kansas endowment for youth
5 fund pursuant to this subsection and all reductions and adjustments
6 thereto made pursuant to this subsection. The state treasurer shall enter
7 all such amounts debited and credited and shall make reductions and
8 adjustments thereto on the books and records kept and maintained for
9 the Kansas endowment for youth fund by the state treasurer in accord-
10 ance with the notice thereof.

11 (4) The reductions and adjustments prescribed to be made by the di-
12 rector of accounts and reports and the state treasurer pursuant to this
13 subsection for the Kansas endowment for youth fund to account for mon-
14 eys actually received that are to be deposited in the state treasury and
15 credited to the Kansas endowment for youth fund shall be made before
16 the reductions and adjustments prescribed to be made by the director of
17 accounts and reports and the state treasurer pursuant to subsection (f)
18 for the children’s initiatives fund to account for moneys actually received
19 that are to be transferred and credited to the children’s initiatives fund.

20 (j) During the fiscal year ending June 30, 2011, the secretary of ad-
21 ministration, with the approval of the director of the budget, may transfer
22 any part of any item of appropriation for the fiscal year ending June 30,
23 2011, from the state general fund for the department of administration
24 to another item of appropriation for fiscal year 2011 from the state general
25 fund for the department of administration. The secretary of administra-
26 tion shall certify each such transfer to the director of accounts and reports
27 and shall transmit a copy of each such certification to the director of
28 legislative research.

29 (k) There is appropriated for the above agency from the state institu-
30 tions building fund for the fiscal year ending June 30, 2011, the following:
31 SIBF — state building insurance \$105,000
32 *Provided*, That, notwithstanding the provisions of K.S.A. 76-6b05, and
33 amendments thereto, expenditures may be made by the above agency
34 from the SIBF — state building insurance account of the state institutions
35 building fund for state building insurance premiums.

36 (l) There is appropriated for the above agency from the correctional
37 institutions building fund for the fiscal year ending June 30, 2011, the
38 following:

39 CIBF — state building insurance \$85,000
40 *Provided*, That, notwithstanding the provisions of K.S.A. 76-6b09, and
41 amendments thereto, expenditures may be made by the above agency
42 from the CIBF — state building insurance account of the correctional
43 institutions building fund for state building insurance premiums.

- 1 (m) On July 1, 2010, or as soon thereafter as moneys are available
2 during the fiscal year ending June 30, 2011, the director of accounts and
3 reports shall transfer an amount or amounts from the appropriate federal
4 fund or funds of the department on aging to the older Americans act
5 long- term care ombudsman federal fund of the department of admin-
6 istration: *Provided*, That the aggregate of such amount or amounts trans-
7 ferred during fiscal year 2011 shall be equal to and shall not exceed the
8 Older Americans Act Title VII: Ombudsman Award and 4.38% of the
9 Kansas Older Americans Act Title III: Part B Supportive Services Award.
- 10 (n) (1) On July 1, 2010, notwithstanding the provisions of any other
11 statute, the director of accounts and reports shall record a debit to the
12 state treasurer’s receivables for the state general fund and shall record a
13 corresponding credit to the state general fund in the net amount equal
14 to \$32,689,900 minus the amount credited and debited on or before June
15 30, 2010, pursuant to section 76(p)(9)(D) of chapter 142 of the 2006
16 Session Laws of Kansas, to finance the cost of the 27th payroll chargeable
17 to the fiscal year ending June 30, 2006, for state agencies.
- 18 (2) On or before September 1, 2010, the director of accounts and re-
19 ports shall adjust the amounts debited and credited to the state treasurer’s
20 receivables and to the state general fund pursuant to this subsection (n),
21 to reflect all moneys actually transferred and credited to the state general
22 fund during fiscal year 2011.
- 23 (3) (A) (i) Prior to August 15, 2010, the director of the budget shall
24 determine and certify to the director of accounts and reports the amount
25 reappropriated in each account of the state general fund of a state agency,
26 other than any regents agency, from the state general fund that has a
27 specific expenditure limitation prescribed for fiscal year 2011 and that is
28 in excess of the amount authorized under the approved budget of exp-
29 penditures to be expended from such reappropriated amount for fiscal
30 year 2011.
- 31 (ii) On or before June 30, 2011, the director of the budget shall deter-
32 mine and certify to the director of accounts and reports the amount reap-
33 propriated in each account of the state general fund of a state agency,
34 other than any regents agency, from the state general fund that has no
35 specific expenditure limitation prescribed for the fiscal year, that is in
36 excess of the amount estimated under the approved budget of expendi-
37 tures to be expended from such reappropriated amount for fiscal year
38 2011, and that is determined by the director of the budget not to be
39 needed for the purpose for which such amount was originally budgeted,
40 including, but not limited to, actual or projected cost savings as a result
41 of completed, cancelled or modified projects, programs or operations.
- 42 (iii) As used in paragraphs (i) and (ii) of this subsection (n)(3)(A), “spe-
43 cific expenditure limitation prescribed for the fiscal year” includes any

1 case in which no expenditures may be made from such reappropriated
2 balance except upon approval by the state finance council.

3 (B) Prior to August 15, 2010, the director of the budget shall determine
4 and certify to the director of accounts and reports the aggregate of all
5 unanticipated lapses of moneys which were appropriated or reappro-
6 priated from the state general fund for fiscal year 2010 and which were
7 not reappropriated for fiscal year 2011, as determined by the director of
8 the budget: *Provided*, That, as used in this subsection (n)(3)(B), “unan-
9 ticipated lapses of moneys” shall not include any amount lapsed from the
10 state general fund pursuant to explicit language in an appropriation act
11 of the 2010 regular session of the legislature or any amount lapsed from
12 the state general fund for which specific reappropriation language was
13 deliberately not included in any appropriation act of the 2010 regular
14 session of the legislature.

15 (C) Prior to August 15, 2010, the director of the budget shall determine
16 and certify to the director of accounts and reports the aggregate of all
17 amounts of unencumbered balances in accounts of the state general fund
18 that were first encumbered during a fiscal year commencing prior to July
19 1, 2009, that were released during fiscal year 2010, and that were not
20 specifically reappropriated by an appropriation act of the 2010 regular
21 session of the legislature.

22 (4) (A) On August 15, 2010, in accordance with the certification by the
23 director of the budget that is submitted to the director of accounts and
24 reports under subsection (n)(3)(A)(i), the appropriation for fiscal year
25 2011 for each account of the state general fund that is appropriated or
26 reappropriated for the fiscal year ending June 30, 2011, by this or other
27 appropriation act of the 2010 regular session of the legislature is hereby
28 respectively lapsed by the amount equal to the amount certified under
29 subsection (n)(3)(A)(i).

30 (B) On June 30, 2011, in accordance with the certification by the di-
31 rector of the budget that is submitted to the director of accounts and
32 reports under subsection (n)(3)(A)(ii), the appropriation for fiscal year
33 2011 for each account of the state general fund that is appropriated or
34 reappropriated for the fiscal year ending June 30, 2011, by this or other
35 appropriation act of the 2010 regular session of the legislature is hereby
36 respectively lapsed by the amount equal to the amount certified under
37 subsection (n)(3)(A)(ii).

38 (5) At the same time as the director of the budget transmits each cer-
39 tification to the director of accounts and reports pursuant to subsection
40 (n)(3), the director of the budget shall transmit a copy of such certification
41 to the director of legislative research.

42 (6) (A) Prior to August 15, 2010, the state board of regents shall de-
43 termine and certify to the director of the budget each of the specific

1 amounts from the amounts appropriated from the state general fund or
2 from the moneys appropriated and available in the special revenue funds
3 for each of the regents agencies to be transferred to and debited to the
4 27th payroll adjustment account of the state general fund by the director
5 of accounts and reports pursuant to this subsection (n): *Provided* That
6 the aggregate of all such amounts certified to the director of the budget
7 shall be an amount that is equal to or more than \$1,184,054. The certi-
8 fication by the state board of regents shall specify the amount in each
9 account of the state general fund or in each special revenue fund, or
10 account thereof, that is designated by the state board of regents pursuant
11 to this subsection for each of the regents agencies to be transferred to
12 and debited to the 27th payroll adjustment account in the state general
13 fund by the director of accounts and reports pursuant to this subsection
14 (n). At the same time as such certification is transmitted to the director
15 of the budget, the state board of regents shall transmit a copy of such
16 certification to the director of legislative research.

17 (B) The director of the budget shall review each such certification from
18 the state board of regents and shall certify a copy of each such certification
19 from the state board of regents to the director of accounts and reports.
20 At the same time as such certification is transmitted to the director of
21 accounts and reports, the director of the budget shall transmit a copy of
22 each such certification to the director of legislative research.

23 (C) On August 15, 2010, in accordance with the certification by the
24 director of the budget that is submitted to the director of accounts and
25 reports under this subsection (n)(6), the appropriation for fiscal year 2011
26 for each account of the state general fund, state economic development
27 initiatives fund, state water plan fund and children's initiatives fund that
28 is appropriated or reappropriated for the fiscal year ending June 30, 2011,
29 by this or other appropriation act of the 2010 regular session of the leg-
30 islature is hereby respectively lapsed by the amount equal to the amount
31 certified under this subsection (n)(6).

32 (7) In determining the amounts to be certified to the director of ac-
33 counts and reports in accordance with this subsection (n), the director of
34 the budget and the state board of regents shall consider any changed
35 circumstances and unanticipated reductions in expenditures or unantici-
36 pated and required expenditures by the state agencies for fiscal year 2011.

37 (8) (A) On or before September 1, 2010, after receipt of each certifi-
38 cation by the director of the budget pursuant to this subsection (n), the
39 director of accounts and reports shall transfer and debit to the 27th payroll
40 adjustment account of the state general fund, which is hereby established
41 in the state general fund, by an amount equal to the aggregate of the
42 amounts certified by the director of the budget pursuant to subsection
43 (n)(3) and subsection (n)(6) in accordance with such certifications.

1 (B) On September 1, 2010, the director of accounts and reports shall
2 transfer the balance of the 27th payroll adjustment account of the state
3 general fund to the master account of the state general fund: *Provided,*
4 *however,* That the amount transferred shall not exceed the amount of the
5 then outstanding balance of the state treasurer's receivables for the state
6 general fund.

7 (C) On September 1, 2010, the director of accounts and reports shall
8 adjust the amounts debited and credited to the state treasurer's receive-
9 ables and to the 27th payroll adjustment account of the state general fund
10 pursuant to this subsection (n), to reflect all moneys actually transferred
11 and credited to the 27th payroll adjustment account of the state general
12 fund pursuant to this subsection (n) during fiscal year 2011.

13 (D) On or before June 30, 2011, after receipt of each certification by
14 the director of the budget pursuant to subsection (n)(3)(A)(ii), the direc-
15 tor of accounts and reports shall transfer and debit to the 27th payroll
16 adjustment account of the state general fund, which is hereby established
17 in the state general fund, an amount equal to the aggregate of the amounts
18 certified by the director of the budget pursuant to subsection (n)(3)(A)(ii)
19 in accordance with such certifications.

20 (E) On June 30, 2011, the director of accounts and reports shall transfer
21 the balance of the 27th payroll adjustment account of the state general
22 fund to the master account of the state general fund: *Provided, however,*
23 *That* the amount transferred shall not exceed the amount of the then
24 outstanding balance of the state treasurer's receivables for the state gen-
25 eral fund.

26 (F) On June 30, 2011, the director of accounts and reports shall adjust
27 the amounts debited and credited to the state treasurer's receivables and
28 to the 27th payroll adjustment account of the state general fund pursuant
29 to this subsection (n), to reflect all moneys actually transferred and cred-
30 ited to the 27th payroll adjustment account of the state general fund
31 pursuant to this subsection (n) during fiscal year 2011.

32 (G) On June 30, 2011, the director of accounts and reports shall record
33 a credit to the state treasurer's receivables for the state general fund and
34 shall record a corresponding debit to the state general fund in the amount
35 of the outstanding receivable created to finance the cost of the 27th pay-
36 roll chargeable to the fiscal year ending June 30, 2006.

37 (H) The director of accounts and reports shall notify the state treasurer
38 of all amounts debited and credited to the 27th payroll adjustment ac-
39 count of the state general fund pursuant to this subsection (n) and all
40 reductions and adjustments thereto made pursuant to this subsection (n).
41 The state treasurer shall enter all such amounts debited and credited and
42 shall make reductions and adjustments thereto on the books and records
43 kept and maintained for the state general fund by the state treasurer in

1 accordance with the notice thereof.

2 (9) As used in this subsection (n), “regents agency” means the state
3 board of regents, Fort Hays state university, Kansas state university, Kan-
4 sas state university extension systems and agriculture research programs,
5 Kansas state university veterinary medical center, Emporia state univer-
6 sity, Pittsburg state university, university of Kansas, university of Kansas
7 medical center, and Wichita state university.

8 (10) The provisions of this subsection (n) shall not apply to:

9 (A) The health care stabilization fund of the health care stabilization
10 fund board of governors;

11 (B) any money held in trust in a trust fund or held in trust in any other
12 special revenue fund of any state agency;

13 (C) any moneys received from any agency or authority of the federal
14 government or from any other federal source, other than any such federal
15 moneys that are credited to or may be received and credited to special
16 revenue funds of a regents agency and that are determined by the state
17 board of regents to be federal moneys that may be transferred to and
18 debited to the 27th payroll adjustment account of the state general fund
19 by the director of accounts and reports pursuant to this subsection (n);

20 (D) any account of the Kansas educational building fund or the state
21 institutions building fund; or

22 (E) any fund in the state treasury, as determined by the director of the
23 budget, that would experience financial or administrative difficulties as a
24 result of executing the provisions of this subsection (n), including, but not
25 limited to, cash-flow problems, the inability to meet ordinary expenditure
26 obligations, or any conflicts with prevailing contracts, compacts or other
27 provisions of law.

28 (11) Each amount transferred from any special revenue fund of any
29 state agency, including any regents agency, to the state general fund pur-
30 suant to this subsection (n), is transferred to reimburse the state general
31 fund for accounting, auditing, budgeting, legal, payroll, personnel and
32 purchasing services and any other governmental services which are per-
33 formed on behalf of the state agency involved by other state agencies
34 which receive appropriations from the state general fund to provide such
35 services.

36 (12) On or after July 1, 2010, notwithstanding the provisions of K.S.A.
37 75-4209, and amendments thereto, or any other statute, upon specific
38 authorization in an appropriation act of the legislature, the pooled money
39 investment board is authorized and directed to loan an amount of not
40 more than \$6,000,000 to the state general fund to provide financing for
41 any additional amounts required above the moneys otherwise provided
42 by law to repay amounts provided by law to finance the cost of the 27th
43 payroll chargeable to the fiscal year 2006 and to provide for an adequate

1 reserve in the 27th payroll adjustment account. The pooled money in-
2 vestment board is authorized and directed to use any moneys in the op-
3 erating accounts, investment accounts or other investments of the state
4 of Kansas to provide the funds for such loan. Such loan shall not bear
5 interest and shall not be deemed to be an indebtedness or debt of the
6 state of Kansas within the meaning of section 6 of article 11 of the con-
7 stitution of the state of Kansas. Any such loan shall be repaid from the
8 state general fund and any appropriate special revenue funds in the state
9 treasury.

10 (o) During the fiscal year ending June 30, 2011, in addition to the other
11 purposes for which expenditures may be made by the above agency from
12 moneys appropriated from the state general fund or any special revenue
13 fund for the above agency for fiscal year 2011 by this or other appropri-
14 ation act of the 2010 regular session of the legislature, expenditures may
15 be made by the above agency from the state general fund or from any
16 special revenue fund for fiscal year 2011, for the secretary of administra-
17 tion to fix, charge and collect fees for architectural, engineering and man-
18 agement services provided for capital improvement projects of the state
19 board of regents or any state educational institution, as defined by K.S.A.
20 76-711, and amendments thereto, for which the department of adminis-
21 tration provides such services and which are financed in whole or in part
22 by gifts, bequests or donations made by one or more private individuals
23 or other private entities: *Provided*, That such fees for such services are
24 hereby authorized to be fixed, charged and collected in accordance with
25 the provisions of K.S.A. 2009 Supp. 75-1269, and amendments thereto,
26 notwithstanding any provisions of K.S.A. 2009 Supp. 75-1269, and
27 amendments thereto, to the contrary: *Provided further*, That all such fees
28 received shall be deposited in the state treasury in accordance with the
29 provisions of K.S.A. 75-4215, and amendments thereto, and shall be cred-
30 ited to the architectural services recovery fund.

31 (p) During the fiscal year ending June 30, 2011, notwithstanding the
32 provisions of any statute or any rules and regulations to the contrary, in
33 addition to the other purposes for which expenditures may be made by
34 the above agency from moneys appropriated from the state general fund
35 or any special revenue fund for the above agency for fiscal year 2011 as
36 authorized by this or other appropriation act of the 2010 regular session
37 of the legislature, expenditures shall be made by the above agency from
38 the state general fund or from any special revenue fund for fiscal year
39 2011, for the secretary of administration to provide parking for state em-
40 ployees on state-owned parking lots located within the state capitol area,
41 as defined by subsection (c) of K.S.A. 75-2240a, and amendments thereto,
42 without charge or cost to such employees for such parking: *Provided*, That
43 this subsection shall not apply to parking garages or other parking struc-

1 tures in such state capitol area or to any state-owned parking lots for which
 2 revenues have been pledged to repay bonds issued for the construction
 3 of any of such parking garages, structures or lots: *Provided further*, That
 4 the secretary of administration shall continue otherwise to administer
 5 access to state-owned parking lots in accordance with policies and pro-
 6 cedures adopted as provided by law, including use of hang tags and wait-
 7 ing lists for specific parking lots, in order to ensure orderly parking pro-
 8 cedures: *And provided further*, That the secretary of administration shall
 9 make expenditures from moneys appropriated from the state buildings
 10 operating fund or any other special revenue funds for the purpose of
 11 maintaining the state-owned parking lots.

12 Sec. 52.

13 OFFICE OF ADMINISTRATIVE HEARINGS

14 (a) There is appropriated for the above agency from the following spe-
 15 cial revenue fund or funds for the fiscal year ending June 30, 2010, all
 16 moneys now or hereafter lawfully credited to and available in such fund
 17 or funds, except that expenditures other than refunds authorized by law
 18 shall not exceed the following:

19 Administrative hearings office fund..... No limit

20 (b) On July 1, 2010, or as soon thereafter as moneys are available, the
 21 director of accounts and reports shall transfer \$150,000 from the admin-
 22 istrative hearings office fund of the office of administrative hearings to
 23 the state general fund: *Provided* That the transfer of such amount shall
 24 be in addition to any other transfer from the administrative hearings office
 25 fund to the state general fund as prescribed by law: *Provided further*,
 26 That the amount transferred from the administrative hearings office fund
 27 to the state general fund pursuant to this subsection is to reimburse the
 28 state general fund for accounting, auditing, budgeting, legal, payroll, per-
 29 sonnel and purchasing services and any other governmental services
 30 which are performed on behalf of the office of administrative hearings
 31 by other state agencies which receive appropriations from the state gen-
 32 eral fund to provide such services.

33 Sec. 53.

34 STATE COURT OF TAX APPEALS

35 (a) There is appropriated for the above agency from the state general
 36 fund for the fiscal year ending June 30, 2011, the following:

37 Operating expenditures \$1,382,913

38 *Provided*, That any unencumbered balance in the operating expenditures
 39 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
 40 for fiscal year 2011.

41 (b) There is appropriated for the above agency from the following spe-
 42 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 43 moneys now or hereafter lawfully credited to and available in such fund

1 or funds, except that expenditures other than refunds authorized by law
2 shall not exceed the following:

| | |
|------------------------------|-----------|
| 3 Duplicating fees fund..... | \$5,000 |
| 4 COTA filing fee fund..... | \$648,777 |

5 Sec. 54.

6 DEPARTMENT OF REVENUE

7 (a) There is appropriated for the above agency from the state general
8 fund for the fiscal year ending June 30, 2011, the following:

| | |
|--------------------------------|--------------|
| 9 Operating expenditures | \$16,353,414 |
|--------------------------------|--------------|

10 *Provided*, That any unencumbered balance in the operating expenditures
11 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
12 for fiscal year 2011: *Provided, however*, That expenditures from this ac-
13 count for official hospitality shall not exceed \$1,500.

14 (b) There is appropriated for the above agency from the following spe-
15 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
16 moneys now or hereafter lawfully credited to and available in such fund
17 or funds, except that expenditures other than refunds authorized by law
18 shall not exceed the following:

| | |
|--|--------------|
| 19 Sand royalty fund | No limit |
| 20 Division of vehicles operating fund | \$46,611,647 |

21 *Provided*, That all receipts collected under authority of K.S.A. 74-2012,
22 and amendments thereto, shall be credited to the division of vehicles
23 operating fund: *Provided further*, That any expenditure from the division
24 of vehicles operating fund of the department of revenue to reimburse the
25 audit services fund of the division of post audit for a financial-compliance
26 audit in an amount certified by the legislative post auditor shall be in
27 addition to any expenditure limitation imposed on the division of vehicles
28 operating fund for the fiscal year ending June 30, 2011: *And provided*
29 *further*, That, notwithstanding the provisions of K.S.A. 68-416, and
30 amendments thereto, or of any other statute, expenditures may be made
31 from this fund for the administration and operation of the department of
32 revenue.

| | |
|---|----------|
| 33 Vehicle dealers and manufacturers fee fund | No limit |
| 34 Kansas qualified agricultural ethyl alcohol producer incen- 35 tive fund..... | No limit |
| 36 Kansas qualified biodiesel fuel producer incentive fund ... | No limit |
| 37 Division of vehicles modernization fund | No limit |
| 38 Kansas retail dealer incentive fund..... | No limit |
| 39 Local report fee fund..... | No limit |
| 40 Military retirees income tax refund fund..... | No limit |
| 41 Conversion of materials and equipment fund | No limit |
| 42 Forfeited property fee fund | No limit |
| 43 Setoff services revenue fund | No limit |

1 Publications fee fund No limit
2 State bingo regulation fund..... No limit
3 Child support enforcement contractual agreement fund... No limit
4 County treasurers' vehicle licensing fee fund..... No limit
5 Reappraisal reimbursement fund No limit
6 *Provided*, That all moneys received for the costs incurred for conducting
7 appraisals for any county shall be deposited in the state treasury and
8 credited to the reappraisal reimbursement fund: *Provided further*, That
9 expenditures may be made from this fund for the purpose of conducting
10 appraisals pursuant to orders of the court of tax appeals under K.S.A. 79-
11 1479, and amendments thereto.
12 Special training fund..... No limit
13 *Provided*, That expenditures may be made from the special training fund
14 for operating expenditures, including official hospitality, incurred for con-
15 ferences, training seminars, workshops and examinations: *Provided fur-*
16 *ther*, That the secretary of revenue is hereby authorized to fix, charge and
17 collect fees for conferences, training seminars, workshops and examina-
18 tions sponsored or cosponsored by the department of revenue: *And pro-*
19 *vided further*, That such fees shall be fixed in order to recover all or part
20 of the operating expenditures incurred for such conferences, training
21 seminars, workshops and examinations or for qualifying applicants for
22 such conferences, training seminars, workshops and examinations: *And*
23 *provided further*, That all fees received for conferences, training semi-
24 nars, workshops and examinations shall be deposited in the state treasury
25 in accordance with the provisions of K.S.A. 75-4215, and amendments
26 thereto, and shall be credited to the special training fund.
27 Recovery fund for enforcement actions and attorney
28 fees..... No limit
29 Federal commercial motor vehicle safety fund..... No limit
30 Homeland security reimbursement fund..... No limit
31 Earned income tax credits — TANF — federal fund..... No limit
32 Central stores fund..... No limit
33 *Provided*, That expenditures may be made from the central stores fund
34 to operate and maintain a central stores activity to sell supplies to other
35 state agencies: *Provided further*, That all moneys received for such sup-
36 plies shall be deposited in the state treasury in accordance with the pro-
37 visions of K.S.A. 75-4215, and amendments thereto, and shall be credited
38 to the central stores fund.
39 Microfilming fund No limit
40 *Provided*, That expenditures may be made from the microfilming fund to
41 operate and maintain a microfilming activity to sell microfilming services
42 to other state agencies: *Provided further*, That all moneys received for
43 such services shall be deposited in the state treasury in accordance with

| | | |
|----|--|----------|
| 1 | the provisions of K.S.A. 75-4215, and amendments thereto, and shall be | |
| 2 | credited to the microfilming fund. | |
| 3 | Miscellaneous trust bonds fund | No limit |
| 4 | Liquor excise tax guarantee bond fund | No limit |
| 5 | Non-resident contractors cash bond fund..... | No limit |
| 6 | Bond guaranty fund | No limit |
| 7 | Interstate motor fuel user cash bond fund | No limit |
| 8 | Motor fuel distributor cash bond fund..... | No limit |
| 9 | Special county mineral production tax fund..... | No limit |
| 10 | County drug tax fund..... | No limit |
| 11 | Escheat proceeds suspense fund..... | No limit |
| 12 | Privilege tax refund fund | No limit |
| 13 | Suspense fund | No limit |
| 14 | Cigarette tax refund fund | No limit |
| 15 | Motor-vehicle fuel tax refund fund | No limit |
| 16 | Cereal malt beverage tax refund fund..... | No limit |
| 17 | Income tax refund fund..... | No limit |
| 18 | Sales tax refund fund | No limit |
| 19 | Compensating tax refund fund | No limit |
| 20 | Alcoholic liquor tax refund fund | No limit |
| 21 | Cigarette/tobacco products regulation fund..... | No limit |
| 22 | Motor carrier tax refund fund | No limit |
| 23 | Car company tax fund..... | No limit |
| 24 | Protested motor carrier taxes fund..... | No limit |
| 25 | Tobacco products refund fund | No limit |
| 26 | Transient guest tax refund fund established by K.S.A. 12- | |
| 27 | 1694a..... | No limit |
| 28 | Interstate motor fuel taxes clearing fund..... | No limit |
| 29 | Bingo refund fund..... | No limit |
| 30 | Transient guest tax refund fund established by K.S.A. 12- | |
| 31 | 16,100..... | No limit |
| 32 | Interstate motor fuel taxes refund fund | No limit |
| 33 | Interfund clearing fund | No limit |
| 34 | Local alcoholic liquor clearing fund..... | No limit |
| 35 | International registration plan distribution clearing fund.. | No limit |
| 36 | Rental motor vehicle excise tax refund fund..... | No limit |
| 37 | International fuel tax agreement clearing fund..... | No limit |
| 38 | Mineral production tax refund fund | No limit |
| 39 | Special fuels tax refund fund..... | No limit |
| 40 | LP-gas motor fuels refund fund..... | No limit |
| 41 | Local alcoholic liquor refund fund | No limit |
| 42 | Sales tax clearing fund..... | No limit |
| 43 | Rental motor vehicle excise tax clearing fund | No limit |

1 VIPS/CAMA technology hardware fund..... No limit
2 *Provided*, That, notwithstanding the provisions of K.S.A. 74-2021, and
3 amendments thereto, or of any other statute, expenditures may be made
4 from the VIPS/CAMA technology hardware fund for the purposes of up-
5 grading the VIPS/CAMA computer hardware and software for the state
6 or for the counties and for administration and operation of the depart-
7 ment of revenue.
8 County and city retailers sales tax clearing fund — county
9 and city sales tax..... No limit
10 City and county compensating use tax clearing fund..... No limit
11 County and city transient guest tax clearing fund No limit
12 Automated tax systems fund..... No limit
13 Dyed diesel fuel fee fund No limit
14 Electronic databases fee fund..... No limit
15 *Provided*, That, notwithstanding the provisions of K.S.A. 74-2022, and
16 amendments thereto, or of any other statute, expenditures may be made
17 from electronic databases fee fund for the purposes of operating expend-
18 itures, including expenditures for capital outlay; of operating, maintaining
19 or improving the vehicle information processing system (VIPS), the Kan-
20 sas computer assisted mass appraisal system (CAMA) and other electronic
21 database systems of the department of revenue, including the costs in-
22 curred to provide access to or to furnish copies of public records in such
23 database systems and for the administration and operation of the depart-
24 ment of revenue.
25 Photo fee fund..... No limit
26 *Provided*, That expenditures may be made from the photo fee fund for
27 administration and operation of the driver license program and related
28 support operations in the division of administration of the department of
29 revenue, including costs of implementing Chapter 5 and Chapter 63 of
30 the 2003 Session Laws of Kansas.
31 Estate tax abatement refund fund..... No limit
32 Distinctive license plate fund No limit
33 Repossessed certificates of title fee fund..... No limit
34 Hazmat fee fund No limit
35 Intra-governmental service fund..... No limit
36 Community improvement district sales tax administration
37 fund..... No limit
38 Community improvement district sales tax refund fund ... No limit
39 Community improvement district sales tax clearing fund.. No limit
40 Drivers license first responders indicator federal fund No limit
41 (c) On July 1, 2010, October 1, 2010, January 1, 2011, and April 1,
42 2011, the director of accounts and reports shall transfer \$11,266,597 from
43 the state highway fund of the department of transportation to the division

1 of vehicles operating fund of the department of revenue for the purpose
2 of financing the cost of operation and general expense of the division of
3 vehicles and related operations of the department of revenue.

4 (d) On August 1, 2010, the director of accounts and reports shall trans-
5 fer \$77,250 from the accounting services recovery fund of the department
6 of administration to the setoff services revenue fund of the department
7 of revenue for reimbursing costs of recovering amounts owed state agen-
8 cies under K.S.A. 75-6201 et seq., and amendments thereto.

9 (e) On August 1, 2010, the director of accounts and reports shall trans-
10 fer \$20,400 from the social welfare fund and \$39,600 from the federal
11 child support enforcement fund of the department of social and rehabil-
12 itation services to the child support enforcement contractual agreement
13 fund of the department of revenue to reimburse costs of administrative
14 expenses of child support enforcement activities under the agreement.

15 (f) On July 1, 2010, or as soon thereafter as moneys are available, not-
16 withstanding the provisions of any other statute, the director of accounts
17 and reports shall transfer \$1,000,000 from the state emergency fund —
18 southeast Kansas business recovery account of the department of revenue
19 to the state general fund.

20 Sec. 55.

21 KANSAS LOTTERY

22 (a) There is appropriated for the above agency from the following spe-
23 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
24 moneys now or hereafter lawfully credited to and available in such fund
25 or funds, except that expenditures other than refunds authorized by law
26 shall not exceed the following:

| | |
|---|----------|
| 27 Lottery prize payment fund | No limit |
| 28 Lottery operating fund | No limit |
| 29 <i>Provided</i> , That expenditures from the lottery operating fund for official | |
| 30 hospitality shall not exceed \$5,000. | |
| 31 Expanded lottery receipts fund..... | No limit |
| 32 Lottery gaming facility manager fund..... | No limit |
| 33 Expanded lottery act revenues fund | \$0 |

34 (b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments
35 thereto, and subject to the provisions of this subsection, an amount of
36 not less than \$4,500,000 shall be certified by the executive director of the
37 Kansas lottery to the director of accounts and reports on or before August
38 25, 2010, and on or before the 25th of each month thereafter through
39 June 25, 2011: *Provided*, That, upon receipt of each such certification,
40 the director of accounts and reports shall transfer the amount certified
41 from the lottery operating fund to the state gaming revenues fund and
42 shall credit such amount to the state gaming revenues fund for the fiscal
43 year ending June 30, 2011: *Provided, however*, That, after the date that

1 an amount of \$54,000,000 has been transferred from the lottery operating
2 fund to the state gaming revenues fund for fiscal year 2011 pursuant to
3 this subsection, the executive director of the Kansas lottery shall continue
4 to certify amounts to the director of accounts and reports on or before
5 the 25th of each month through July 25, 2011, except that the amounts
6 certified after such date shall not be subject to the minimum amount of
7 \$4,500,000: *Provided further*, That the amounts certified by the executive
8 director of the Kansas lottery to the director of accounts and reports, after
9 the date an amount of \$54,000,000 has been transferred from the lottery
10 operating fund to the state gaming revenues fund for fiscal year 2011
11 pursuant to this subsection, shall be determined by the executive director
12 so that an aggregate of all amounts certified pursuant to this subsection
13 for fiscal year 2011 is equal to or more than \$70,400,000: *And provided*
14 *further*, That the aggregate of all amounts transferred from the lottery
15 operating fund to the state gaming revenues fund for fiscal year 2011
16 pursuant to this subsection shall be equal to or more than \$70,400,000:
17 *And provided further*, That the transfers prescribed by this subsection
18 shall be made in lieu of transfers under subsection (d) of K.S.A. 74-8711,
19 and amendments thereto, for fiscal year 2011.

20 (c) Notwithstanding the provisions of K.S.A. 79-4801, and amendments
21 thereto, or any other statute and in addition to the requirements of sub-
22 section (b) of this section, on or after June 15, 2011, upon certification
23 by the executive director of the lottery, the director of accounts and re-
24 ports shall transfer from the lottery operating fund to the state gaming
25 revenues fund the amount of total profit attributed to the special veterans
26 benefits game under K.S.A. 2009 Supp. 74-8724, and amendments
27 thereto, during fiscal year 2011: *Provided*, That the director of accounts
28 and reports shall transfer immediately thereafter such amount of total
29 profit attributed to the special veterans benefits game from the state gam-
30 ing revenues fund to the state general fund: *Provided further*, That, on
31 or before June 25, 2011, the executive director of the lottery shall certify
32 to the director of accounts and reports the amount equal to the amount
33 of total profit attributed to the special veterans benefits game under
34 K.S.A. 2009 Supp. 74-8724, and amendments thereto, during fiscal year
35 2011: *And provided further*, That, at the same time as such certification
36 is transmitted to the director of accounts and reports, the executive di-
37 rector of the lottery shall transmit a copy of such certification to the
38 director of the budget and the director of legislative research.

39 (d) In addition to the purposes for which expenditures of moneys in
40 the lottery operating fund may be made, as authorized by provisions of
41 K.S.A. 2009 Supp. 74-8711, and amendments thereto, moneys in the lot-
42 tery operating fund may be used for payment of all costs incurred in the
43 operation and administration of the Kansas lottery, the Kansas lottery act,

1 and the Kansas expanded lottery act.
 2 (e) During the fiscal year ending June 30, 2011, notwithstanding the
 3 provisions of K.S.A. 74-8768, and amendments thereto, or any other stat-
 4 ute, the director of accounts and reports shall transfer all moneys that are
 5 credited to the expanded lottery act revenues fund from the expanded
 6 lottery act revenues fund to the state general fund within 10 days after
 7 such moneys are credited to the expanded lottery act revenues fund:
 8 *Provided*, That the transfer of such amounts shall be in addition to any
 9 other transfer from the expanded lottery act revenues fund to the state
 10 general fund as prescribed by law: *Provided further*, That the moneys
 11 transferred from the expanded lottery act revenues fund to the state gen-
 12 eral fund pursuant to this subsection is to reimburse the state general
 13 fund for accounting, auditing, budgeting, legal, payroll, personnel and
 14 purchasing services and any other governmental services which are per-
 15 formed on behalf of the department of revenue, and other state agencies,
 16 by other state agencies which receive appropriations from the state gen-
 17 eral fund to provide such services.

18 Sec. 56.

19 KANSAS RACING AND GAMING COMMISSION

20 (a) There is appropriated for the above agency from the following spe-
 21 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 22 moneys now or hereafter lawfully credited to and available in such fund
 23 or funds, except that expenditures other than refunds authorized by law
 24 shall not exceed the following:

| | |
|---|----------|
| 25 State racing fund..... | No limit |
| 26 <i>Provided</i> , That expenditures from the state racing fund for official hos- | |
| 27 pitality shall not exceed \$2,500. | |
| 28 Racing reimbursable expense fund..... | No limit |
| 29 Racing applicant deposit fund | No limit |
| 30 Kansas horse breeding development fund..... | No limit |
| 31 Kansas greyhound breeding development fund..... | No limit |

32 *Provided*, That notwithstanding K.S.A. 74-8831, and amendments
 33 thereto, all moneys transferred into this fund pursuant to subsection (b)
 34 of K.S.A. 2009 Supp. 74-8767, and amendments thereto, shall be depos-
 35 ited to a separate account established for the purpose described herein
 36 and moneys in this account shall be expended only to supplement special
 37 stake races and to enhance the amount per point paid to owners of Kan-
 38 sas-whelped greyhounds which win live races at Kansas greyhound tracks
 39 and pursuant to rules and regulations adopted by the Kansas racing and
 40 gaming commission: *Provided further*, That transfers from this account
 41 to the live greyhound racing purse supplement fund may be made in
 42 accordance with subsection (b) of K.S.A. 2009 Supp. 74-8767, and
 43 amendments thereto.

1 Racing investigative expense fund..... No limit
 2 Horse fair racing benefit fund..... No limit
 3 Tribal gaming fund..... No limit
 4 *Provided*, That expenditures from the tribal gaming fund for the fiscal
 5 year ending June 30, 2011, for official hospitality shall not exceed \$1,500.
 6 Expanded lottery act regulation fund..... No limit
 7 *Provided*, That expenditures from the expanded lottery act regulation
 8 fund for the fiscal year ending June 30, 2011, for official hospitality shall
 9 not exceed \$2,500.
 10 Live horse racing purse supplement fund No limit
 11 Live greyhound racing purse supplement fund No limit
 12 Greyhound promotion and development fund No limit
 13 Gaming machine examination fund No limit
 14 Gaming background investigation fund..... No limit
 15 Horse purse fund No limit
 16 Education and training fund No limit
 17 *Provided*, That expenditures may be made from the education and train-
 18 ing fund for operating expenditures, including official hospitality, in-
 19 curred for hosting or providing training, in-service workshops and con-
 20 ferences: *Provided further*, That the Kansas racing and gaming
 21 commission is hereby authorized to fix, charge and collect fees for hosting
 22 or providing training, in-service workshops and conferences: *And pro-*
 23 *vided further*, That such fees shall be fixed in order to recover all or part
 24 of the operating expenditures incurred for hosting or providing such train-
 25 ing, in-service workshops and conferences: *And provided further*, That
 26 all fees received for hosting or providing such training, in-service work-
 27 shops and conferences shall be deposited in the state treasury in accord-
 28 ance with the provisions of K.S.A. 75-4215, and amendments thereto, and
 29 shall be credited to the education and training fund.
 30 (b) On July 1, 2010, the director of accounts and reports shall transfer
 31 \$450,000 from the state general fund to the tribal gaming fund of the
 32 Kansas racing and gaming commission.
 33 (c) During the fiscal year ending June 30, 2011, the director of accounts
 34 and reports shall transfer one or more amounts certified by the executive
 35 director of the state gaming agency from the tribal gaming fund to the
 36 state general fund: *Provided*, That all such transfers shall be for the pur-
 37 pose of reimbursing the state general fund for the amount equal to the
 38 net amount obtained by subtracting (1) the aggregate of any costs in-
 39 curred by the state gaming agency during fiscal year 2011 for any arbi-
 40 tration or litigation in connection with the administration and enforce-
 41 ment of tribal-state gaming compacts or the provisions of the tribal
 42 gaming oversight act, from (2) the aggregate of the amounts transferred
 43 to the tribal gaming fund of the Kansas racing and gaming commission

1 during fiscal year 2011 for the operating expenditures for the state gaming
2 agency and any other expenses incurred in connection with the admin-
3 istration and enforcement of tribal-state gaming compacts or the provi-
4 sions of the tribal gaming oversight act.

5 (d) During the fiscal year ending June 30, 2011, all payments for serv-
6 ices provided by the Kansas bureau of investigation shall be paid by the
7 Kansas racing and gaming commission in accordance with subsection (b)
8 of K.S.A. 75-5516, and amendments thereto, pursuant to bills which are
9 presented in a timely manner by the Kansas bureau of investigation for
10 services rendered.

11 (e) In addition to the other purposes for which expenditures may be
12 made from the moneys appropriated in the tribal gaming fund for fiscal
13 year 2011 for the Kansas racing and gaming commission by this or other
14 appropriation act of the 2010 regular session of the legislature, expendi-
15 tures may be made from the tribal gaming fund for fiscal year 2011 for
16 the state gaming agency regulatory oversight of class III gaming, including
17 but not limited to the regulatory oversight and law enforcement activities
18 of monitoring compliance with tribal-state gaming compacts and con-
19 ducting investigations of violations of tribal-state gaming compacts, in-
20 vestigations of criminal violations of the laws of this state at tribal gaming
21 facilities, criminal violations of the tribal gaming oversight act, back-
22 ground investigations of applicants and vendors and investigations of
23 other criminal activities related to tribal gaming, which are hereby au-
24 thorized.

25 (f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments
26 thereto, or any other statute, the director of accounts and reports (1) shall
27 not make the transfer from the Kansas greyhound breeding development
28 fund of the Kansas racing and gaming commission to the greyhound tour-
29 ism fund of the department of commerce that is directed to be made on
30 or before June 30, 2011, by subsection (b)(1) of K.S.A. 74-8831, and
31 amendments thereto, and (2) shall transfer on or before June 30, 2011,
32 the amount equal to 15% of all moneys credited to the Kansas greyhound
33 breeding development fund during the fiscal year ending June 30, 2011,
34 from the Kansas greyhound breeding development fund to the greyhound
35 promotion and development fund of the Kansas racing and gaming com-
36 mission.

37 (g) During the fiscal year ending June 30, 2011, notwithstanding the
38 provisions of any other statute, the Kansas racing and gaming commission
39 is hereby authorized to fix, charge and collect additional fees to recover
40 all or part of the direct and indirect costs or operating expenses incurred
41 by the Kansas racing and gaming commission for the regulation of racing
42 activities that are not otherwise recovered from the parimutuel facility
43 licensee under authority of any other statute: *Provided*, That such fees

1 shall be in addition to all taxes and other fees authorized by law: *Provided*
 2 *further*, That such costs or operating expenses shall include all or part of
 3 any auditing, drug testing, accounting, security and law enforcement, li-
 4 censing of any office or other facility for use by a parimutuel facility
 5 licensee, projects to update and upgrade information technology software
 6 or facilities of the commission and shall specifically include any general
 7 operating expenses that are associated with regulatory activities attribut-
 8 able to the entity upon which any such fee is imposed and all expenses
 9 related to reopening any race track or other racing facility: *And provided*
 10 *further*, That all moneys received for such fees shall be deposited in the
 11 state treasury in accordance with the provisions of K.S.A. 75-4215, and
 12 amendments thereto, and shall be credited to the state racing fund.

13 Sec. 57.

14 DEPARTMENT OF COMMERCE

15 (a) There is appropriated for the above agency from the state economic
 16 development initiatives fund for the fiscal year ending June 30, 2011, the
 17 following:

- 18 Older Kansans employment program \$294,651
- 19 *Provided*, That any unencumbered balance in excess of \$100 as of June
 20 30, 2010, in the older Kansans employment program account is hereby
 21 reappropriated for fiscal year 2011.
- 22 Rural opportunity program \$1,752,035
- 23 *Provided*, That any unencumbered balance in excess of \$100 as of June
 24 30, 2010, in the rural opportunity program account is hereby reappro-
 25 priated for fiscal year 2011.
- 26 Senior community service employment program..... \$3,941
- 27 *Provided*, That any unencumbered balance in excess of \$100 as of June
 28 30, 2010, in the senior community service employment program account
 29 is hereby reappropriated for fiscal year 2011.
- 30 Senior community service employment program — ARRA
- 31 match \$5,200
- 32 Kansas commission on disability concerns \$192,292
- 33 *Provided*, That any unencumbered balance in excess of \$100 as of June
 34 30, 2010, in the Kansas commission on disability concerns account is
 35 hereby reappropriated for fiscal year 2011.
- 36 Strong military bases program \$307,050
- 37 Operating grant (including official hospitality) \$13,038,871
- 38 *Provided*, That any unencumbered balance in the operating grant (in-
 39 cluding official hospitality) account in excess of \$100 as of June 30, 2010,
 40 is hereby reappropriated for fiscal year 2011: *Provided further*, That ex-
 41 penditures may be made from the operating grant (including official hos-
 42 pitality) account for loans pursuant to loan agreements which are hereby
 43 authorized to be entered into by the secretary of commerce in accordance

1 with repayment provisions and other terms and conditions as may be
 2 prescribed by the secretary therefor under the agricultural value added
 3 center program: *And provided further*, That expenditures may be made
 4 from the operating grant (including official hospitality) account for cer-
 5 tified development companies that have been determined to be qualified
 6 for grants by the secretary of commerce, except that expenditures for
 7 such grants shall not be made for grants to more than 10 certified devel-
 8 opment companies that have been determined to be qualified for grants
 9 by the secretary of commerce: *And provided further*, That during fiscal
 10 year 2011, all expenditures made by the department of commerce from
 11 moneys appropriated in the state treasury for the department, including
 12 moneys appropriated in the operating grant (including official hospitality)
 13 account of the state economic development initiatives fund, shall be made
 14 for the purpose of achieving the following outcome measures:

| Measure | Budget Year Projection FY 2011 |
|--|--------------------------------------|
| Jobs created or retained by projects utilizing KDOC assistance | 29,125 |
| Payroll generated by projects utilizing KDOC assistance | \$660,103,373 |
| Capital investment in Kansas resulting from projects utilizing KDOC assistance | \$1,115,861,204 |
| Funds leveraged through match in projects utilizing KDOC assistance | \$300,346,932 |
| Individuals trained through workforce development programs | 57,200 |
| Sales generated by projects utilizing KDOC assistance | \$131,822,742 |
| Visitations at state managed travel information centers | 205,000 |
| Kansans served with counseling, technical assistance or business services | 152,575 |
| Number of communities receiving community assistance services | 101 |
| Number of grants provided to Kansas businesses, communities, and families | 215 |
| Number of businesses impacted by funding from KDOC | 3,975 |

32 (b) There is appropriated for the above agency from the following special
 33 revenue fund or funds for the fiscal year ending June 30, 2011, all
 34 moneys now or hereafter lawfully credited to and available in such fund
 35 or funds, except that expenditures other than refunds authorized by law
 36 shall not exceed the following:

| | |
|--|----------|
| 37 Publication and other sales fund..... | No limit |
| 38 Conversion of equipment and materials fund | No limit |
| 39 Conference registration and disbursement fund | No limit |
| 40 Trademark fund | No limit |
| 41 Greyhound tourism fund | No limit |
| 42 Reimbursement and recovery fund | No limit |
| 43 Community development block grant — federal fund..... | No limit |

| | | |
|----|--|----------|
| 1 | Community development block grant — federal fund — | |
| 2 | revolving loan account | No limit |
| 3 | Community development block grant administration | |
| 4 | ARRA — federal fund..... | No limit |
| 5 | Other federal grants fund..... | No limit |
| 6 | <i>Provided</i> , That the above agency is authorized to make expenditures from | |
| 7 | the other federal grants fund of any moneys credited to this fund from | |
| 8 | any individual grant if the grant is: (1) Less than or equal to \$250,000 in | |
| 9 | the aggregate, and (2) does not require the matching expenditure of any | |
| 10 | other moneys in the state treasury during fiscal year 2011 other than | |
| 11 | moneys appropriated by this or other appropriation act of the 2010 reg- | |
| 12 | ular session of the legislature: <i>Provided, however</i> , That, upon application | |
| 13 | to and authorization by the governor, the above agency may make ex- | |
| 14 | penditures of moneys credited to this fund from any individual federal | |
| 15 | grant which is more than \$250,000 in the aggregate or which requires the | |
| 16 | matching expenditure of moneys in the state treasury during the fiscal | |
| 17 | year 2011, other than moneys appropriated by this or other appropriation | |
| 18 | act of the 2010 regular session of the legislature. | |
| 19 | National main street center fund | No limit |
| 20 | IMPACT program services fund..... | No limit |
| 21 | IMPACT program repayment fund..... | No limit |
| 22 | Kansas partnership fund..... | No limit |
| 23 | <i>Provided</i> , That the interest rate on any loan made from the Kansas part- | |
| 24 | nership fund shall be annually indexed to the federal discount rate. | |
| 25 | General fees fund..... | No limit |
| 26 | <i>Provided</i> , That expenditures may be made from the general fees fund for | |
| 27 | loans pursuant to loan agreements which are hereby authorized to be | |
| 28 | entered into by the secretary of commerce in accordance with repayment | |
| 29 | provisions and other terms and conditions as may be prescribed by the | |
| 30 | secretary therefor under programs of the department. | |
| 31 | Market development fund | No limit |
| 32 | <i>Provided</i> , That expenditures may be made from the market development | |
| 33 | fund for loans pursuant to loan agreements which are hereby authorized | |
| 34 | to be entered into by the secretary of commerce in accordance with re- | |
| 35 | payment provisions and other terms and conditions as may be prescribed | |
| 36 | by the secretary therefor under the agricultural value added center pro- | |
| 37 | gram: <i>Provided further</i> , That all moneys received by the department of | |
| 38 | commerce for repayment of loans made under the agricultural value | |
| 39 | added center program shall be deposited in the state treasury in accord- | |
| 40 | ance with the provisions of K.S.A. 75-4215, and amendments thereto, and | |
| 41 | shall be credited to the market development fund. | |
| 42 | Kansas economic opportunity initiatives fund | No limit |
| 43 | Kansas existing industry expansion fund..... | No limit |

1 *Provided*, That expenditures may be made from the Kansas existing in-
2 dustry expansion fund for loans pursuant to loan agreements which are
3 hereby authorized to be entered into by the secretary of commerce in
4 accordance with repayment provisions and other terms and conditions as
5 may be prescribed by the secretary therefor under the Kansas existing
6 industry expansion program: *Provided further*, That all moneys received
7 by the department of commerce for repayment of loans made under the
8 Kansas existing industry expansion program shall be deposited in the state
9 treasury in accordance with the provisions of K.S.A. 75-4215, and amend-
10 ments thereto, and shall be credited to the Kansas existing industry ex-
11 pansion fund.

| | |
|---|-------------|
| 12 Athletic fee fund | No limit |
| 13 WIA adult — federal fund..... | No limit |
| 14 WIA youth — federal fund..... | No limit |
| 15 WIA dislocated worker — federal fund | No limit |
| 16 Trade adjustment assistance — federal fund | No limit |
| 17 Veterans assistance program — federal fund..... | No limit |
| 18 Local veterans employment representative — federal | |
| 19 fund..... | No limit |
| 20 Disabled veterans outreach program — federal fund..... | No limit |
| 21 Wagner Peyser — federal fund | No limit |
| 22 Senior community service employment program — federal | |
| 23 fund..... | No limit |
| 24 Indirect cost — federal fund..... | No limit |
| 25 Kansas commission on disability concerns fee fund | No limit |
| 26 Kansas commission on disability concerns — gifts, grants | |
| 27 and donations fund | No limit |
| 28 State affordable airfare fund | \$5,000,000 |
| 29 Labor certification foreign workers — federal fund..... | No limit |
| 30 USDA cooperative — federal fund | No limit |
| 31 Work opportunity tax credit — federal fund..... | No limit |
| 32 American job link alliance — federal fund | No limit |
| 33 Early childhood associate apprenticeship program — fed- | |
| 34 eral fund | No limit |
| 35 USDA rural business opportunity — federal fund..... | No limit |
| 36 Shared youth vision — federal fund..... | No limit |
| 37 Modernization apprentice — federal fund..... | No limit |
| 38 Greensburg — NEG — federal fund | No limit |
| 39 Workforce development — WIRED — federal fund..... | No limit |
| 40 Disability Program Navigator — federal fund..... | No limit |
| 41 Registered apprenticeship works — federal fund..... | No limit |
| 42 Neighborhood stabilization program — federal fund | No limit |
| 43 Green jobs grant ARRA — federal fund..... | No limit |

1 Enterprise facilitation fund No limit

2 (c) The secretary of commerce is hereby authorized to fix, charge and
3 collect fees during the fiscal year ending June 30, 2011, for (1) the pro-
4 vision and administration of conferences held for the purposes of pro-
5 grams and activities of the department of commerce and for which fees
6 are not specifically prescribed by statute, (2) sale of *Kansas!* magazine
7 and other publications of the department of commerce and for sale of
8 educational and other promotional items and for which fees are not spe-
9 cifically prescribed by statute, and (3) promotional and other advertising
10 and related economic development activities and services provided under
11 economic development programs and activities of the department of com-
12 merce, including those provided at tourist information centers: *Provided,*
13 That such fees shall be fixed in order to recover all or part of the operating
14 expenses incurred in providing such services, conferences, publications
15 and items, advertising and other economic development activities and
16 services provided under economic development programs and activities
17 of the department of commerce for which fees are not specifically pre-
18 scribed by statute: *Provided further,* That all such fees shall be deposited
19 in the state treasury in accordance with the provisions of K.S.A. 75-4215,
20 and amendments thereto, and shall be credited to one or more special
21 revenue funds of the department of commerce as specified by the sec-
22 retary of commerce: *And provided further,* That expenditures may be
23 made from such special revenue funds of the department of commerce
24 for fiscal year 2011, in accordance with the provisions of this or other
25 appropriation act of the 2010 regular session of the legislature, for op-
26 erating expenses incurred in providing such services, conferences,
27 publications and items, advertising, programs and activities and for op-
28 erating expenses incurred in providing similar economic development ac-
29 tivities and services provided under economic development programs and
30 activities of the department of commerce.

31 (d) In addition to the other purposes for which expenditures may be
32 made by the department of commerce from moneys appropriated in any
33 special revenue fund for fiscal year 2011 for the department of commerce
34 as authorized by this or other appropriation act of the 2010 regular session
35 of the legislature, expenditures may be made by the department of com-
36 merce from moneys appropriated in any special revenue fund for fiscal
37 year 2011 for official hospitality.

38 (e) On August 15, 2010, and December 15, 2010, or as soon thereafter
39 as moneys are available, the director of accounts and reports shall transfer
40 \$1,025,000 from the state economic development initiatives fund to the
41 Kansas economic opportunity initiatives fund of the department of com-
42 merce.

43 (f) On July 1, 2010, the WIA — federal fund of the department of

1 commerce is hereby redesignated as the WIA adult — federal fund of
2 the department of commerce.

3 (g) On July 1, 2010, the veterans assistance programs — federal fund
4 of the department of commerce is hereby redesignated as the veterans
5 assistance program — federal fund of the department of commerce.

6 Sec. 58.

7 KANSAS, INC.

8 (a) There is appropriated for the above agency from the state economic
9 development initiatives fund for the fiscal year ending June 30, 2011, the
10 following:

11 Operations (including official hospitality) \$346,904
12 *Provided*, That any unencumbered balance in excess of \$100 as of June
13 30, 2010, in the operations (including official hospitality) account is
14 hereby reappropriated for fiscal year 2011.

15 (b) There is appropriated for the above agency from the following spe-
16 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
17 moneys now or hereafter lawfully credited to and available in such fund
18 or funds, except that expenditures other than refunds authorized by law
19 shall not exceed the following:

20 Kansas, Inc., private operations fund No limit
21 Conversion of materials and equipment fund No limit

22 Sec. 59.

23 KANSAS TECHNOLOGY ENTERPRISE CORPORATION

24 (a) There is appropriated for the above agency from the state economic
25 development initiatives fund for the fiscal year ending June 30, 2011, the
26 following:

27 Operations, assistance and grants (including official
28 hospitality)..... \$5,990,000
29 *Provided*, That any unencumbered balance in the operations, assistance
30 and grants (including official hospitality) account as of June 30, 2010, is
31 hereby reappropriated for fiscal year 2011: *Provided further*, That ex-
32 penditures from the operations, assistance and grants (including official
33 hospitality) account for the fiscal year 2011 for salary and wages shall not
34 exceed \$834,475.

35 (b) There is appropriated for the above agency from the following spe-
36 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
37 moneys now or hereafter lawfully credited to and available in such fund
38 or funds, except that expenditures other than refunds authorized by law
39 shall not exceed the following:

40 MAMTC federal fund No limit
41 KTEC special revenue fund No limit

42 (c) No moneys appropriated for the fiscal year ending June 30, 2011,
43 by this or other appropriation act of the 2010 regular session of the leg-

1 legislature for the Kansas technology enterprise corporation shall be ex-
 2 pended for any bonus or other payment of additional compensation for
 3 any officer or employee of the Kansas technology enterprise corporation,
 4 or any subsidiary corporation, agency or instrumentality thereof, except
 5 longevity bonus payments pursuant to K.S.A. 75-5541, and amendments
 6 thereto, or as otherwise specifically authorized by statute or other bonus
 7 payments that are in conformance with the governor’s executive order
 8 no. 09-04, which was filed with the secretary of state and was effective
 9 on June 26, 2009, or a succeeding executive order of the governor for
 10 fiscal year 2011.

11 (d) In addition to the other purposes for which expenditures may be
 12 made by the Kansas technology enterprise corporation from moneys ap-
 13 propriated from the state general fund or any special revenue fund for
 14 fiscal year 2011 for the Kansas technology enterprise corporation as au-
 15 thorized by this or other appropriation act of the 2010 regular session of
 16 the legislature, expenditures shall be made by the Kansas technology en-
 17 terprise corporation from moneys appropriated from the state general
 18 fund or any special revenue fund for fiscal year 2011, notwithstanding the
 19 provisions of any other statute, to adopt, implement and administer pol-
 20 icies limiting bonus payments that are applicable to all officers and em-
 21 ployees of the Kansas technology enterprise corporation for fiscal year
 22 2011, that are equivalent to the provisions of the governor’s executive
 23 order no. 09-04, or a succeeding executive order of the governor for fiscal
 24 year 2011, and that, in addition, include a prohibition on payment of any
 25 employee bonuses from any moneys of KTEC Holding, Inc., and to take
 26 all administrative and other actions as may be required, including adopt-
 27 ing additional policies and entering into such new agreements, or modi-
 28 fications of existing agreements as may be required for the implementa-
 29 tion and administration of such policies limiting bonus payments to
 30 officers and employees of Kansas technology enterprise corporation for
 31 fiscal year 2011.

32 Sec. 60.

33 KANSAS HOUSING RESOURCES CORPORATION

34 (a) There is appropriated for the above agency from the following spe-
 35 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 36 moneys now or hereafter lawfully credited to and available in such fund
 37 or funds, except that expenditures other than refunds authorized by law
 38 shall not exceed the following:

| | |
|---|----------|
| 39 State housing trust fund | No limit |
| 40 <i>Provided</i> , That all expenditures from the state housing trust fund shall be | |
| 41 made by the Kansas housing resources corporation pursuant to K.S.A. 12- | |
| 42 5246 and K.S.A. 2009 Supp. 12-5242 and 12-5252 through 12-5258, and | |
| 43 amendments thereto: <i>Provided further</i> , That, notwithstanding the pro- | |

1 visions of K.S.A. 74-8959, and amendments thereto, or any other statute,
 2 the Kansas housing resources corporation may make expenditures from
 3 the state housing trust fund for the purposes of implementing and ad-
 4 ministering the provisions of K.S.A. 2009 Supp. 12-5252 through 12-5258,
 5 and amendments thereto, the Kansas rural housing incentive district act.
 6 Sec. 61.

7 DEPARTMENT OF LABOR

8 (a) There is appropriated for the above agency from the state general
 9 fund for the fiscal year ending June 30, 2011, the following:

10 Operating expenditures \$454,587
 11 *Provided*, That any unencumbered balance in the operating expenditures
 12 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
 13 for fiscal year 2011: *Provided further*, That in addition to the other pur-
 14 poses for which expenditures may be made by the above agency from this
 15 account for the fiscal year ending June 30, 2011, expenditures may be
 16 made from this account for the costs incurred for court reporting under
 17 K.S.A. 72-5413 et seq., and 75-4321 et seq., and amendments thereto:
 18 *And provided further*, That expenditures from this account for official
 19 hospitality by the secretary of labor shall not exceed \$2,000.

20 (b) There is appropriated for the above agency from the following spe-
 21 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 22 moneys now or hereafter lawfully credited to and available in such fund
 23 or funds, except that expenditures other than refunds authorized by law
 24 shall not exceed the following:

25 Workmen’s compensation fee fund \$13,623,116
 26 Occupational health and safety — federal fund..... No limit
 27 Boiler inspection fee fund..... No limit
 28 General fees fund..... No limit
 29 Special employment security fund..... No limit
 30 *Provided*, That expenditures may be made from the special employment
 31 security fund for payment of communications costs: *And provided fur-*
 32 *ther*, That expenditures from this fund for payment of communications
 33 costs shall not exceed \$10,000.
 34 Employment security administration fund..... No limit
 35 State workplace health and safety fund..... No limit
 36 Wage claims assignment fee fund No limit
 37 Employment security computer systems institute fund..... No limit
 38 Department of labor special projects fund No limit
 39 Federal indirect cost offset fund..... \$394,095
 40 Dispute resolution fund..... No limit
 41 *Provided*, That all moneys received by the secretary of labor for reim-
 42 bursement of expenditures for the costs incurred for mediation under
 43 K.S.A. 72-5427, and amendments thereto, and for fact-finding under

1 K.S.A. 72-5428, and amendments thereto, shall be deposited in the state
 2 treasury and credited to the dispute resolution fund: *Provided further*,
 3 That expenditures may be made from this fund to pay the costs incurred
 4 for mediation under K.S.A. 72-5427, and amendments thereto, and for
 5 fact-finding under K.S.A. 72-5428, and amendments thereto, subject to
 6 full reimbursement therefor by the board of education and the profes-
 7 sional employees' organization involved in such mediation and fact-find-
 8 ing procedures.

9 Employment security fund..... No limit

10 (c) In addition to the other purposes for which expenditures may be
 11 made by the department of labor from the employment security fund for
 12 fiscal year 2011 as authorized by this or other appropriation act of the
 13 2010 regular session of the legislature, expenditures may be made by the
 14 department of labor for fiscal year 2011 from the employment security
 15 fund from moneys made available to the state under section 903(d) of
 16 the federal social security act, as amended, for payment of debt service
 17 on a bond issued for the rewrite of the unemployment insurance benefit
 18 system: *Provided*, That expenditures from the employment security fund
 19 during fiscal year 2011 of moneys made available to the state under sec-
 20 tion 903(d) of the federal social security act, as amended, for payment of
 21 such debt service shall not exceed \$2,646,150.

22 (d) In addition to the other purposes for which expenditures may be
 23 made by the above agency from the special employment security fund
 24 for fiscal year 2011, expenditures may be made by the above agency from
 25 the special employment security fund for fiscal year 2011 for the following
 26 capital improvement purposes: Payment on the master lease agreement
 27 for the renovation of the Eastman building on the Topeka west complex:
 28 *Provided*, That expenditures from this fund for fiscal year 2011 for such
 29 capital improvement purposes shall not exceed \$99,625: *Provided further*,
 30 That all expenditures from this fund for any such capital improvement
 31 purpose shall be in addition to any expenditure limitation imposed on the
 32 special employment security fund for fiscal year 2011.

33 (e) During the fiscal year ending June 30, 2011, and the fiscal year
 34 ending June 30, 2012, in addition to the other purposes for which ex-
 35 penditures may be made by the department of labor from moneys ap-
 36 propriated from the state general fund or any special revenue fund for
 37 the department of labor for fiscal year 2011 or fiscal year 2012 by this or
 38 other appropriation act of the 2010 regular session of the legislature or
 39 by any appropriation act of the 2011 regular session of the legislature,
 40 expenditures may be made by the department of labor from the state
 41 general fund or from any special revenue fund for fiscal year 2011 and
 42 for fiscal year 2012, to establish a pilot program of alternatives to layoffs,
 43 in accordance with the provisions of Kansas Administrative Regulation

1 No. 1-1-5, which establishes alternatives to layoffs: *Provided*, That such
 2 pilot program may be implemented and pursued only after the develop-
 3 ment and approval of a layoff plan for the department of labor pursuant
 4 to the provisions of the administrative regulations contained in Article 14
 5 of the Kansas Administrative Regulations: *Provided further*, That on or
 6 before June 30, 2012, the secretary of labor shall submit a report to the
 7 secretary of administration detailing the impacts, outcomes, results, les-
 8 sons learned and any recommendations regarding the future use of the
 9 policies developed and tested through use of the pilot project of alter-
 10 natives to layoffs.

11 (f) On July 1, 2010, or as soon thereafter as moneys are available, not-
 12 withstanding the provisions of K.S.A. 74-715, and amendments thereto,
 13 or any other statute, the director of accounts and reports shall transfer
 14 \$800,000 from the workmen’s compensation fee fund of the department
 15 of labor to the state general fund: *Provided* That the transfer of such
 16 amount shall be in addition to any other transfer from the workmen’s
 17 compensation fee fund to the state general fund as prescribed by law:
 18 *Provided further*, That the amount transferred from the workmen’s com-
 19 pensation fee fund to the state general fund pursuant to this subsection
 20 is to reimburse the state general fund for accounting, auditing, budgeting,
 21 legal, payroll, personnel and purchasing services and any other govern-
 22 mental services which are performed on behalf of the department of labor
 23 by other state agencies which receive appropriations from the state gen-
 24 eral fund to provide such services.

25 Sec. 62.

26 KANSAS COMMISSION ON VETERANS AFFAIRS

27 (a) There is appropriated for the above agency from the state general
 28 fund for the fiscal year ending June 30, 2011, the following:

29 Operating expenditures — veteran services..... \$685,050

30 *Provided*, That any unencumbered balance in the operating expenditures
 31 — veterans services account in excess of \$100 as of June 30, 2010, is
 32 hereby reappropriated for fiscal year 2011.

33 Operations — state veterans cemeteries \$534,196

34 *Provided*, That any unencumbered balance in the operations — state
 35 veterans cemeteries account in excess of \$100 as of June 30, 2010, is
 36 hereby reappropriated for fiscal year 2011: *Provided further*, That ex-
 37 penditures from this account for official hospitality shall not exceed
 38 \$1,200.

39 Operating expenditures — Kansas soldiers’ home \$1,973,061

40 *Provided*, That any unencumbered balance in the operating expenditures
 41 — Kansas soldiers’ home account in excess of \$100 as of June 30, 2010,
 42 is hereby reappropriated for fiscal year 2011.

43 Operating expenditures — Kansas veterans’ home \$2,517,019

1 *Provided*, That any unencumbered balance in the operating expenditures
2 — Kansas veterans’ home account in excess of \$100 as of June 30, 2010,
3 is hereby reappropriated for fiscal year 2011.

| | | |
|---|---|-----------|
| 4 | Scratch lotto — Kansas veterans’ home | \$123,055 |
| 5 | Scratch lotto — veterans services..... | \$488,687 |
| 6 | Scratch lotto — Kansas soldiers’ home | \$90,361 |
| 7 | Scratch lotto — veterans cemeteries | \$210,394 |
| 8 | Operating expenditures — administration | \$457,394 |

9 *Provided*, That any unencumbered balance in the operating expenditures
10 — administration account in excess of \$100 as of June 30, 2010, is hereby
11 reappropriated for fiscal year 2011.

| | | |
|----|--|-----------|
| 12 | Veterans claim assistance program — service grants | \$477,106 |
|----|--|-----------|

13 *Provided*, That any unencumbered balance in the veterans claim assis-
14 tance program — service grants account in excess of \$100 as of June 30,
15 2010, is hereby reappropriated for fiscal year 2011: *Provided further*, That
16 expenditures from the veterans claim assistance program — service grants
17 account shall be made only for the purpose of awarding service grants to
18 veterans service organizations for the purpose of aiding veterans in ob-
19 taining federal benefits: *Provided however*, That no expenditures shall be
20 made by the Kansas commission on veterans affairs from the veterans
21 claim assistance program — service grants account for operating expend-
22 itures or overhead for administering the grants in accordance with the
23 provisions of K.S.A. 73-1234, and amendments thereto.

24 (b) There is appropriated for the above agency from the following spe-
25 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
26 moneys now or hereafter lawfully credited to and available in such fund
27 or funds, except that expenditures other than refunds authorized by law
28 shall not exceed the following:

| | | |
|----|--|-------------|
| 29 | Soldiers’ home fee fund | \$1,644,916 |
| 30 | Soldiers’ home benefit fund | No limit |
| 31 | Soldiers’ home work therapy fund..... | No limit |
| 32 | Soldiers’ home medicare fund | \$288,000 |
| 33 | Soldiers’ home medicaid fund | \$270,000 |
| 34 | Soldiers’ home canteen fund | No limit |
| 35 | Veterans’ home medicare fund | \$188,000 |
| 36 | Veterans’ home medicaid fund | \$360,000 |
| 37 | Veterans’ home fee fund | \$3,495,481 |
| 38 | Persian Gulf War veterans health initiative fund | No limit |
| 39 | Veterans’ home canteen fund | No limit |
| 40 | Veterans’ home benefit fund | No limit |
| 41 | Soldiers’ home outpatient clinic fund | No limit |
| 42 | State veterans cemeteries fee fund..... | No limit |

| | | |
|----|--|-------------|
| 1 | State veterans cemeteries donations and contributions | |
| 2 | fund..... | No limit |
| 3 | Outpatient clinic patient federal reimbursement fund — | |
| 4 | federal | No limit |
| 5 | VA burial reimbursement fund — federal..... | \$56,400 |
| 6 | Veterans home federal fund..... | \$2,958,598 |
| 7 | Soldiers home federal fund..... | \$2,382,332 |
| 8 | Commission on veterans affairs federal fund | \$206,208 |
| 9 | Kansas veterans memorials fund..... | No limit |
| 10 | Vietnam war era veterans’ recognition award fund | No limit |
| 11 | Sec. 63. | |

12 DEPARTMENT OF HEALTH AND ENVIRONMENT —
13 DIVISION OF HEALTH

14 (a) There is appropriated for the above agency from the state general
15 fund for the fiscal year ending June 30, 2011, the following:

| | | |
|----|---|-------------|
| 16 | Operating expenditures (including official hospitality)..... | \$3,739,891 |
| 17 | <i>Provided</i> , That any unencumbered balance in the operating expenditures | |
| 18 | (including official hospitality) account of the department of health and | |
| 19 | environment — division of health in excess of \$100 as of June 30, 2010, | |
| 20 | is hereby reappropriated for fiscal year 2011. | |
| 21 | Operating expenditures (including official hospitality) — | |
| 22 | health | \$4,512,773 |

23 *Provided*, That any unencumbered balance in the operating expenditures
24 (including official hospitality) — health account in excess of \$100 as of
25 June 30, 2010, is hereby reappropriated for fiscal year 2011.

| | | |
|----|--|-----------|
| 26 | Vaccine purchases | \$837,022 |
| 27 | <i>Provided</i> , That any unencumbered balance in the vaccine purchases ac- | |
| 28 | count in excess of \$100 as of June 30, 2010, is hereby reappropriated for | |
| 29 | fiscal year 2011. | |

| | | |
|----|---|-------------|
| 30 | Aid to local units | \$4,932,154 |
| 31 | <i>Provided</i> , That any unencumbered balance in the aid to local units ac- | |
| 32 | count in excess of \$100 as of June 30, 2010, is hereby reappropriated for | |
| 33 | fiscal year 2011: <i>Provided further</i> , That all expenditures from this account | |
| 34 | for state financial assistance to local health departments shall be in ac- | |
| 35 | cordance with the formula prescribed by K.S.A. 65-241 through 65-246, | |
| 36 | and amendments thereto. | |

| | | |
|----|---|-------------|
| 37 | Aid to local units — primary health projects..... | \$7,481,065 |
| 38 | <i>Provided</i> , That any unencumbered balance in the aid to local units — | |
| 39 | primary health projects account in excess of \$100 as of June 30, 2010, is | |
| 40 | hereby reappropriated for fiscal year 2011: <i>Provided further</i> , That pre- | |
| 41 | scription support expenditures shall be made from the aid to local units | |
| 42 | — primary health projects account for: (1) Purchase of drug inventory | |
| 43 | under section 340B of the federal public health service act for community | |

1 health center grantees and federally qualified health center look-alikes
 2 who qualify; (2) increasing access to prescription drugs by subsidizing a
 3 portion of the costs for the benefit of patients at section 340B participat-
 4 ing clinics on a sliding fee scale; and (3) expanding access to prescription
 5 medication assistance programs by making expenditures to support op-
 6 erating costs of assistance programs at not-for-profit or publicly-funded
 7 primary care clinics, including federally qualified community health cen-
 8 ters and federally qualified community health center look-alikes, as de-
 9 fined by 42 U.S.C. 330, that provide comprehensive primary health care
 10 services, offer sliding fee discounts based upon household income and
 11 serve any person regardless of ability to pay: *And provided further*, That
 12 policies determining patient eligibility due to income or insurance status
 13 may be determined by each community but must be clearly documented
 14 and posted.

15 Aid to local units — family planning..... \$97,400

16 *Provided*, That any unencumbered balance in the aid to local units —
 17 family planning account in excess of \$100 as of June 30, 2010, is hereby
 18 reappropriated for fiscal year 2011: *Provided further*, That all expendi-
 19 tures from the aid to local units — family planning account shall be in
 20 accordance with grant agreements entered into by the secretary of health
 21 and environment and grant recipients.

22 Immunization programs \$517,492

23 *Provided*, That any unencumbered balance in the immunization programs
 24 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
 25 for fiscal year 2011.

26 Breast cancer screening program \$226,557

27 *Provided*, That any unencumbered balance in the breast cancer screening
 28 program account in excess of \$100 as of June 30, 2010, is hereby reap-
 29 propriated for fiscal year 2011.

30 Ryan White matching funds \$49,252

31 *Provided*, That any unencumbered balance in the Ryan White matching
 32 funds account in excess of \$100 as of June 30, 2010, is hereby reappro-
 33 priated for fiscal year 2011.

34 Youth mentoring program..... \$102,478

35 *Provided*, That any unencumbered balance in the youth mentoring pro-
 36 gram account in excess of \$100 as of June 30, 2010, is hereby reappro-
 37 priated for fiscal year 2011.

38 Coordinated school health program..... \$487,202

39 *Provided*, That any unencumbered balance in the coordinated school
 40 health program account in excess of \$100 as of June 30, 2010, is hereby
 41 reappropriated for fiscal year 2011.

42 Cerebral palsy posture seating..... \$105,637

43 *Provided*, That any unencumbered balance in the cerebral palsy posture

1 seating account in excess of \$100 as of June 30, 2010, is hereby reappro-
2 priated for fiscal year 2011.

3 PKU treatment \$207,480

4 *Provided*, That any unencumbered balance in the PKU treatment account
5 in excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal
6 year 2011.

7 (b) There is appropriated for the above agency from the following special
8 revenue fund or funds for the fiscal year ending June 30, 2011, all
9 moneys now or hereafter lawfully credited to and available in such fund
10 or funds, except that expenditures other than refunds authorized by law
11 shall not exceed the following:

12 Primary care safety net clinic loan guarantee fund..... No limit

13 Title XIX fund No limit

14 Breast and cervical cancer program and detection — fed-
15 eral fund No limit

16 Health and environment training fee fund — health..... No limit

17 *Provided*, That expenditures may be made from the health and environ-
18 ment training fee fund — health for acquisition and distribution of divi-
19 sion of health program literature and films and for participation in or
20 conducting training seminars for training employees of the division of
21 health of the department of health and environment, for training recipi-
22 ents of state aid from the division of health of the department of health
23 and environment and for training representatives of industries affected
24 by rules and regulations of the department of health and environment
25 relating to the division of health: *Provided further*, That the secretary of
26 health and environment is hereby authorized to fix, charge and collect
27 fees in order to recover costs incurred for such acquisition and distribu-
28 tion of literature and films and for the operation of such seminars: *And*
29 *provided further*, That such fees may be fixed in order to recover all or
30 part of such costs: *And provided further*, That all moneys received from
31 such fees shall be deposited in the state treasury in accordance with the
32 provisions of K.S.A. 75-4215, and amendments thereto, and shall be cred-
33 ited to the health and environment training fee fund — health: *And pro-*
34 *vided further*, That, in addition to the other purposes for which expend-
35 itures may be made by the department of health and environment for
36 the division of health from moneys appropriated from the health and
37 environment training fee fund — health for fiscal year 2011, expenditures
38 may be made by the department of health and environment from the
39 health and environment training fee fund — health for fiscal year 2011
40 for agency operations for the division of health.

41 Health facilities review fund..... No limit

42 Insurance statistical plan fund No limit

43 Health and environment publication fee fund — health... No limit

1 *Provided*, That expenditures from the health and environment publica-
2 tion fee fund — health shall be made only for the purpose of paying the
3 expenses of publishing documents as required by K.S.A. 75-5662, and
4 amendments thereto.

| | | |
|----|--|----------|
| 5 | District coroners fund..... | No limit |
| 6 | Sponsored project overhead fund — health..... | No limit |
| 7 | Child care facilities licensure — federal fund | No limit |
| 8 | Cancer registry — federal fund | No limit |
| 9 | Child care and development block grant — federal | |
| 10 | fund..... | No limit |
| 11 | Office of rural health — federal fund..... | No limit |
| 12 | Medicare — federal fund | No limit |

13 *Provided*, That transfers of moneys from the medicare — federal fund to
14 the state fire marshal may be made during fiscal year 2011 pursuant to a
15 contract which is hereby authorized to be entered into by the secretary
16 of health and environment and the state fire marshal to provide fire and
17 safety inspections for hospitals.

| | | |
|----|--|----------|
| 18 | Migrant health program — federal fund..... | No limit |
| 19 | Venereal disease control project — federal fund..... | No limit |
| 20 | Disease prevention and health promotion grants — federal | |
| 21 | fund..... | No limit |

22 *Provided*, That no moneys from any grant that requires the matching
23 expenditure of any other moneys in the state treasury during the current
24 or any ensuing fiscal year shall be deposited to the credit of the disease
25 prevention and health promotion grants — federal fund.

| | | |
|----|--|----------|
| 26 | Women, infants and children health program — federal | |
| 27 | fund..... | No limit |
| 28 | Occupational health and safety statistics program — fed- | |
| 29 | eral fund | No limit |
| 30 | Other federal grants fund — health | No limit |

31 *Provided*, That the department of health and environment is authorized
32 to make expenditures for the division of health from the other federal
33 grants fund — health of any moneys credited to this fund from any in-
34 dividual grant if the grant is: (1) Less than or equal to \$650,000 in the
35 aggregate, and (2) does not require the matching expenditure of any other
36 moneys in the state treasury during fiscal year 2011 other than moneys
37 appropriated by this or other appropriation act of the 2010 regular session
38 of the legislature: *Provided, however*, That, upon application to and au-
39 thorization by the governor, the division of health may make expenditures
40 for the division of health of moneys credited to this fund from any indi-
41 vidual federal grant which is more than \$650,000 in the aggregate or
42 which requires the matching expenditure of moneys in the state treasury
43 during the current or any ensuing fiscal year.

| | | |
|----|---|----------|
| 1 | Immunization grant funds — federal fund | No limit |
| 2 | Title I — P.L. 99-457 child development — federal | |
| 3 | fund..... | No limit |
| 4 | Preventive health and health services block grant — fed- | |
| 5 | eral fund | No limit |
| 6 | Maternal and child health services block grant — federal | |
| 7 | fund..... | No limit |
| 8 | National center for health statistics — federal fund..... | No limit |
| 9 | Title X family planning — federal fund..... | No limit |
| 10 | Early childhood developmental services — federal fund .. | No limit |
| 11 | Commodity supplemental food program — federal fund.. | No limit |
| 12 | Special child clinic program — federal fund..... | No limit |
| 13 | Make a difference information network — federal fund... | No limit |
| 14 | Ryan White Title II — federal fund..... | No limit |
| 15 | Bicycle helmet revolving fund | No limit |
| 16 | SSA fee fund | No limit |
| 17 | Lead poisoning prevention — federal fund | No limit |
| 18 | Title IV-E — federal fund | No limit |
| 19 | Environment public health — federal fund..... | No limit |
| 20 | Surveillance and epidemiology — federal fund..... | No limit |
| 21 | Universal newborn hearing screening — federal fund..... | No limit |
| 22 | Trauma fund | No limit |
| 23 | <i>Provided</i> , That expenditures may be made by the department of health | |
| 24 | and environment for fiscal year 2011 from the trauma fund of the de- | |
| 25 | partment of health and environment for the stroke prevention project: | |
| 26 | <i>Provided further</i> , That expenditures from the trauma fund for official | |
| 27 | hospitality shall not exceed \$2,000. | |
| 28 | Homeland security — federal fund..... | No limit |
| 29 | AIDS project — education and risk reduction — federal | |
| 30 | fund..... | No limit |
| 31 | Medical student loan repayment — federal fund..... | No limit |
| 32 | HRSA grant — federal fund | No limit |
| 33 | Lead based paint hazardous grant program — federal | |
| 34 | fund..... | No limit |
| 35 | Gifts, grants and donations fund — health | No limit |
| 36 | Special bequest fund — health..... | No limit |
| 37 | Civil registration and health statistics fee fund..... | No limit |
| 38 | Vital statistics system project fund | No limit |
| 39 | Tobacco use prevention and control program — federal | |
| 40 | fund..... | No limit |
| 41 | Lead-based paint hazard fee fund..... | No limit |
| 42 | Census of traumatic occupational fatalities — federal | |
| 43 | fund..... | No limit |

1 Avian flu vaccine — federal fund..... No limit
2 Real ID — federal fund..... No limit
3 (c) There is appropriated for the above agency from the children’s
4 initiatives fund for the fiscal year ending June 30, 2011, the following:
5 Healthy start..... \$250,000
6 *Provided*, That any unencumbered balance in the healthy start account
7 in excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal
8 year 2011.
9 Infants and toddlers program \$5,700,000
10 *Provided*, That any unencumbered balance in the infants and toddlers
11 program account in excess of \$100 as of June 30, 2010, is hereby reap-
12 propriated for fiscal year 2011.
13 Smoking prevention..... \$1,000,000
14 *Provided*, That any unencumbered balance in the smoking prevention
15 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
16 for fiscal year 2011.
17 Newborn hearing aid loaner program..... \$50,000
18 *Provided*, That any unencumbered balance in the newborn hearing aid
19 loaner program account in excess of \$100 as of June 30, 2010, is hereby
20 reappropriated for fiscal year 2011.
21 SIDS network grant..... \$75,000
22 *Provided*, That any unencumbered balance in the SIDS network grant
23 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
24 for fiscal year 2011.
25 Newborn screening..... \$321,309
26 *Provided*, That any unencumbered balance in the newborn screening ac-
27 count in excess of \$100 as of June 30, 2010, is hereby reappropriated for
28 fiscal year 2011.
29 (d) On July 1, 2010, and on other occasions during fiscal year 2011
30 when necessary as determined by the secretary of health and environ-
31 ment, the director of accounts and reports shall transfer amounts speci-
32 fied by the secretary of health and environment, which amounts consti-
33 tute reimbursements, credits and other amounts received by the
34 department of health and environment for activities related to federal
35 programs, from specified special revenue funds of the department of
36 health and environment — division of health or of the department of
37 health and environment — division of environment, to the sponsored
38 project overhead fund — health of the department of health and envi-
39 ronment — division of health.
40 (e) On July 1, 2010, October 1, 2010, January 1, 2011, and April 1,
41 2011, or as soon after each such date as moneys are available, the director
42 of accounts and reports shall transfer \$559,307 from the child care and
43 development federal fund of the department of social and rehabilitation

1 services to the child care and development block grant — federal fund
2 of the department of health and environment.

3 (f) During the fiscal year ending June 30, 2011, the director of accounts
4 and reports shall transfer an amount or amounts specified by the secretary
5 of health and environment from any one or more special revenue funds
6 of the department of health and environment — division of health, which
7 have available moneys, to the sponsored project overhead fund — health
8 of the department of health and environment — division of health for
9 expenditures, as the case may be, for administrative expenses.

10 (g) In addition to the other purposes for which expenditures may be
11 made by the department of health and environment from moneys appro-
12 priated from the state general fund or from any special revenue fund for
13 fiscal year 2011 and from which expenditures may be made for salaries
14 and wages, as authorized by this or other appropriation act of the 2010
15 regular session of the legislature, expenditures may be made by the de-
16 partment of health and environment from such moneys appropriated
17 from the state general fund or from any special revenue fund for fiscal
18 year 2011 for up to four full-time equivalent positions in the unclassified
19 service under the Kansas civil service act: *Provided*, That all such addi-
20 tional full-time equivalent positions in the unclassified service under the
21 Kansas civil service act shall be in addition to other positions within the
22 department of health and environment in the unclassified service as pre-
23 scribed by law and shall be established by the secretary of health and
24 environment within the position limitation established for the department
25 of health and environment on the number of full-time and regular part-
26 time positions equated to full-time, excluding seasonal and temporary
27 positions, paid from appropriations for fiscal year 2011 made by this or
28 other appropriation act of the 2010 regular session of the legislature:
29 *Provided, however*, That the authority to establish such additional posi-
30 tions in the unclassified service shall not affect the classified service status
31 of any person who is an employee of the department of health and en-
32 vironment in the classified service under the Kansas civil service act.

33 (h) During the fiscal year ending June 30, 2011, the amounts trans-
34 ferred by the director of accounts and reports from each of the special
35 revenue funds of the department of health and environment — division
36 of health to the sponsored project overhead fund — health of the de-
37 partment of health and environment — division of health pursuant to this
38 section may include amounts equal to up to 25% of the expenditures from
39 such special revenue fund, excepting expenditures for contractual serv-
40 ices.

41 (i) During the fiscal year ending June 30, 2011, the secretary of health
42 and environment, with approval of the director of the budget, may trans-
43 fer any part of any item of appropriation for fiscal year 2011 from the

1 state general fund for the department of health and environment — di-
 2 vision of health or the department of health and environment — division
 3 of environment to another item of appropriation for fiscal year 2011 from
 4 the state general fund for the department of health and environment —
 5 division of health or the department of health and environment — divi-
 6 sion of environment. The secretary of health and environment shall certify
 7 each such transfer to the director of accounts and reports and shall trans-
 8 mit a copy of each such certification to the director of legislative research.

9 (j) In addition to the other purposes for which expenditures may be
 10 made by the department of health and environment — division of health
 11 from moneys appropriated from the district coroners fund for fiscal year
 12 2011, as authorized by this or other appropriation act of the 2010 regular
 13 session of the legislature, and notwithstanding the provisions of K.S.A.
 14 22a-245, and amendments thereto, or any other statute, expenditures may
 15 be made by the department of health and environment — division of
 16 health from such moneys appropriated from the district coroners fund
 17 for fiscal year 2011 pursuant to K.S.A. 22a-242, and amendments thereto.

18 (k) On July 1, 2010, the director of accounts and reports shall transfer
 19 \$200,000 from the health care stabilization fund of the health care sta-
 20 bilization fund board of governors to the health facilities review fund of
 21 the department of health and environment for the purpose of financing
 22 a review of records of licensed medical care facilities and an analysis of
 23 quality of health care services provided to assist in correcting substandard
 24 services and to reduce the incidence of liability resulting from the ren-
 25 dering of health care services and implementing the risk management
 26 provisions of K.S.A. 65-4922 et seq., and amendments thereto.

27 Sec. 64.

28 DEPARTMENT OF HEALTH AND ENVIRONMENT —
 29 DIVISION OF ENVIRONMENT

30 (a) There is appropriated for the above agency from the state general
 31 fund for the fiscal year ending June 30, 2011, the following:

32 Operating expenditures (including official hospitality)..... \$4,355,375

33 *Provided*, That any unencumbered balance in the operating expenditures
 34 (including official hospitality) account of the department of health and
 35 environment — division of environment in excess of \$100 as of June 30,
 36 2010, is hereby reappropriated for fiscal year 2011.

37 Operating expenditures (including official hospitality) —
 38 laboratories \$3,424,393

39 *Provided*, That any unencumbered balance in the operating expenditures
 40 (including official hospitality) — laboratories account in excess of \$100 as
 41 of June 30, 2010, is hereby reappropriated for fiscal year 2011.

42 (b) There is appropriated for the above agency from the following spe-
 43 cial revenue fund or funds for the fiscal year ending June 30, 2011, all

1 moneys now or hereafter lawfully credited to and available in such fund
2 or funds, except that expenditures other than refunds authorized by law
3 shall not exceed the following:

| | |
|--|----------|
| 4 Radiation control operations fee fund..... | No limit |
| 5 Mined-land conservation and reclamation fee fund | No limit |
| 6 Solid waste management fund..... | No limit |

7 *Provided*, That expenditures may be made from the solid waste manage-
8 ment fund during the fiscal year ending June 30, 2011, for official hos-
9 pitality: *Provided further*, That such expenditures for official hospitality
10 shall not exceed \$2,500.

| | |
|---|----------|
| 11 Public water supply fee fund..... | No limit |
| 12 Voluntary cleanup fund | No limit |
| 13 Storage tank fee fund..... | No limit |
| 14 Air quality fee fund..... | No limit |
| 15 Hazardous waste collection fund..... | No limit |
| 16 Power generating facility fee fund..... | No limit |
| 17 Health and environment training fee fund — 18 environment | No limit |

19 *Provided*, That expenditures may be made from the health and environ-
20 ment training fee fund — environment for acquisition and distribution
21 of division of environment program literature and films and for partici-
22 pation in or conducting training seminars for training employees of the
23 division of environment of the department of health and environment,
24 for training recipients of state aid from the division of environment of the
25 department of health and environment and for training representatives
26 of industries affected by rules and regulations of the department of health
27 and environment relating to the division of environment: *Provided fur-*
28 *ther*, That the secretary of health and environment is hereby authorized
29 to fix, charge and collect fees in order to recover costs incurred for such
30 acquisition and distribution of literature and films and for the operation
31 of such seminars: *And provided further*, That such fees may be fixed in
32 order to recover all or part of such costs: *And provided further*, That all
33 moneys received from such fees shall be deposited in the state treasury
34 in accordance with the provisions of K.S.A. 75-4215, and amendments
35 thereto, and shall be credited to the health and environment training fee
36 fund — environment: *And provided further*, That, in addition to the other
37 purposes for which expenditures may be made by the department of
38 health and environment for the division of environment from moneys
39 appropriated from the health and environment training fee fund — en-
40 vironment for fiscal year 2011, expenditures may be made by the de-
41 partment of health and environment from the health and environment
42 training fee fund — environment for fiscal year 2011 for agency opera-
43 tions for the division of environment.

1 Driving under the influence equipment fund No limit
2 Nuclear safety emergency preparedness special revenue
3 fund..... No limit
4 *Provided*, That all moneys received from the adjutant general from the
5 nuclear safety emergency management fee fund of the adjutant general
6 shall be credited to the nuclear safety emergency preparedness special
7 revenue fund of the department of health and environment — division
8 of environment.
9 Waste tire management fund No limit
10 Health and environment publication fee fund —
11 environment No limit
12 *Provided*, That expenditures from the health and environment publica-
13 tion fee fund — environment shall be made only for the purpose of paying
14 the expenses of publishing documents as required by K.S.A. 75-5662, and
15 amendments thereto.
16 Local air quality control authority regulation services
17 fund..... No limit
18 Environmental response fund..... No limit
19 Sponsored project overhead fund — environment..... No limit
20 Resource conservation and recovery act — federal fund .. No limit
21 Enhancing radiological incident response — federal
22 fund..... No limit
23 Water supply — federal fund..... No limit
24 EPA voluntary cleanup federal fund..... No limit
25 *Provided*, That all expenditures from the EPA voluntary cleanup federal
26 fund during fiscal year 2011 shall be supplemental to fees collected for
27 direct or indirect costs of administering the voluntary cleanup and prop-
28 erty redevelopment act: *Provided, however*, That such expenditures shall
29 be in accordance with the federal agreement entered into by the secretary
30 of health and environment for the grant moneys.
31 Clinical laboratory improvement amendments — federal
32 fund..... No limit
33 EPA — core support — federal fund..... No limit
34 Other federal grants fund — environment No limit
35 *Provided*, That the department of health and environment is authorized
36 to make expenditures for the division of environment from the other
37 federal grants fund — environment of any moneys credited to this fund
38 from any individual grant if the grant: (1) Is less than or equal to \$650,000
39 in the aggregate, and (2) does not require the matching expenditure of
40 any other moneys in the state treasury during fiscal year 2011 other than
41 moneys appropriated by this or other appropriation act of the 2010 reg-
42 ular session of the legislature: *Provided, however*, That, upon applica-
43 tion to and authorization by the governor, the department of health and en-

1 vironment may make expenditures for the division of environment of
 2 moneys credited to this fund from any individual federal grant which is
 3 more than \$650,000 in the aggregate or which requires the matching
 4 expenditure of moneys in the state treasury during the current or any
 5 ensuing fiscal year: *Provided further*, That transfers or payments from
 6 this fund to other state agencies shall be in addition to any expenditure
 7 limitation placed on this fund.

| | | |
|----|--|----------|
| 8 | Air quality program — federal fund | No limit |
| 9 | Leaking underground storage tank trust — federal fund .. | No limit |
| 10 | National surface mining control and reclamation act — | |
| 11 | federal fund | No limit |
| 12 | Abandoned mined-land — federal fund..... | No limit |
| 13 | State indoor radon grant — federal fund | No limit |
| 14 | EPA non-point source implementation — federal fund.... | No limit |
| 15 | Pollution prevention program — federal fund | No limit |
| 16 | Gifts, grants and donations fund — environment | No limit |
| 17 | Special bequest fund — environment..... | No limit |
| 18 | Aboveground petroleum storage tank release trust fund... | No limit |
| 19 | Underground petroleum storage tank release trust fund... | No limit |
| 20 | Drycleaning facility release trust fund | No limit |
| 21 | Public water supply loan fund | No limit |
| 22 | Public water supply loan operations fund..... | No limit |
| 23 | Kansas water pollution control revolving fund..... | No limit |

24 *Provided*, That the proceeds from revenue bonds issued by the Kansas
 25 development finance authority to provide matching grant payments under
 26 the federal clean water act of 1987 (P.L.92-500) shall be credited to the
 27 Kansas water pollution control revolving fund: *Provided further*, That
 28 expenditures from this fund shall be made to provide for the payment of
 29 such matching grants.

| | | |
|----|---|----------|
| 30 | Kansas water pollution control operations fund..... | No limit |
| 31 | Cost of issuance fund for Kansas water pollution control | |
| 32 | revolving fund revenue bonds..... | No limit |
| 33 | Surcharge fund for Kansas water pollution control revol- | |
| 34 | ing fund revenue bonds | No limit |
| 35 | Surcharge operations fund for Kansas water pollution con- | |
| 36 | trol revolving fund revenue bonds | No limit |
| 37 | Debt service reserve fund..... | No limit |
| 38 | EPA water related grants — federal fund | No limit |

39 *Provided*, That no moneys from any grant that requires the matching
 40 expenditure of any other moneys in the state treasury during the current
 41 or any ensuing fiscal year shall be deposited to the credit of the EPA
 42 water related grants — federal fund.

| | | |
|----|--------------------------------------|----------|
| 43 | Chemical control — federal fund..... | No limit |
|----|--------------------------------------|----------|

| | | |
|----|---|-----------|
| 1 | Subsurface hydrocarbon storage fund..... | No limit |
| 2 | Clean air leadership — federal fund..... | No limit |
| 3 | Natural resources damages trust fund..... | No limit |
| 4 | Hazardous waste management fund..... | No limit |
| 5 | Brownfields revolving loan program — federal fund..... | No limit |
| 6 | Mined—land reclamation fund..... | No limit |
| 7 | 104 (6)(1) outreach operator training program — federal | |
| 8 | fund..... | No limit |
| 9 | Underground storage tank — federal fund..... | No limit |
| 10 | EPA underground injection control — federal fund..... | No limit |
| 11 | Laboratory medicaid cost recovery fund — | |
| 12 | environment..... | No limit |
| 13 | Diagnostic X-ray program — federal fund..... | No limit |
| 14 | Environmental control use fund..... | No limit |
| 15 | Environmental response remedial activity specific site — | |
| 16 | lead site federal fund..... | No limit |
| 17 | Emergency environmental response — nonspecific sites | |
| 18 | federal fund..... | No limit |
| 19 | Chemical control fund..... | No limit |
| 20 | Medicare program — environment — federal fund..... | No limit |
| 21 | EPA 106 water pollution control — federal fund..... | No limit |
| 22 | Salt solution mining well plugging fund..... | No limit |
| 23 | Kansas essential fuels supply trust fund..... | No limit |
| 24 | (c) There is appropriated for the above agency from the state water | |
| 25 | plan fund for the fiscal year ending June 30, 2011, for the state water | |
| 26 | plan project or projects specified as follows: | |
| 27 | Contamination remediation..... | \$753,870 |
| 28 | <i>Provided</i> , That any unencumbered balance in the contamination reme- | |
| 29 | diation account in excess of \$100 as of June 30, 2010, is hereby reappro- | |
| 30 | priated for fiscal year 2011. | |
| 31 | TMDL initiatives and use attainability analysis..... | \$166,821 |
| 32 | <i>Provided</i> , That any unencumbered balance in the TMDL initiatives and | |
| 33 | use attainability analysis account in excess of \$100 as of June 30, 2010, is | |
| 34 | hereby reappropriated for fiscal year 2011. | |
| 35 | Watershed restoration and protection plan..... | \$548,696 |
| 36 | <i>Provided</i> , That any unencumbered balance in the watershed restoration | |
| 37 | and protection plan account in excess of \$100 as of June 30, 2010, is | |
| 38 | hereby reappropriated for fiscal year 2011. | |
| 39 | Local environmental protection program..... | \$980,000 |
| 40 | <i>Provided</i> , That any unencumbered balance in the local environmental | |
| 41 | protection program account in excess of \$100 as of June 30, 2010, is | |
| 42 | hereby reappropriated for fiscal year 2011. | |
| 43 | Nonpoint source program..... | \$246,072 |

1 *Provided*, That any unencumbered balance in the nonpoint source pro-
2 gram account in excess of \$100 as of June 30, 2010, is hereby reappro-
3 priated for fiscal year 2011.

4 Treece superfund match..... \$350,000

5 (d) There is appropriated for the above agency from the children’s
6 initiatives fund for the fiscal year ending June 30, 2011, for the project
7 specified as follows:

8 Newborn screening..... \$1,898,457

9 (e) During the fiscal year ending June 30, 2011, the secretary of health
10 and environment, with the approval of the director of the budget, may
11 transfer any part of any item of appropriation for fiscal year 2011 from
12 the state water plan fund for the department of health and environment
13 — division of environment to another item of appropriation for fiscal year
14 2011 from the state water plan fund for the department of health and
15 environment — division of environment: *Provided*, That the secretary of
16 health and environment shall certify each such transfer to the director of
17 accounts and reports and shall transmit a copy of each such certification
18 to the director of legislative research, the chairperson of the house of
19 representatives agriculture and natural resources budget committee and
20 the chairperson of the subcommittee on health and environment/human
21 resources of the senate committee on ways and means.

22 (f) During the fiscal year ending June 30, 2011, notwithstanding the
23 provisions of K.S.A. 65-3024, and amendments thereto, the director of
24 accounts and reports shall not make the transfers of amounts of interest
25 earnings from the state general fund to the air quality fee fund of the
26 department of health and environment which are directed to be made on
27 or before the 10th day of each month by K.S.A. 65-3024, and amendments
28 thereto.

29 (g) On July 1, 2010, and on other occasions during fiscal year 2011
30 when necessary, the director of accounts and reports shall transfer
31 amounts specified by the secretary of health and environment, which
32 amounts constitute reimbursements, credits and other amounts received
33 by the department of health and environment for activities related to
34 federal programs, from specified special revenue funds of the department
35 of health and environment — division of health or of the department of
36 health and environment — division of environment, to the sponsored
37 project overhead fund — environment of the department of health and
38 environment — division of environment.

39 (h) During the fiscal year ending June 30, 2011, the director of accounts
40 and reports shall transfer an amount or amounts specified by the secretary
41 of health and environment from any one or more special revenue funds
42 of the department of health and environment — division of environment,
43 which have available moneys, to the sponsored project overhead fund —

1 environment of the department of health and environment — division of
2 environment or to the sponsored project overhead fund — health of the
3 department of health and environment — division of health, as the case
4 may be, for expenditures for administrative expenses.

5 (i) During the fiscal year ending June 30, 2011, the secretary of health
6 and environment, with approval of the director of the budget, may trans-
7 fer any part of any item of appropriation for fiscal year 2011 from the
8 state general fund for the department of health and environment — di-
9 vision of health or the department of health and environment — division
10 of environment to another item of appropriation for fiscal year 2011 from
11 the state general fund for the department of health and environment —
12 division of health or the department of health and environment — divi-
13 sion of environment. The secretary of health and environment shall certify
14 each such transfer to the director of accounts and reports and shall trans-
15 mit a copy of each such certification to the director of legislative research.

16 (j) During the fiscal year ending June 30, 2011, the amounts transferred
17 by the director of accounts and reports from each of the special revenue
18 funds of the department of health and environment — division of envi-
19 ronment to the sponsored project overhead fund — environment of the
20 department of health and environment — division of environment pur-
21 suant to this section may include amounts equal to up to 25% of the
22 expenditures from such special revenue fund, excepting expenditures for
23 contractual services.

24 Sec. 65.

25 DEPARTMENT ON AGING

26 (a) There is appropriated for the above agency from the state general
27 fund for the fiscal year ending June 30, 2011, the following:

28 Administration \$835,048
29 *Provided*, That any unencumbered balance in the administration account
30 in excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal
31 year 2011.

32 Administration — assessments \$77,651
33 *Provided*, That any unencumbered balance in the administration — as-
34 sements account in excess of \$100 as of June 30, 2010, is hereby reap-
35 propriated for fiscal year 2011.

36 Administration — assessments — Level II care \$43,500
37 *Provided*, That any unencumbered balance in the administration — as-
38 sements — Level II care account in excess of \$100 as of June 30, 2010,
39 is hereby reappropriated for fiscal year 2011.

40 Administration — assessments — Level I care \$351,884
41 *Provided*, That any unencumbered balance in the administration — as-
42 sements — Level I care account in excess of \$100 as of June 30, 2010,
43 is hereby reappropriated for fiscal year 2011.

1 Administration — medicaid \$1,631,747
2 *Provided*, That any unencumbered balance in the administration — med-
3 icaid account in excess of \$100 as of June 30, 2010, is hereby reappro-
4 priated for fiscal year 2011.
5 Administration — medicaid MFP - admin match..... \$39,157
6 *Provided*, That any unencumbered balance in the administration — med-
7 icaid MFP - admin match account in excess of \$100 as of June 30, 2010,
8 is hereby reappropriated for fiscal year 2011.
9 Administration — older Americans act match..... \$184,489
10 *Provided*, That any unencumbered balance in the administration — older
11 Americans act match account in excess of \$100 as of June 30, 2010, is
12 hereby reappropriated for fiscal year 2011.
13 Senior care act \$1,785,928
14 *Provided*, That any unencumbered balance in the senior care act account
15 in excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal
16 year 2011: *Provided further*, That each grant agreement with an area
17 agency on aging for a grant from the senior care act account shall require
18 the area agency on aging to submit to the secretary of aging a report for
19 fiscal year 2010 by the area agency on aging which shall include infor-
20 mation about the kinds of services provided and the number of persons
21 receiving each kind of service during fiscal year 2010: *And provided fur-*
22 *ther*, That the secretary of aging shall submit to the senate committee on
23 ways and means and the house of representatives committee on appro-
24 priations at the beginning of the 2011 regular session of the legislature a
25 report of the information contained in such reports from the area agencies
26 on aging on expenditures for fiscal year 2010: *And provided further*, That
27 all people receiving or applying for services that are funded, either par-
28 tially or entirely, through expenditures from this account shall be placed
29 in appropriate services which are determined to be the most economical
30 services available with regard to state general fund expenditures.
31 Program grants — nutrition — state match..... \$3,077,233
32 *Provided*, That any unencumbered balance in the program grants — nu-
33 trition — state match account in excess of \$100 as of June 30, 2010, is
34 hereby reappropriated for fiscal year 2011: *Provided further*, That each
35 grant agreement with an area agency on aging for a grant from the pro-
36 gram grants — nutrition — state match account shall require the area
37 agency on aging to submit to the secretary of aging a report for federal
38 fiscal year 2010 by the area agency on aging which shall include infor-
39 mation about the kinds of services provided and the number of persons
40 receiving each kind of service during federal fiscal year 2010: *And pro-*
41 *vided further*, That the secretary of aging shall submit to the senate com-
42 mittee on ways and means and the house of representatives committee
43 on appropriations at the beginning of the 2011 regular session of the

1 legislature a report of the information contained in such reports from the
 2 area agencies on aging on expenditures for federal fiscal year 2010: *And*
 3 *provided further*, That all people receiving or applying for services that
 4 are funded, either partially or entirely, through expenditures from this
 5 account shall be placed in appropriate services which are determined to
 6 be the most economical services available with regard to state general
 7 fund expenditures.

8 LTC — medicaid assistance — TCM/FE..... \$1,852,760
 9 *Provided*, That any unencumbered balance in the LTC — medicaid as-
 10 sistance — TCM/FE account in excess of \$100 as of June 30, 2010, is
 11 hereby reappropriated for fiscal year 2011: *Provided further*, That all
 12 people receiving or applying for services that are funded, either partially
 13 or entirely, through expenditures from the LTC — medicaid assistance
 14 — TCM/FE account shall be placed in appropriate services which are
 15 determined to be the most economical services available with regard to
 16 state general fund expenditures.

17 LTC — medicaid assistance — HCBS/FE \$25,175,311
 18 *Provided*, That any unencumbered balance in the LTC — medicaid as-
 19 sistance — HCBS/FE account in excess of \$100 as of June 30, 2010, is
 20 hereby reappropriated for fiscal year 2011: *Provided further*, That all
 21 people receiving or applying for services that are funded, either partially
 22 or entirely, through expenditures from the LTC — medicaid assistance
 23 — HCBS/FE account shall be placed in appropriate services which are
 24 determined to be the most economical services available with regard to
 25 state general fund expenditures.

26 LTC — medicaid assistance — NF..... \$133,149,324
 27 *Provided*, That any unencumbered balance in the LTC — medicaid as-
 28 sistance — NF account in excess of \$100 as of June 30, 2010, is hereby
 29 reappropriated for fiscal year 2011: *Provided further*, That all people re-
 30 ceiving or applying for services that are funded, either partially or entirely,
 31 through expenditures from this account shall be placed in appropriate
 32 services which are determined to be the most economical services avail-
 33 able with regard to state general fund expenditures: *And provided further*,
 34 That notwithstanding the provisions of K.S.A. 2009 Supp. 75-5958, and
 35 amendments thereto, or any other statute, and subject to appropriations,
 36 the secretary of aging shall institute trending methods to provide rate
 37 increases for nursing facilities for fiscal year 2011.

38 LTC — medicaid assistance — PACE..... \$2,046,418
 39 *Provided*, That any unencumbered balance in the LTC — medicaid as-
 40 sistance — PACE account in excess of \$100 as of June 30, 2010, is hereby
 41 reappropriated for fiscal year 2011: *Provided further*, That all expendi-
 42 tures made from the LTC — medicaid assistance — PACE account shall
 43 be for the PACE program: *Provided further*, That all people receiving or

1 applying for services that are funded, either partially or entirely, through
2 expenditures from this account shall be placed in appropriate services
3 which are determined to be the most economical services available with
4 regard to state general fund expenditures.

5 Nursing facilities regulation \$1,608,029

6 *Provided*, That any unencumbered balance in the nursing facilities reg-
7 ulation account in excess of \$100 as of June 30, 2010, is hereby reappro-
8 priated for fiscal year 2011.

9 Nursing facilities regulation — title XIX \$1,066,813

10 *Provided*, That any unencumbered balance in the nursing facilities reg-
11 ulation — title XIX account in excess of \$100 as of June 30, 2010, is
12 hereby reappropriated for fiscal year 2011.

13 Any unencumbered balance in the LTC — medicaid assistance — MFP
14 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
15 for fiscal year 2011.

16 (b) There is appropriated for the above agency from the following spe-
17 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
18 moneys now or hereafter lawfully credited to and available in such fund
19 or funds, except that expenditures shall not exceed the following:

20 Older Americans act — federal fund..... No limit

21 Title XIX fund — federal No limit

22 *Provided*, That transfers of moneys from the title XIX fund — federal to
23 the state fire marshal may be made during fiscal year 2011 pursuant to a
24 contract which is hereby authorized to be entered into by the secretary
25 of aging with the state fire marshal to provide fire and safety inspections
26 for adult care homes and hospitals.

27 Senior care act — social service block grant fund..... \$4,500,000

28 *Provided*, That each grant agreement with an area agency on aging for a
29 grant from the senior care act — social service block grant fund shall
30 require the area agency on aging to submit to the secretary of aging a
31 report for fiscal year 2010 by the area agency on aging which shall include
32 information about the kinds of services provided and the number of per-
33 sons receiving each kind of service during fiscal year 2010: *Provided fur-*
34 *ther*, That the secretary of aging shall submit to the senate committee on
35 ways and means and the house of representatives committee on appro-
36 priations at the beginning of the 2011 regular session of the legislature a
37 report of the information contained in such reports from the area agencies
38 on aging on expenditures for fiscal year 2010: *And provided further*, That
39 all people receiving or applying for services that are funded, either par-
40 tially or entirely, through expenditures from this fund shall be placed in
41 appropriate services which are determined to be the most economical
42 services available.

43 Nutrition fund — federal No limit

1 Senior citizen nutrition check-off fund No limit
2 Conferences and workshops attendance and publications
3 fees fund No limit
4 *Provided*, That the secretary of aging is hereby authorized to fix, charge
5 and collect conference and workshop attendance fees for conferences and
6 workshops sponsored by the department on aging and fees for copies of
7 publications: *Provided further*, That such fees shall be deposited in the
8 state treasury in accordance with the provisions of K.S.A. 75-4215, and
9 amendments thereto, and shall be credited to the conferences and work-
10 shops attendance and publications fees fund: *And provided further*, That
11 expenditures may be made from this fund to defray all or part of the costs
12 of such conferences and workshops including official hospitality and of
13 such publications.
14 State licensure fee fund..... \$1,144,569
15 General fees fund..... No limit
16 *Provided*, That the secretary of aging is hereby authorized to collect (1)
17 fees from the sale of surplus property, (2) fees charged for searching,
18 copying and transmitting copies of public records, (3) fees paid by em-
19 ployees for personal long distance calls, postage, faxed messages, copies
20 and other authorized uses of state property, and (4) other miscellaneous
21 fees: *Provided further*, That such fees shall be deposited in the state
22 treasury in accordance with the provisions of K.S.A. 75-4215, and amend-
23 ments thereto, and shall be credited to the general fees fund: *And pro-*
24 *vided further*, That expenditures shall be made from this fund to meet
25 the obligations of the department on aging, or to benefit and meet the
26 mission of the department on aging.
27 Gifts and donations fund No limit
28 *Provided*, That the secretary of aging is hereby authorized to receive gifts
29 and donations of money for services to senior citizens or purposes related
30 thereto: *Provided further*, That such gifts and donations of money shall
31 be deposited in the state treasury and credited to the gifts and donations
32 fund.
33 Medical resources and collection fund..... No limit
34 *Provided*, That all moneys received or collected by the secretary of aging
35 due to medicaid overpayments shall be deposited in the state treasury
36 and credited to the medical resources and collection fund and expendi-
37 tures from such fund shall be made for medicaid program-related ex-
38 penses and used to reduce state general fund outlays for the medicaid
39 program: *Provided further*, That all moneys received or collected by the
40 secretary of aging due to civil monetary penalty assessments against adult
41 care homes shall be deposited in the state treasury and credited to this
42 fund and expenditures from such fund shall be made to protect the health
43 or property of adult care home residents as required by federal law.

| | | |
|---|---|----------|
| 1 | SHICK fund — grants — federal | No limit |
| 2 | SHICK fund — state operations — federal..... | No limit |
| 3 | Other CMS demo grants — federal fund..... | No limit |
| 4 | Other AoA demo grants — federal fund..... | No limit |
| 5 | Senior services fund..... | No limit |
| 6 | Long-term care loan and grant fund..... | No limit |
| 7 | Intergovernmental transfer administration fund..... | \$0 |
| 8 | Non-government grant fund..... | No limit |
| 9 | Other federal grants and assistance fund..... | No limit |

10 *Provided*, That the above agency is authorized to make expenditures from
11 the other federal grants and assistance fund of any moneys credited to
12 this fund from any individual grant if the grant: (1) Is less than or equal
13 to \$250,000 in the aggregate, and (2) does not require the matching ex-
14 penditure of any other moneys in the state treasury during fiscal year
15 2011 other than moneys appropriated by this or other appropriation act
16 of the 2010 regular session of the legislature: *Provided, however*, That,
17 upon application to and authorization by the governor, the above agency
18 may make expenditures of moneys credited to this fund from any indi-
19 vidual federal grant which is more than \$250,000 in the aggregate or
20 which requires the matching expenditure of moneys in the state treasury
21 during the current or any ensuing fiscal year.

| | | |
|----|------------------------------------|----------|
| 22 | Health facilities review fund..... | No limit |
| 23 | Medicare fund — federal | No limit |

24 (c) During the fiscal year ending June 30, 2011, the secretary of aging,
25 with the approval of the director of the budget, may transfer any part of
26 any item of appropriation for fiscal year 2011 from the state general fund
27 for the department on aging to another item of appropriation for fiscal
28 year 2011 from the state general fund for the department on aging. The
29 secretary of aging shall certify each such transfer to the director of ac-
30 counts and reports and shall transmit a copy of each such certification to
31 the director of legislative research.

32 (d) In addition to the other purposes for which expenditures may be
33 made by the department of social and rehabilitation services from moneys
34 appropriated from the state general fund or any special revenue fund for
35 fiscal year 2011 for the department of social and rehabilitation services
36 and in addition to the other purposes for which expenditures may be
37 made by the department of health and environment — division of health
38 from moneys appropriated from the state general fund or any special
39 revenue fund for fiscal year 2011 for the department of health and en-
40 vironment — division of health, as authorized by this or other appropri-
41 ation act of the 2010 regular session of the legislature, expenditures may
42 be made by the secretary of social and rehabilitation services and the
43 secretary of health and environment for fiscal year 2011 to enter into a

1 contract with the secretary of aging, which is hereby authorized and di-
2 rected to be entered into by such secretaries, to provide for the secretary
3 of aging to perform the powers, duties, functions and responsibilities pre-
4 scribed by and to conduct investigations pursuant to K.S.A. 39-1404, and
5 amendments thereto, in conjunction with the performance of such pow-
6 ers, duties, functions, responsibilities and investigations by the secretary
7 of social and rehabilitation services and the secretary of health and en-
8 vironment under such statute, with respect to reports of abuse, neglect
9 or exploitation of residents or reports of residents in need of protective
10 services on behalf of the secretary of social and rehabilitation services or
11 the secretary of health and environment, as the case may be, in accord-
12 ance with and pursuant to K.S.A. 39-1404, and amendments thereto, dur-
13 ing fiscal year 2011: *Provided*, That, in addition to the other purposes for
14 which expenditures may be made by the department on aging from mon-
15 eys appropriated from the state general fund or any special revenue fund
16 for fiscal year 2011 for the department on aging, as authorized by this or
17 other appropriation act of the 2010 regular session of the legislature,
18 expenditures shall be made by the secretary of aging for fiscal year 2011
19 to provide for the performance of such powers, duties, functions and
20 responsibilities and to conduct such investigations: *Provided further*,
21 That, the words and phrases used in this subsection shall have the mean-
22 ings respectively ascribed thereto by K.S.A. 39-1401, and amendments
23 thereto.

24 (e) During the fiscal year ending June 30, 2010, the director of accounts
25 and reports shall transfer the amounts specified by the director of the
26 budget from the LTC — medicaid assistance — NF account of the state
27 general fund of the department on aging to the LTC — medicaid assis-
28 tance — HCBS/FE account of the state general fund of the department
29 on aging or to the community based services account of the department
30 of social and rehabilitation services: *Provided*, That such amounts to be
31 transferred shall be certified by the director of the budget on December
32 1, 2010, and on June 1, 2011, to reflect the nursing facility rate paid for
33 persons moving from a nursing facility to the home and community-based
34 services waiver for the physically disabled or the frail elderly for the six
35 months preceding the date of certification: *Provided further*, That each
36 of the individuals transferred must meet the requirements described in
37 a policy jointly developed by the secretary of aging and the secretary of
38 social and rehabilitation services governing the operations of this transfer:
39 *And provided further*, That the director of the budget shall transmit a
40 copy of each such certification to the director of legislative research: *And*
41 *provided further*, That the department of social and rehabilitation services
42 shall report to the legislature at the beginning of the regular session in
43 2011 with expenditure data regarding this program.

1 Sec. 66.

2 KANSAS HEALTH POLICY AUTHORITY

3 (a) There is appropriated for the above agency from the state general
4 fund for the fiscal year ending June 30, 2011, the following:

5 Operating expenditures \$17,299,828

6 *Provided*, That any unencumbered balance in the operating expenditures
7 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
8 for fiscal year 2011.

9 Office of the inspector general \$100,062

10 *Provided*, That any unencumbered balance in the office of the inspector
11 general account in excess of \$100 as of June 30, 2010, is hereby reapprop-
12 priated for fiscal year 2011.

13 Other medical assistance \$441,517,000

14 *Provided*, That any unencumbered balance in the other medical assis-
15 tance account in excess of \$100 as of June 30, 2010, is hereby reapprop-
16 priated for fiscal year 2011.

17 Children’s health insurance program \$18,536,928

18 *Provided*, That any unencumbered balance in the children’s health in-
19 surance program account in excess of \$100 as of June 30, 2010, is hereby
20 reappropriated for fiscal year 2011.

21 (b) There is appropriated for the above agency from the following spe-
22 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
23 moneys now or hereafter lawfully credited to and available in such fund
24 or funds, except that expenditures other than refunds authorized by law
25 shall not exceed the following:

26 Preventive health care program fund..... \$519,470

27 Cafeteria benefits fund..... No limit

28 *Provided*, That expenditures from the cafeteria benefits fund for the fiscal
29 year ending June 30, 2011, for salaries and wages and other operating
30 expenditures shall not exceed \$2,324,908.

31 State workers compensation self-insurance fund No limit

32 *Provided*, That expenditures from the state workers compensation self-
33 insurance fund for the fiscal year ending June 30, 2011, for salaries and
34 wages and other operating expenditures shall not exceed \$3,725,998.

35 Dependent care assistance program fund..... No limit

36 *Provided*, That expenditures from the dependent care assistance program
37 fund for the fiscal year ending June 30, 2011, for salaries and wages and
38 other operating expenditures shall not exceed \$226,372.

39 Non-state employer group benefit fund \$163,931

40 Kansas health policy authority special revenue fund No limit

41 *Provided*, That expenditures from the Kansas health policy authority spe-
42 cial revenue fund for the fiscal year ending June 30, 2011, for official
43 hospitality shall not exceed \$1,000.

| | | |
|----|---|--------------|
| 1 | Health committee insurance fund..... | \$248,870 |
| 2 | Health care database fee fund..... | No limit |
| 3 | Medical programs fee fund..... | \$38,476,110 |
| 4 | Health and hospitalization insurance clearing fund..... | No limit |
| 5 | <i>Provided</i> , That expenditures from the health and hospitalization insurance clearing fund for the fiscal year ending June 30, 2011, for salaries and wages and other operating expenditures shall not exceed \$7,854,305. | |
| 6 | | |
| 7 | | |
| 8 | Health insurance premium reserve fund..... | No limit |
| 9 | Other state fees fund..... | \$0 |
| 10 | Health care access improvement fund..... | \$37,390,236 |
| 11 | Other federal grants and assistance fund..... | No limit |
| 12 | Medical assistance federal fund..... | No limit |
| 13 | Children’s health insurance federal fund..... | No limit |
| 14 | Ticket to work infrastructure grant federal fund..... | No limit |
| 15 | Health policy and finance — PERM grant federal fund... | No limit |
| 16 | Ryan White title II federal fund..... | No limit |

17 (c) During the fiscal year ending June 30, 2011, the executive director
18 of the Kansas health policy authority, with the approval of the director of
19 the budget, may transfer any part of any item of appropriation for the
20 fiscal year ending June 30, 2011, from the state general fund for the
21 Kansas health policy authority to another item of appropriation for fiscal
22 year 2011 from the state general fund for the Kansas health policy au-
23 thority. The executive director of the Kansas health policy authority shall
24 certify each such transfer to the director of accounts and reports and shall
25 transmit a copy of each such certification to the director of legislative
26 research.

27 Sec. 67.

28 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

29 (a) There is appropriated for the above agency from the state general
30 fund for the fiscal year ending June 30, 2011, the following:

| | | |
|----|------------------------|---------------|
| 31 | State operations | \$113,417,536 |
|----|------------------------|---------------|

32 *Provided*, That any unencumbered balance in the state operations ac-
33 count in excess of \$100 as of June 30, 2010, is hereby reappropriated for
34 fiscal year 2011: *Provided further*, That expenditures may be made from
35 this account for the purchase of professional liability insurance for phy-
36 sicians and dentists at any institution, as defined by K.S.A. 76-12a01, and
37 amendments thereto: *And provided further*, That expenditures from this
38 account for official hospitality by the secretary of social and rehabilitation
39 services shall not exceed \$500.

| | | |
|----|---|-------------|
| 40 | Alcohol and drug abuse services grants..... | \$1,226,535 |
|----|---|-------------|

41 *Provided*, That any unencumbered balance in the alcohol and drug abuse
42 services grants account in excess of \$100 as of June 30, 2010, is hereby
43 reappropriated for fiscal year 2011.

1 Mental health and retardation services aid and
2 assistance..... \$137,374,874
3 *Provided*, That any unencumbered balance in the mental health and re-
4 tardation services aid and assistance account in excess of \$100 as of June
5 30, 2010, is hereby reappropriated for fiscal year 2011.

6 Kansas neurological institute — operating expenditures... \$11,327,917
7 *Provided*, That any unencumbered balance in the Kansas neurological
8 institute — operating expenditures account in excess of \$100 as of June
9 30, 2010, is hereby reappropriated for fiscal year 2011: *Provided, how-*
10 *ever*, That expenditures from the Kansas neurological institute — oper-
11 ating expenditures account for official hospitality by the superintendent
12 shall not exceed \$150: *Provided further*, That expenditures shall be made
13 from this account to assist residents of the institution to take personally-
14 used items, which were constructed for use by such residents and which
15 are hereby authorized to be transferred to such residents, from the in-
16 stitution to communities when such residents leave the institution to re-
17 side in the communities.

18 Larned state hospital — operating expenditures..... \$30,849,692
19 *Provided*, That any unencumbered balance in the Larned state hospital
20 — operating expenditures account in excess of \$100 as of June 30, 2010,
21 is hereby reappropriated for fiscal year 2011: *Provided, however*, That
22 expenditures from the Larned state hospital — operating expenditures
23 account for official hospitality by the superintendent shall not exceed
24 \$150: *Provided further*, That expenditures may be made from this account
25 for educational services contracts which are hereby authorized to be ne-
26 gotiated and entered into by Larned state hospital with unified school
27 districts or other public educational services providers: *And provided fur-*
28 *ther*, That such educational services contracts shall not be subject to the
29 competitive bidding requirements of K.S.A. 75-3739, and amendments
30 thereto.

31 Larned state hospital — sexual predator treatment
32 program \$12,895,380
33 *Provided*, That any unencumbered balance in the Larned state hospital
34 — sexual predator treatment program account in excess of \$100 as of
35 June 30, 2010, is hereby reappropriated for fiscal year 2011.

36 Osawatomie state hospital — operating expenditures \$14,342,009
37 *Provided*, That any unencumbered balance in the Osawatomie state hos-
38 pital — operating expenditures account in excess of \$100 as of June 30,
39 2010, is hereby reappropriated for fiscal year 2011: *Provided further*, That
40 expenditures from the Osawatomie state hospital — operating expendi-
41 tures account for official hospitality by the superintendent shall not ex-
42 ceed \$150.

43

1 Parsons state hospital and training center — operating
2 expenditures \$10,447,821
3 *Provided*, That any unencumbered balance in the Parsons state hospital
4 and training center — operating expenditures account in excess of \$100
5 as of June 30, 2010, is hereby reappropriated for fiscal year 2011: *Provided*
6 *further*, That expenditures from the Parsons state hospital and training
7 center — operating expenditures account for official hospitality by the
8 superintendent shall not exceed \$150: *And provided further*, That ex-
9 penditures may be made from this account for educational services con-
10 tracts which are hereby authorized to be negotiated and entered into by
11 Parsons state hospital and training center with unified school districts or
12 other public educational services providers: *And provided further*, That
13 such educational services contracts shall not be subject to the competitive
14 bidding requirements of K.S.A. 75-3739, and amendments thereto: *And*
15 *provided further*, That expenditures shall be made from this account to
16 assist residents of the institution to take personally-used items, which
17 were constructed for use by such residents and which are hereby au-
18 thorized to be transferred to such residents, from the institution to com-
19 munities when such residents leave the institution to reside in the com-
20 munities.

21 Rainbow mental health facility — operating
22 expenditures \$4,524,298
23 *Provided*, That any unencumbered balance in the Rainbow mental health
24 facility — operating expenditures account in excess of \$100 as of June 30,
25 2010, is hereby reappropriated for fiscal year 2011: *Provided further*, That
26 expenditures from the Rainbow mental health facility — operating ex-
27 penditures account for official hospitality by the superintendent shall not
28 exceed \$150.

29 Children’s mental health initiative..... \$1,500,000
30 *Provided*, That any unencumbered balance in the children’s mental health
31 initiative account in excess of \$100 as of June 30, 2010, is hereby reap-
32 propriated for fiscal year 2011: *Provided, however*, That no expenditures
33 shall be made from the children’s mental health initiative account for
34 inpatient hospital beds for children.

35 Youth services aid and assistance \$109,366,779
36 *Provided*, That any unencumbered balance in the youth services aid and
37 assistance account in excess of \$100 as of June 30, 2010, is hereby reap-
38 propriated for fiscal year 2011.

39 Vocational rehabilitation aid and assistance \$5,469,209
40 *Provided*, That any unencumbered balance in the vocational rehabilitation
41 aid and assistance account in excess of \$100 as of June 30, 2010, is hereby
42 reappropriated for fiscal year 2011: *Provided further*, That expenditures
43 may be made from this account for the acquisition of durable medical

1 equipment and assistive technology devices: *Provided, however,* That all
2 such expenditures for durable equipment or assistive technology devices
3 shall require a \$1 for \$1 match from non-state sources: *And provided*
4 *further,* That expenditures may be made from this account by the sec-
5 retary of social and rehabilitation services for the purchase of worker’s
6 compensation insurance for consumers of vocational rehabilitation serv-
7 ices and assessments at work site and job tryout sites throughout the state.
8 Cash assistance \$54,806,608
9 *Provided,* That any unencumbered balance in the cash assistance account
10 in excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal
11 year 2011.
12 Community based services..... \$67,252,071
13 *Provided,* That any unencumbered balance in the community based serv-
14 ices account in excess of \$100 as of June 30, 2010, is hereby reappro-
15 priated for fiscal year 2011.
16 Other medical assistance \$99,946,305
17 *Provided,* That any unencumbered balance in the other medical assis-
18 tance account in excess of \$100 as of June 30, 2010, is hereby reappro-
19 priated for fiscal year 2011.
20 Community mental health centers supplemental
21 funding \$2,500,000
22 *Provided,* That any unencumbered balance in the community mental
23 health centers supplemental funding account in excess of \$100 as of June
24 30, 2010, is hereby reappropriated for fiscal year 2011.
25 (b) There is appropriated for the above agency from the following spe-
26 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
27 moneys now or hereafter lawfully credited to and available in such fund
28 or funds, except that expenditures shall not exceed the following:
29 Title XIX fund \$47,640,920
30 *Provided,* That all receipts resulting from payments under title XIX of
31 the federal social security act to any of the institutions under mental
32 health and retardation services may be credited to the title XIX fund:
33 *Provided further,* That moneys in the title XIX fund may be used for
34 expenditures for contractual services to provide for collecting additional
35 payments under title XVIII and title XIX of the federal social security act,
36 for expenditures for premiums and surcharges required to be paid for
37 physicians’ malpractice insurance, and for transfers to the other federal
38 grants and assistance fund.
39 Nonfederal reimbursements fund No limit
40 *Provided,* That all nonfederal reimbursements received by the depart-
41 ment of social and rehabilitation services shall be deposited in the state
42 treasury and credited to the nonfederal reimbursements fund: *Provided*
43 *further,* That moneys in the nonfederal reimbursements fund may be

1 used for expenditures for contractual services to provide for collecting
2 additional payments under title XVIII and title XIX of the federal social
3 security act, for expenditures for premiums and surcharges required to
4 be paid for physicians' malpractice insurance, and for transfers to the
5 social welfare fund.

| | | |
|----|--|-------------|
| 6 | Kansas neurological institute fee fund | \$1,279,743 |
| 7 | Kansas neurological institute — foster grandparents pro- | |
| 8 | gram — federal fund..... | No limit |
| 9 | Kansas neurological institute — FGP gifts, grants, dona- | |
| 10 | tions special | No limit |
| 11 | Kansas neurological institute — FGP gifts, grants, dona- | |
| 12 | tions fund | No limit |
| 13 | Kansas neurological institute — patient benefit fund | No limit |
| 14 | Kansas neurological institute — work therapy patient ben- | |
| 15 | efit fund | No limit |
| 16 | Kansas neurological institute — conferences fees fund | No limit |

17 *Provided*, That all moneys received as fees for conference activities by
18 Kansas neurological institute shall be deposited in the state treasury in
19 accordance with the provisions of K.S.A. 75-4215, and amendments
20 thereto, and shall be credited to the Kansas neurological institute — con-
21 ferences fees fund: *Provided further*, That the superintendent of Kansas
22 neurological institute is hereby authorized to fix, charge and collect fees
23 for conference activities sponsored by Kansas neurological institute: *And*
24 *provided further*, That expenditures may be made from this fund to de-
25 fray the costs of such conference activities.

| | | |
|----|--|-------------|
| 26 | Larned state hospital fee fund..... | \$4,459,008 |
| 27 | Larned state hospital — elementary and secondary edu- | |
| 28 | cation fund — federal | No limit |
| 29 | Larned state hospital — vocational education fund — | |
| 30 | federal | No limit |
| 31 | Larned state hospital — ECIA fund — federal | No limit |
| 32 | Larned state hospital — motor pool revolving fund | No limit |
| 33 | Larned state hospital work therapy patient benefit fund... | No limit |
| 34 | Larned state hospital — canteen fund | No limit |
| 35 | Larned state hospital — patient benefit fund..... | No limit |

36 *Provided*, That all moneys received as fees for the use of video telecon-
37 ferencing equipment at Osawatomie state hospital shall be deposited in
38 the state treasury in accordance with the provisions of K.S.A. 75-4215,
39 and amendments thereto, and shall be credited to the video teleconfer-
40 encing fee account of the Osawatomie state hospital fee fund: *Provided*
41 *further*, That all moneys credited to the video teleconferencing fee ac-
42 count shall be used solely for the servicing, technical and program sup-
43 port, maintenance and replacement of associated equipment at Osawa-

1 tomie state hospital: *And provided further*, That any expenditures from
2 the video teleconferencing fee account shall be in addition to any ex-
3 penditure limitation imposed on the Osawatomie state hospital fee fund.
4 Osawatomie state hospital — ECIA fund — federal..... No limit
5 Osawatomie state hospital — canteen fund..... No limit
6 Osawatomie state hospital — patient benefit fund..... No limit
7 Osawatomie state hospital — work therapy patient benefit
8 fund..... No limit
9 Osawatomie state hospital — motor pool revolving fund.. No limit
10 Osawatomie state hospital — training fee revolving
11 fund..... No limit
12 *Provided*, That all moneys received as fees for training activities for Os-
13 awatomie state hospital shall be deposited in the state treasury in accord-
14 ance with the provisions of K.S.A. 75-4215, and amendments thereto, and
15 shall be credited to the Osawatomie state hospital — training fee revol-
16 ving fund: *Provided further*, That the superintendent of Osawatomie state
17 hospital is hereby authorized to fix, charge and collect fees for training
18 activities at Osawatomie state hospital: *And provided further*, That such
19 fees shall be fixed in order to recover all or part of the expenses of such
20 training activities for Osawatomie state hospital.
21 Osawatomie state hospital fee fund..... \$9,007,325
22 Parsons state hospital and training center — canteen
23 fund..... No limit
24 Parsons state hospital and training center — patient ben-
25 efit fund..... No limit
26 Parsons state hospital and training center — work therapy
27 patient benefit fund..... No limit
28 Parsons state hospital and training center fee fund..... \$1,329,990
29 *Provided*, That all moneys received as fees for the use of video telecon-
30 ferencing equipment at Parsons state hospital and training center shall
31 be deposited in the state treasury in accordance with the provisions of
32 K.S.A. 75-4215, and amendments thereto, and shall be credited to the
33 video teleconferencing fee account of the Parsons state hospital and train-
34 ing center fee fund: *Provided further*, That all moneys credited to the
35 video teleconferencing fee account shall be used solely for the servicing,
36 maintenance and replacement of video teleconferencing equipment at
37 Parsons state hospital and training center: *And provided further*, That any
38 expenditures from the video teleconferencing fee account shall be in ad-
39 dition to any expenditure limitation imposed on the Parsons state hospital
40 and training center fee fund.
41 Rainbow mental health facility fee fund..... \$2,463,173
42 Rainbow mental health facility — patient benefit fund No limit
43

| | | |
|----|---|--------------|
| 1 | Rainbow mental health facility — work therapy patient | |
| 2 | benefit fund..... | No limit |
| 3 | Social services clearing fund..... | No limit |
| 4 | Social welfare fund | \$38,399,729 |
| 5 | Other state fees fund | No limit |
| 6 | Alcohol and drug abuse block grant federal fund | No limit |
| 7 | Child welfare services block grant federal fund..... | No limit |
| 8 | Mental health block grant federal fund..... | No limit |
| 9 | Social services block grant — federal fund | No limit |
| 10 | Child care and development federal fund | No limit |
| 11 | Children’s cabinet grants federal fund | No limit |
| 12 | Temporary assistance to needy families federal fund | No limit |
| 13 | Disability determination services federal fund | No limit |
| 14 | Food stamp assistance federal fund..... | No limit |
| 15 | Foster care assistance federal fund..... | No limit |
| 16 | Medical assistance federal fund | No limit |
| 17 | Rehabilitation services federal fund..... | No limit |
| 18 | Other federal grants and assistance fund..... | No limit |
| 19 | SRS enterprise fund | No limit |
| 20 | SRS trust fund | No limit |
| 21 | Problem gambling and addictions grant fund..... | No limit |
| 22 | Child support enforcement administration fund..... | No limit |
| 23 | Energy assistance block grant federal fund..... | No limit |
| 24 | Family and children trust account — family and children | |
| 25 | investment fund | No limit |
| 26 | <i>Provided</i> , That expenditures from the family and children trust account | |
| 27 | — family and children investment fund for official hospitality shall not | |
| 28 | exceed \$1,500. | |
| 29 | (c) There is appropriated for the above agency from the children’s | |
| 30 | initiatives fund for the fiscal year ending June 30, 2011, the following: | |
| 31 | Children’s cabinet accountability fund | \$541,802 |
| 32 | <i>Provided</i> , That any unencumbered balance in the children’s cabinet ac- | |
| 33 | countability fund account in excess of \$100 as of June 30, 2010, is hereby | |
| 34 | reappropriated for fiscal year 2011. | |
| 35 | Children’s mental health waiver..... | \$3,800,000 |
| 36 | <i>Provided</i> , That any unencumbered balance in the children’s mental health | |
| 37 | waiver account in excess of \$100 as of June 30, 2010, is hereby reappro- | |
| 38 | priated for fiscal year 2011. | |
| 39 | Family centered system of care | \$5,000,000 |
| 40 | <i>Provided</i> , That any unencumbered balance in the family centered system | |
| 41 | of care account in excess of \$100 as of June 30, 2010, is hereby reappro- | |
| 42 | priated for fiscal year 2011. | |
| 43 | Child care | \$1,400,000 |

1 *Provided*, That any unencumbered balance in the child care account in
2 excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal
3 year 2011.

4 Children’s cabinet early childhood discretionary grant
5 program \$8,443,161

6 *Provided*, That any unencumbered balance in the children’s cabinet early
7 childhood discretionary grant program account in excess of \$100 as of
8 June 30, 2010, is hereby reappropriated for fiscal year 2011.

9 Family preservation \$3,241,062

10 *Provided*, That any unencumbered balance in the family preservation
11 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
12 for fiscal year 2011.

13 Early headstart..... \$3,452,779

14 *Provided*, That any unencumbered balance in the early headstart account
15 in excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal
16 year 2011.

17 Quality initiative infants & toddlers \$500,000

18 *Provided*, That any unencumbered balance in the quality initiative infants
19 and toddlers account in excess of \$100 as of June 30, 2010, is hereby
20 reappropriated for fiscal year 2011.

21 Early childhood block grant \$11,099,830

22 *Provided*, That any unencumbered balance in the early childhood block
23 grant account in excess of \$100 as of June 30, 2010, is hereby reapprop-
24 priated for fiscal year 2011.

25 (d) There is appropriated for the above agency from the Kansas en-
26 dowment for youth fund for the fiscal year ending June 30, 2011, the
27 following:

28 Children’s cabinet administration..... \$259,093

29 (e) There is appropriated for the above agency from the state institu-
30 tions building fund for the fiscal year ending June 30, 2011, the following:
31 Larned state hospital — city of Larned wastewater

32 treatment \$124,827

33 *Provided*, That, notwithstanding the provisions of K.S.A. 76-6b05, and
34 amendments thereto, expenditures may be made by the above agency
35 from the Larned state hospital — city of Larned wastewater treatment
36 account of the state institutions building fund for payment of Larned state
37 hospital’s portion of the city of Larned’s wastewater treatment system.

38 (f) During the fiscal year ending June 30, 2011, the secretary of social
39 and rehabilitation services, with the approval of the director of the budget,
40 may transfer any part of any item of appropriation for the fiscal year
41 ending June 30, 2011, from the state general fund for the department of
42 social and rehabilitation services or any institution or facility under the
43 general supervision and management of the secretary of social and re-

1 habilitation services to another item of appropriation for fiscal year 2011
2 from the state general fund for the department of social and rehabilitation
3 services or any institution or facility under the general supervision and
4 management of the secretary of social and rehabilitation services. The
5 secretary of social and rehabilitation services shall certify each such trans-
6 fer to the director of accounts and reports and shall transmit a copy of
7 each such certification to the director of legislative research.

8 (g) During the fiscal year ending June 30, 2011, the secretary of social
9 and rehabilitation services, with the approval of the director of the budget
10 and subject to the provisions of federal grant agreements, may transfer
11 moneys received under a federal grant that are credited to a federal fund
12 of the department of social and rehabilitation services, or of any institution
13 or facility under the general supervision and management of the secretary
14 of social and rehabilitation services, to another federal fund of the de-
15 partment of social and rehabilitation services, or of another institution or
16 facility under the general supervision and management of the secretary
17 of social and rehabilitation services. The secretary of social and rehabili-
18 tation services shall certify each such transfer to the director of accounts
19 and reports and shall transmit a copy of each such certification to the
20 director of legislative research.

21 (h) On July 1, 2010, the superintendent of Osawatomie state hospital,
22 upon the approval of the director of accounts and reports, shall transfer
23 an amount specified by the superintendent from the Osawatomie state
24 hospital — canteen fund to the Osawatomie state hospital — patient
25 benefit fund.

26 (i) On July 1, 2010, the superintendent of Parsons state hospital and
27 training center, upon the approval of the director of accounts and reports,
28 shall transfer an amount specified by the superintendent from the Parsons
29 state hospital and training center — canteen fund to the Parsons state
30 hospital and training center — patient benefit fund.

31 (j) On July 1, 2010, the superintendent of Larned state hospital, upon
32 the approval of the director of accounts and reports, shall transfer an
33 amount specified by the superintendent from the Larned state hospital
34 — canteen fund to the Larned state hospital — patient benefit fund.

35 (k) (1) On July 1, 2010, or as soon thereafter as moneys are available,
36 the director of accounts and reports may transfer, in one or more
37 amounts, from the title XIX fund to the other federal grants and assistance
38 fund the amount specified by the secretary of social and rehabilitation
39 services.

40 (2) On July 1, 2010, or as soon thereafter as moneys are available, the
41 director of accounts and reports may transfer, in one or more amounts,
42 from the nonfederal reimbursements fund to the social welfare fund the
43 amount specified by the secretary of social and rehabilitation services.

1 (l) During the fiscal year ending June 30, 2011, all moneys received by
2 the secretary of social and rehabilitation services, to provide an endow-
3 ment to provide interest earnings for the purposes for which expenditures
4 may be made from the family and children trust account of the family
5 and children investment fund, shall be deposited in the state treasury to
6 the credit of the family and children endowment account of the family
7 and children investment fund.

8 (m) During the fiscal year ending June 30, 2011, to the extent it is
9 determined by the secretary of social and rehabilitation services to be cost
10 effective, the secretary of social and rehabilitation services shall apply for
11 and accept donations from private sources to provide an endowment to
12 provide interest earnings for the purposes for which expenditures may be
13 made from the family and children trust account of the family and chil-
14 dren investment fund. During the fiscal year ending June 30, 2011, upon
15 receipt of one or more donations of moneys from private sources for
16 deposit to the credit of the family and children endowment account of
17 the family and children investment fund, in addition to the other purposes
18 for which expenditures may be made by the department of social and
19 rehabilitation services from any moneys appropriated from the state gen-
20 eral fund or any special revenue fund or funds for the fiscal year 2011,
21 as authorized by this or other appropriation act of the 2010 regular session
22 of the legislature, expenditures shall be made by the department of social
23 and rehabilitation services from any such moneys appropriated for fiscal
24 year 2011 for payments into the family and children endowment account
25 of the family and children investment fund that match the aggregate
26 amount of all such donations and that are equal to the aggregate amount
27 of moneys donated to and credited to the family and children endowment
28 account of the family and children investment fund during fiscal year
29 2011.

30 (n) During the fiscal year ending June 30, 2011, no moneys paid by the
31 department of social and rehabilitation services from the mental health
32 and retardation services aid and assistance account of the state general
33 fund shall be expended by the entity receiving such moneys to pay mem-
34 bership dues and fees to any entity that does not provide the department
35 of social and rehabilitation services, the legislative division of post audit,
36 or another state agency with access to its financial records upon request
37 for such access.

38 (o) During the fiscal year ending June 30, 2011, in addition to the other
39 purposes for which expenditures may be made by the department of
40 social and rehabilitation services from moneys appropriated from the state
41 general fund or any special revenue fund for fiscal year 2011 for the
42 department of social and rehabilitation services as authorized by this or
43 other appropriation act of the 2010 regular session of the legislature,

1 expenditures shall be made by the secretary of social and rehabilitation
 2 services for fiscal year 2011 to fix, charge and collect fees from parents
 3 for services provided to their children by an institution or program of the
 4 department of social and rehabilitation services: *Provided*, That in ac-
 5 cordance with the provisions of federal law, the secretary of social and
 6 rehabilitation services shall not deny services to children under the home
 7 and community based services programs based on the failure of any par-
 8 ent to pay such fees: *Provided further*, That such fees shall be fixed by
 9 adoption of a sliding fee scale established by the secretary of social and
 10 rehabilitation services and such fees shall recover all or part of the ex-
 11 penses incurred in providing such services: *And provided further*, That
 12 such fees shall be reduced or waived in cases of demonstrable hardship
 13 and for families who are at or below 200% of the federal poverty level
 14 and who are receiving home and community based services: *And provided*
 15 *further*, That all moneys received by the department of social and reha-
 16 bilitation services for such fees shall be deposited in the state treasury in
 17 accordance with the provisions of K.S.A.75-4215, and amendments
 18 thereto, and shall be credited to the social welfare fund.

19 (p) During the fiscal year ending June 30, 2011, the director of accounts
 20 and reports shall transfer the amounts specified by the director of the
 21 budget from the LTC — medicaid assistance — NF account of the state
 22 general fund of the department on aging to the LTC — medicaid assis-
 23 tance — HCBS/FE account of the state general fund of the department
 24 on aging or to the community based services account of the department
 25 of social and rehabilitation services: *Provided*, That such amounts to be
 26 transferred shall be certified by the director of the budget on December
 27 1, 2010, and on June 1, 2011, to reflect the nursing facility rate paid for
 28 persons moving from a nursing facility to the home and community-based
 29 services waiver for the physically disabled or the frail elderly for the six
 30 months preceding the date of certification: *Provided further*, That each
 31 of the individuals transferred must meet the requirements described in
 32 a policy jointly developed by the secretary of aging and the secretary of
 33 social and rehabilitation services governing the operations of this transfer:
 34 *And provided further*, That the director of the budget shall transmit a
 35 copy of each such certification to the director of legislative research: *And*
 36 *provided further*, That the department of social and rehabilitation services
 37 shall report to the legislature at the beginning of the regular session in
 38 2011 with expenditure data regarding this program.

39 Sec. 68.

40 KANSAS GUARDIANSHIP PROGRAM

41 (a) There is appropriated for the above agency from the state general
 42 fund for the fiscal year ending June 30, 2011, the following:
 43 Kansas guardianship program..... \$1,124,763

1 *Provided*, That any unencumbered balance in the Kansas guardianship
 2 program account in excess of \$100 as of June 30, 2010, is hereby reap-
 3 propriated for fiscal year 2011.
 4 Sec. 69.

5 DEPARTMENT OF EDUCATION

6 (a) There is appropriated for the above agency from the state general
 7 fund for the fiscal year ending June 30, 2011, the following:

8 Operating expenditures (including official hospitality)..... \$10,701,741

9 *Provided*, That any unencumbered balance in the operating expenditures
 10 (including official hospitality) account in excess of \$100 as of June 30,
 11 2010, is hereby reappropriated for fiscal year 2011.

12 Governor’s teaching excellence scholarships and awards... \$55,525

13 *Provided*, That any unencumbered balance in the governor’s teaching
 14 excellence scholarships and awards account in excess of \$100 as of June
 15 30, 2010, is hereby reappropriated for fiscal year 2011: *Provided further*,
 16 That all expenditures from the governor’s teaching excellence scholar-
 17 ships and awards account for teaching excellence scholarships shall be
 18 made in accordance with K.S.A. 72-1398, and amendments thereto: *And*
 19 *provided further*, That each such grant shall be required to be matched
 20 on a \$1 for \$1 basis from nonstate sources: *And provided further*, That
 21 award of each such grant shall be conditioned upon the recipient entering
 22 into an agreement requiring the grant to be repaid if the recipient fails
 23 to complete the course of training under the national board for profes-
 24 sional teaching standards certification program: *And provided further*,
 25 That all moneys received by the department of education for repayment
 26 of grants for governor’s teaching excellence scholarships shall be depos-
 27 ited in the state treasury and credited to the governor’s teaching excel-
 28 lence scholarships program repayment fund.

29 Mentor teacher program grants \$1,450,000

30 Special education services aid..... \$367,540,630

31 *Provided*, That any unencumbered balance in the special education serv-
 32 ices aid account in excess of \$100 as of June 30, 2010, is hereby reappro-
 33 priated for fiscal year 2011: *Provided further*, That expenditures shall not
 34 be made from the special education services aid account for the provision
 35 of instruction for any homebound or hospitalized child unless the cate-
 36 gorization of such child as exceptional is conjoined with the categorization
 37 of the child within one or more of the other categories of exceptionality:
 38 *Provided further*, That expenditures shall be made from this account for
 39 grants to school districts in amounts determined pursuant to and in ac-
 40 cordance with the provisions of K.S.A. 72-983, and amendments thereto:
 41 *And provided further*, That expenditures shall be made from the amount
 42 remaining in this account, after deduction of the expenditures specified
 43 in the foregoing proviso, for payments to school districts in amounts de-

1 terminated pursuant to and in accordance with the provisions of K.S.A. 72-
2 978, and amendments thereto.

3 General state aid\$1,994,089,680

4 *Provided*, That an unencumbered balance in the general state aid account
5 in excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal
6 year 2011.

7 Supplemental general state aid..... \$339,212,000

8 *Provided*, That any unencumbered balance in the supplemental general
9 state aid account in excess of \$100 as of June 30, 2010, is hereby reap-
10 propriated for fiscal year 2011.

11 Kansas foundation for agriculture project grant \$35,000

12 *Provided*, That expenditures from the Kansas foundation for agriculture
13 project grant account shall be used for agriculture in the classroom pro-
14 grams to supplement existing elementary and secondary curricula with
15 agricultural information: *Provided further*, That expenditures from this
16 account shall be made only if private funding sources are available to
17 match such state grants on a 60% state and 40% private basis.

18 Discretionary grants..... \$670,000

19 *Provided*, That the above agency shall make expenditures from the dis-
20 cretionary grants account during the fiscal year 2011, in an amount not
21 less than \$250,000 for after school programs for middle school students
22 in the sixth, seventh and eighth grades: *Provided further*, That the after
23 school programs may also include fifth and ninth grade students, if they
24 attend a junior high school: *And provided further*, That such discretionary
25 grants shall be awarded to after school programs that operate for a min-
26 imum of two hours a day, every day that school is in session, and a min-
27 imum of six hours a day for a minimum of five weeks during the summer:
28 *And provided further*, That the discretionary grants awarded to after
29 school programs shall require a dollar-for-dollar local match: *And pro-*
30 *vided further*, That the aggregate amount of discretionary grants awarded
31 to any one after school program for fiscal year 2011 shall not exceed
32 \$25,000.

33 School food assistance..... \$2,435,171

34 School safety hotline \$10,000

35 KPERS — employer contributions..... \$304,402,545

36 *Provided*, That any unencumbered balance in the KPERS — employer
37 contributions account in excess of \$100 as of June 30, 2010, is hereby
38 reappropriated for fiscal year 2011: *Provided further*, That all expendi-
39 tures from the KPERS — employer contributions account shall be for
40 payment of participating employers’ contributions to the Kansas public
41 employees retirement system as provided in K.S.A. 74-4939, and amend-
42 ments thereto: *And provided further*, That expenditures from this ac-
43 count for the payment of participating employers’ contributions to the

1 Kansas public employees retirement system may be made regardless of
2 when the liability was incurred.

3 Educable deaf-blind and severely handicapped children’s
4 programs aid \$110,000
5 School district juvenile detention facilities and Flint Hills
6 job corps center grants \$6,012,355

7 *Provided*, That any unencumbered balance in the school district juvenile
8 detention facilities and Flint Hills job corps center grants account in ex-
9 cess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal year
10 2011: *Provided further*, That expenditures shall be made from the school
11 district juvenile detention facilities and Flint Hills job corps center grants
12 account for grants to school districts in amounts determined pursuant to
13 and in accordance with the provisions of K.S.A. 72-8187, and amend-
14 ments thereto.

15 (b) There is appropriated for the above agency from the following spe-
16 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
17 moneys now or hereafter lawfully credited to and available in such fund
18 or funds, except that expenditures other than refunds authorized by law
19 and transfers to other state agencies shall not exceed the following:

20 State school district finance fund No limit
21 School district capital improvements fund..... No limit

22 *Provided*, That expenditures from the school district capital improve-
23 ments fund shall be made only for the payment of general obligation
24 bonds approved by voters under the authority of K.S.A. 72-6761, and
25 amendments thereto.

26 School district capital outlay state aid fund..... No limit
27 Conversion of materials and equipment fund No limit
28 State safety fund No limit
29 School bus safety fund No limit
30 Motorcycle safety fund..... No limit
31 Federal indirect cost reimbursement fund No limit
32 Certificate fee fund No limit
33 Food assistance — federal fund..... No limit
34 Food assistance — school breakfast program — federal
35 fund..... No limit
36 Food assistance — national school lunch program — fed-
37 eral fund No limit
38 Food assistance — child and adult care food program —
39 federal fund..... No limit
40 Elementary and secondary school aid — federal fund..... No limit
41 Elementary and secondary school aid — educationally de-
42 prived children — federal fund..... No limit
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| 1 | Educationally deprived children — state operations — federal fund | No limit |
| 2 | Elementary and secondary school — educationally deprived children — LEA’s fund..... | No limit |
| 3 | ESEA chapter II — state operations — federal fund..... | No limit |
| 4 | Education of handicapped children fund — federal..... | No limit |
| 5 | Education of handicapped children fund — state operations — federal | No limit |
| 6 | Education of handicapped children fund — preschool — federal fund..... | No limit |
| 7 | Education of handicapped children fund — preschool state operations — federal..... | No limit |
| 8 | Elementary and secondary school aid — federal fund — migrant education fund | No limit |
| 9 | Elementary and secondary school aid — federal fund — migrant education — state operations..... | No limit |
| 10 | Vocational education amendments of 1968 — federal fund..... | No limit |
| 11 | Vocational education title II — federal fund..... | No limit |
| 12 | Vocational education title II — federal fund — state operations..... | No limit |
| 13 | Educational research grants and projects fund..... | No limit |
| 14 | Drug abuse fund — department of education — federal | No limit |
| 15 | Drug abuse funds — federal — state operations fund | No limit |
| 16 | Federal K-12 fiscal stabilization fund..... | No limit |
| 17 | Inservice education workshop fee fund..... | No limit |
| 18 | <i>Provided</i> , That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: <i>Provided further</i> , That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: <i>And provided further</i> , That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund. | |
| 19 | Private donations, gifts, grants and bequests fund | No limit |
| 20 | Interactive video fee fund..... | No limit |
| 21 | <i>Provided</i> , That expenditures may be made from the interactive video fee fund for operating expenditures incurred in conjunction with the operation and use of the interactive video conference facility of the department | |
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1 of education: *Provided further*, That the state board of education is
2 hereby authorized to fix, charge and collect fees for the operation and
3 use of such interactive video conference facility: *And provided further*,
4 That all fees received for the operation and use of such interactive video
5 conference facility shall be deposited in the state treasury in accordance
6 with the provisions of K.S.A. 75-4215, and amendments thereto, and shall
7 be credited to the interactive video fee fund.

| | |
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| 8 Reimbursement for services fund | No limit |
| 9 Communities in schools program fund | No limit |
| 10 Governor’s teaching excellence scholarships program re- | |
| 11 payment fund..... | No limit |

12 *Provided*, That all expenditures from the governor’s teaching excellence
13 scholarships program repayment fund shall be made in accordance with
14 K.S.A. 72-1398, and amendments thereto: *Provided further*, That each
15 such grant shall be required to be matched on a \$1 for \$1 basis from
16 nonstate sources: *And provided further*, That award of each such grant
17 shall be conditioned upon the recipient entering into an agreement re-
18 quiring the grant to be repaid if the recipient fails to complete the course
19 of training under the national board for professional teaching standards
20 certification program: *And provided further*, That all moneys received by
21 the department of education for repayment of grants made under the
22 governor’s teaching excellence scholarships program shall be deposited
23 in the state treasury in accordance with the provisions of K.S.A. 75-4215,
24 and amendments thereto, and shall be credited to the governor’s teaching
25 excellence scholarships program repayment fund.

| | |
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| 26 Elementary and secondary school aid — federal fund — | |
| 27 reading first | No limit |
| 28 Elementary and secondary school aid — federal fund — | |
| 29 reading first — state operations..... | No limit |
| 30 State grants for improving teacher quality — federal | |
| 31 fund..... | No limit |
| 32 State grants for improving teacher quality — federal fund | |
| 33 — state operations..... | No limit |
| 34 21st century community learning centers — federal | |
| 35 fund..... | No limit |
| 36 State assessments — federal fund..... | No limit |
| 37 Rural and low-income schools program — federal fund ... | No limit |
| 38 Language assistance state grants — federal fund..... | No limit |
| 39 Service clearing fund | No limit |
| 40 Helping schools license plate program fund | No limit |

41 (c) There is appropriated for the above agency from the children’s
42 initiatives fund for the fiscal year ending June 30, 2011, the following:

| | |
|-----------------------|-------------|
| 43 Pre-K program..... | \$5,000,000 |
|-----------------------|-------------|

1 Parent education program \$7,539,500

2 *Provided*, That expenditures from the parent education program account
3 for each such grant shall be matched by the school district in an amount
4 which is equal to not less than 65% of the grant.

5 (d) On July 1, 2010, or as soon thereafter as moneys are available, the
6 director of accounts and reports shall transfer \$50,000 from the family
7 and children trust account of the family and children investment fund of
8 the department of social and rehabilitation services to the communities
9 in schools program fund of the department of education.

10 (e) On July 1, 2010, and quarterly thereafter, the director of accounts
11 and reports shall transfer \$12,074 from the school bus safety fund to the
12 state general fund: *Provided*, That the transfer of each such amount shall
13 be in addition to any other transfer from the school bus safety fund to
14 the state general fund as prescribed by law: *Provided further*, That the
15 amount transferred from the school bus safety fund to the state general
16 fund pursuant to this subsection is to reimburse the state general fund
17 for accounting, auditing, budgeting, legal, payroll, personnel and pur-
18 chasing services and any other governmental services which are per-
19 formed on behalf of the department of education by other state agencies
20 which receive appropriations from the state general fund to provide such
21 services.

22 (f) On September 30, 2010, or as soon thereafter as moneys are avail-
23 able, the director of accounts and reports shall transfer \$600,000 from
24 the state safety fund to the state general fund: *Provided* That the transfer
25 of such amount shall be in addition to any other transfer from the state
26 safety fund to the state general fund as prescribed by law: *Provided fur-*
27 *ther*, That the amount transferred from the state safety fund to the state
28 general fund pursuant to this subsection is to reimburse the state general
29 fund for accounting, auditing, budgeting, legal, payroll, personnel and
30 purchasing services and any other governmental services which are per-
31 formed on behalf of the department of education by other state agencies
32 which receive appropriations from the state general fund to provide such
33 services.

34 (g) On December 31, 2010, or as soon thereafter as moneys are avail-
35 able, the director of accounts and reports shall transfer \$700,000 from
36 the state safety fund to the state general fund: *Provided* That the transfer
37 of such amount shall be in addition to any other transfer from the state
38 safety fund to the state general fund as prescribed by law: *Provided fur-*
39 *ther*, That the amount transferred from the state safety fund to the state
40 general fund pursuant to this subsection is to reimburse the state general
41 fund for accounting, auditing, budgeting, legal, payroll, personnel and
42 purchasing services and any other governmental services which are per-
43 formed on behalf of the department of education by other state agencies

1 which receive appropriations from the state general fund to provide such
2 services.

3 (h) On March 30, 2011, or as soon thereafter as moneys are available,
4 the director of accounts and reports shall transfer \$750,000 from the state
5 safety fund to the state general fund: *Provided* That the transfer of such
6 amount shall be in addition to any other transfer from the state safety
7 fund to the state general fund as prescribed by law: *Provided further*,
8 That the amount transferred from the state safety fund to the state gen-
9 eral fund pursuant to this subsection is to reimburse the state general
10 fund for accounting, auditing, budgeting, legal, payroll, personnel and
11 purchasing services and any other governmental services which are per-
12 formed on behalf of the department of education by other state agencies
13 which receive appropriations from the state general fund to provide such
14 services.

15 (i) On June 30, 2011, or as soon thereafter as moneys are available, the
16 director of accounts and reports shall transfer \$1,100,000 from the state
17 safety fund to the state general fund: *Provided* That the transfer of such
18 amount shall be in addition to any other transfer from the state safety
19 fund to the state general fund as prescribed by law: *Provided further*,
20 That the amount transferred from the state safety fund to the state gen-
21 eral fund pursuant to this subsection is to reimburse the state general
22 fund for accounting, auditing, budgeting, legal, payroll, personnel and
23 purchasing services and any other governmental services which are per-
24 formed on behalf of the department of education by other state agencies
25 which receive appropriations from the state general fund to provide such
26 services.

27 (j) On July 1, 2010, and quarterly thereafter, the director of accounts
28 and reports shall transfer \$70,722 from the state highway fund of the
29 department of transportation to the school bus safety fund of the de-
30 partment of education.

31 (k) On July 1, 2010, the director of accounts and reports shall transfer
32 an amount certified by the commissioner of education from the motor-
33 cycle safety fund of the department of education to the motorcycle safety
34 fund of the state board of regents: *Provided*, That the amount to be
35 transferred shall be determined by the commissioner of education based
36 on the amounts required to be paid pursuant to subsection (b)(2) of
37 K.S.A. 8-272, and amendments thereto.

38 Sec. 70.

39 STATE LIBRARY

40 (a) There is appropriated for the above agency from the state general
41 fund for the fiscal year ending June 30, 2011, the following:

42 Operating expenditures \$1,729,085

43 *Provided*, That any unencumbered balance in the operating expenditures

1 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
2 for fiscal year 2011: *Provided, however*, That expenditures from the op-
3 erating expenditures account for official hospitality shall not exceed
4 \$2,000.

5 Grants to libraries and library systems \$2,752,969

6 *Provided*, That any unencumbered balance in the grants to libraries and
7 library systems account in excess of \$100 as of June 30, 2010, is hereby
8 reappropriated for fiscal year 2011: *Provided further*, That, of the moneys
9 appropriated in the grants to libraries and library systems account,
10 \$1,845,578 shall be distributed as grants-in-aid to libraries in accordance
11 with K.S.A. 75-2555, and amendments thereto, \$483,446 shall be distrib-
12 uted for interlibrary loan development grants and \$423,945 shall be paid
13 according to contracts with the subregional libraries of the Kansas talking
14 book services.

15 (b) There is appropriated for the above agency from the following spe-
16 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
17 moneys now or hereafter lawfully credited to and available in such fund
18 or funds, except that expenditures other than refunds authorized by law
19 shall not exceed the following:

| | |
|--|----------|
| 20 State library fund | No limit |
| 21 Federal library services and technology act — fund..... | No limit |
| 22 Grants and gifts fund | No limit |

23 Sec. 71.

24 KANSAS ARTS COMMISSION

25 (a) There is appropriated for the above agency from the state general
26 fund for the fiscal year ending June 30, 2011, the following:

27 Operating expenditures \$256,684

28 *Provided*, That any unencumbered balance in the operating expenditures
29 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
30 for fiscal year 2011: *Provided, however*, That expenditures from the op-
31 erating expenditures account for official hospitality shall not exceed
32 \$4,000: *Provided further*, That expenditures may be made by the above
33 agency from any amount of savings in the operating expenditures account
34 shall be utilized for the purpose of matching federal grant moneys, local
35 grant moneys, or local in-kind contributions, or any combination thereof,
36 for arts programming projects.

37 Arts programming grants and challenge grants..... \$947,363

38 *Provided*, That expenditures from the arts programming grants and chal-
39 lenge grants account shall be made in a manner to benefit the maximum
40 number of Kansas communities in the development of Kansas talent and
41 art: *Provided further*, That expenditures from this account shall be uti-
42 lized for the purpose of matching federal grant moneys, local grant mon-
43 eys, or local in-kind contributions, or any combination thereof, for arts

1 programming projects.

2 (b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2011, all
3 moneys now or hereafter lawfully credited to and available in such fund
4 or funds, except that expenditures other than refunds authorized by law
5 shall not exceed the following:
6

| | |
|--|----------|
| 7 Kansas arts commission gifts, grants and bequests — federal fund | No limit |
| 8 Kansas arts commission fee fund | No limit |
| 9 Kansas arts commission special gifts fund..... | No limit |
| 10 Arts programming grants fund..... | No limit |

11 *Provided*, That moneys received by the Kansas arts commission from the
12 remittance of the unexpended balance of arts programming grants to the
13 commission shall be deposited in the state treasury and credited to the
14 arts programming grants fund: *Provided further*, That expenditures from
15 this fund shall be utilized for the purpose of matching federal grant mon-
16 eys, local grant moneys, or local in-kind contributions, or any combination
17 thereof, for arts programming projects.

18 Sec. 72.

19 **KANSAS STATE SCHOOL FOR THE BLIND**

20 (a) There is appropriated for the above agency from the state general
21 fund for the fiscal year ending June 30, 2011, the following:

| | |
|---|-------------|
| 22 Operating expenditures | \$5,385,207 |
| 23 <i>Provided</i> , That any unencumbered balance in the operating expenditures 24 account in excess of \$100 as of June 30, 2010, is hereby reappropriated 25 for fiscal year 2011: <i>Provided, however</i> , That expenditures from the op- 26 erating expenditures for official hospitality shall not exceed \$2,000. | |
| 27 Arts for the handicapped | \$140,273 |

28 (b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2011, all
29 moneys now or hereafter lawfully credited to and available in such fund
30 or funds, except that expenditures other than refunds authorized by law
31 shall not exceed the following:
32

| | |
|---|----------|
| 33 General fees fund..... | No limit |
| 34 Local services reimbursement fund..... | No limit |

35 *Provided*, That the Kansas state school for the blind is hereby authorized
36 to assess and collect a fee of 20% of the total cost of services provided to
37 local school districts: *Provided further*, That all moneys received from
38 such fees shall be deposited in the state treasury in accordance with the
39 provisions of K.S.A. 75-4215, and amendments thereto, and shall be cred-
40 ited to the local services reimbursement fund.

| | |
|-------------------------------------|----------|
| 41 Student activity fees fund | No limit |
| 42 Special bequest fund..... | No limit |

| | | |
|----|---|----------|
| 1 | Adaptive technology resource center fund..... | No limit |
| 2 | Technology lending library — federal fund | No limit |
| 3 | Nine month payroll clearing fund | No limit |
| 4 | Food assistance — cash for commodities — federal | |
| 5 | fund..... | No limit |
| 6 | Food assistance — breakfast — federal fund..... | No limit |
| 7 | Food assistance — lunch — federal fund..... | No limit |
| 8 | Chapter I handicapped — federal fund | No limit |
| 9 | Education improvement — federal fund..... | No limit |
| 10 | Elementary and secondary education act — federal | |
| 11 | fund..... | No limit |
| 12 | Special education assistance — ARRA — federal fund..... | No limit |
| 13 | E-rate grant — federal fund | No limit |

14 Preparation and mentoring of teachers of the blind and
15 visually impaired — federal fund No limit

16 (c) On July 1, 2010, the gift fund of the Kansas state school of the blind
17 is hereby redesignated as the adaptive technology resource center fund
18 of the Kansas state school for the blind.

19 (d) On July 1, 2010, the director of accounts and reports shall transfer
20 all moneys in the math and science improvement — federal fund to the
21 elementary and secondary education act — federal fund. On July 1, 2010,
22 all liabilities of the math and science improvement — federal fund are
23 hereby transferred to and imposed on the elementary and secondary ed-
24 ucation act — federal fund and the math and science improvement —
25 federal fund is hereby abolished.

26 (e) On July 1, 2010, the director of accounts and reports shall transfer
27 all moneys in the supported employment initiative — federal fund to the
28 elementary and secondary education act — federal fund. On July 1, 2010,
29 all liabilities of the supported employment initiative — federal fund are
30 hereby transferred to and imposed on the elementary and secondary ed-
31 ucation act — federal fund and the supported employment initiative —
32 federal fund is hereby abolished.

33 Sec. 73.

34 KANSAS STATE SCHOOL FOR THE DEAF

35 (a) There is appropriated for the above agency from the state general
36 fund for the fiscal year ending June 30, 2011, the following:

37 Operating expenditures \$8,890,257

38 *Provided*, That any unencumbered balance in the operating expenditures
39 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
40 for fiscal year 2011.

41 (b) There is appropriated for the above agency from the following spe-
42 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
43 moneys now or hereafter lawfully credited to and available in such fund

- 1 or funds, except that expenditures other than refunds authorized by law
- 2 shall not exceed the following:
- 3 General fees fund..... No limit
- 4 Local services reimbursement fund..... No limit
- 5 *Provided*, That the Kansas state school for the deaf is hereby authorized
- 6 to assess and collect a fee of 20% of the total cost of services provided to
- 7 local school districts: *Provided further*, That all moneys received from
- 8 such fees shall be deposited in the state treasury in accordance with the
- 9 provisions of K.S.A. 75-4215, and amendments thereto, and shall be cred-
- 10 ited to the local services reimbursement fund.
- 11 Student activity fees fund No limit
- 12 Elementary and secondary education act — federal
- 13 fund..... No limit
- 14 Elementary and secondary education act 2009 ARRA —
- 15 federal fund..... No limit
- 16 Vocational education fund — federal..... No limit
- 17 School lunch program — federal fund..... No limit
- 18 Special bequest fund..... No limit
- 19 Special workshop fund No limit
- 20 Gift fund..... No limit
- 21 Nine month payroll clearing fund No limit
- 22 Sec. 74.

STATE HISTORICAL SOCIETY

23

24 (a) There is appropriated for the above agency from the state general

25 fund for the fiscal year ending June 30, 2011, the following:

26 Operating expenditures \$5,278,726

27 *Provided*, That any unencumbered balance in the operating expenditures

28 account in excess of \$100 as of June 30, 2010, is hereby reappropriated

29 for fiscal year 2011: *Provided, however*, That expenditures from the op-

30 erating expenditures account for official hospitality shall not exceed

31 \$2,463.

32 Kansas humanities council \$70,384

33 (b) There is appropriated for the above agency from the following spe-

34 cial revenue fund or funds for the fiscal year ending June 30, 2011, all

35 moneys now or hereafter lawfully credited to and available in such fund

36 or funds, except that expenditures other than refunds authorized by law

37 shall not exceed the following:

- 38 Credit card clearing fund..... No limit
- 39 Vehicle repair and replacement fund..... No limit
- 40 General fees fund..... No limit
- 41 Archeology fee fund..... No limit

42 *Provided*, That expenditures may be made from the archeology fee fund

43 for operating expenses for providing archeological services by contract:

1 *Provided further*, That the state historical society is hereby authorized to
2 fix, charge and collect fees for the sale of such services: *And provided*
3 *further*, That such fees shall be fixed in order to recover all or part of the
4 operating expenses incurred in providing archeological services by con-
5 tract: *And provided further*, That all fees received for such services shall
6 be deposited in the state treasury in accordance with the provisions of
7 K.S.A. 75-4215, and amendments thereto, and shall be credited to the
8 archeology fee fund.

9 Archeology federal fund No limit
10 Microfilm fees fund No limit

11 *Provided*, That expenditures may be made from the microfilm fees fund
12 for operating expenses for providing microfilming services: *Provided fur-*
13 *ther*, That the state historical society is hereby authorized to fix, charge
14 and collect fees for the sale of such services: *And provided further*, That
15 such fees shall be fixed in order to recover all or part of the operating
16 expenses incurred in providing microfilming services: *And provided fur-*
17 *ther*, That all fees received for such services shall be deposited in the state
18 treasury in accordance with the provisions of K.S.A. 75-4215, and amend-
19 ments thereto, and shall be credited to the microfilm fees fund.

20 Records center fee fund No limit

21 *Provided*, That expenditures may be made from the records center fee
22 fund for operating expenses for providing copying and related services:
23 *Provided further*, That the state historical society is hereby authorized to
24 fix, charge and collect fees for the sale of such services: *And provided*
25 *further*, That such fees shall be fixed in order to recover all or part of the
26 operating expenses incurred in providing such services: *And provided*
27 *further*, That all fees received for such services shall be deposited in the
28 state treasury in accordance with the provisions of K.S.A. 75-4215, and
29 amendments thereto, and shall be credited to the records center fee fund.

30 Historic properties fee fund No limit
31 National historic preservation act fund — state No limit
32 Historic preservation overhead fees fund No limit
33 National historic preservation act fund — local No limit
34 Private gifts, grants and bequests fund No limit
35 Museum and historic sites visitor donation fund No limit
36 Insurance collection replacement/reimbursement fund No limit
37 Heritage trust fund No limit

38 *Provided*, That expenditures from the heritage trust fund for state oper-
39 ations shall not exceed \$94,112.

40 Land survey fee fund No limit

41 *Provided*, That, notwithstanding the provisions of K.S.A. 58-2012, and
42 amendments thereto, expenditures may be made by the above agency
43 from the land survey fee fund for the fiscal year 2011 for operating ex-

1 penditures that are not related to administering the land survey program.
 2 State historical society facilities fund No limit
 3 Historic properties fund No limit
 4 Law enforcement memorial fund..... No limit
 5 Other federal grants fund No limit
 6 *Provided*, That the above agency is authorized to make expenditures from
 7 the other federal grants fund of any moneys credited to this fund from
 8 any individual grant if the grant: (1) Is less than or equal to \$250,000 in
 9 the aggregate, and (2) does not require the matching expenditure of any
 10 other moneys in the state treasury during fiscal year 2011 other than
 11 moneys appropriated by this or other appropriation act of the 2010 reg-
 12 ular session of the legislature: *Provided, however*, That, upon application
 13 to and authorization by the governor, the above agency may make ex-
 14 penditures of moneys credited to this fund from any individual federal
 15 grant which is more than \$250,000 in the aggregate or which requires the
 16 matching expenditure of moneys in the state treasury during the current
 17 or any ensuing fiscal year.
 18 Property sale proceeds fund..... No limit
 19 *Provided*, That proceeds from the sale of property pursuant to K.S.A. 75-
 20 2701, and amendments thereto, shall be deposited in the state treasury
 21 and credited to the property sale proceeds fund.
 22 Amelia Earhart bridge mitigation project fund..... No limit
 23 Sec. 75.

FORT HAYS STATE UNIVERSITY

24
 25 (a) There is appropriated for the above agency from the state general
 26 fund for the fiscal year ending June 30, 2011, the following:
 27 Operating expenditures (including official hospitality)..... \$32,816,791
 28 *Provided*, That any unencumbered balance in the operating expenditures
 29 (including official hospitality) account in excess of \$100 as of June 30,
 30 2010, is hereby reappropriated for fiscal year 2011.
 31 Master’s-level nursing capacity \$135,492
 32 Kansas wetlands education center at Cheyenne bottoms .. \$270,490
 33 *Provided*, That any unencumbered balance in the Kansas wetlands edu-
 34 cation center at Cheyenne bottoms account in excess of \$100 as of June
 35 30, 2010, is hereby reappropriated for fiscal year 2011.
 36 Kansas academy of math and science \$333,188
 37 (b) There is appropriated for the above agency from the following spe-
 38 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 39 moneys now or hereafter lawfully credited to and available in such fund
 40 or funds, except that expenditures shall not exceed the following:
 41 Parking fees fund No limit
 42 *Provided*, That expenditures may be made from the parking fees fund for
 43 a capital improvement project for parking lot improvements.

1 General fees fund..... No limit
2 *Provided*, That expenditures may be made from the general fees fund to
3 match federal grant moneys: *Provided further*, That expenditures maybe
4 made from the general fees fund for official hospitality.
5 Restricted fees fund..... No limit
6 *Provided*, That restricted fees shall be limited to receipts for the following
7 accounts: Special events; technology equipment; Gross coliseum services;
8 performing arts center services; farm income; choral music clinic; year-
9 book; off-campus tours; memorial union activities; student activity (un-
10 allocated); Leader (newspaper); conferences, clinics and workshops —
11 noncredit; summer laboratory school; little theater; library services; stu-
12 dent affairs; speech and debate; student government; counseling center
13 services; interest on local funds; student identification cards; nurse edu-
14 cation programs; athletics; placement fees; virtual college classes; speech
15 and hearing; child care services for dependent students; computer serv-
16 ices; interactive television contributions; midwestern student exchange;
17 departmental receipts for all sales, refunds and other collections not spe-
18 cifically enumerated above: *Provided, however*, That the state board of
19 regents, with the approval of the state finance council acting on this mat-
20 ter which is hereby characterized as a matter of legislative delegation and
21 subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c,
22 and amendments thereto, may amend or change this list of restricted fees:
23 *Provided further*, That all restricted fees shall be deposited in the state
24 treasury in accordance with the provisions of K.S.A. 75-4215, and amend-
25 ments thereto, and shall be credited to the appropriate account of the
26 restricted fees fund and shall be used solely for the specific purpose or
27 purposes for which collected: *And provided further*, That expenditures
28 may be made from this fund to purchase insurance for equipment pur-
29 chased through research and training grants only if such grants include
30 money for and authorize the purchase of such insurance: *And provided*
31 *further*, That all amounts of tuition received from students participating
32 in the midwestern student exchange program shall be deposited in the
33 state treasury in accordance with the provisions of K.S.A. 75-4215, and
34 amendments thereto, and shall be credited to the midwestern student
35 exchange account of the restricted fees fund: *And provided further*, That
36 expenditures may be made from the restricted fees fund for official hos-
37 pitality.
38 Education opportunity act — federal fund No limit
39 Service clearing fund No limit
40 *Provided*, That the service clearing fund shall be used for the following
41 service activities: Computer services, storeroom for official supplies in-
42 cluding office supplies, paper products, janitorial supplies, printing and
43 duplicating, car pool, postage, copy center, and telecommunications and

1 such other internal service activities as are authorized by the state board
2 of regents under K.S.A. 76-755, and amendments thereto.
3 Commencement fees fund..... No limit
4 Health fees fund No limit
5 *Provided*, That expenditures from the health fees fund may be made for
6 the purchase of medical malpractice liability coverage for individuals em-
7 ployed on the medical staff, including pharmacists and physical therapists,
8 at the student health center.
9 Student union fees fund No limit
10 Kansas career work study program fund No limit
11 Economic opportunity act — federal fund No limit
12 Kansas comprehensive grant fund..... No limit
13 Faculty of distinction matching fund No limit
14 Nine month payroll clearing account fund..... No limit
15 Federal Perkins student loan fund No limit
16 Housing system revenue fund No limit
17 Institutional overhead fund No limit
18 Oil and gas royalties fund No limit
19 Housing system suspense fund No limit
20 Housing system operations fund No limit
21 Housing system repairs, equipment and improvement
22 fund..... No limit
23 Sponsored research overhead fund No limit
24 Kansas distinguished scholarship fund No limit
25 University federal fund..... No limit
26 *Provided*, That expenditures may be made by the above agency from the
27 university federal fund to purchase insurance for equipment purchased
28 through research and training grants only if such grants include money
29 for and authorize the purchase of such insurance: *Provided further*, That
30 expenditures may be made by the above agency from this fund to procure
31 a policy of accident, personal liability and excess automobile liability in-
32 surance insuring volunteers participating in the senior companion pro-
33 gram against loss in accordance with specifications of federal grant guide-
34 lines as provided in K.S.A. 75-4101, and amendments thereto.
35 Federal higher education fiscal stabilization fund — Fort
36 Hays state university No limit
37 (c) On July 1, 2010, or as soon thereafter as moneys are available, the
38 director of accounts and reports shall transfer an amount specified by the
39 president of Fort Hays state university of not to exceed \$125,000 from
40 the general fees fund to the federal Perkins student loan fund.
41
42
43

1 Sec. 76.

2 KANSAS STATE UNIVERSITY

3 (a) There is appropriated for the above agency from the state general
4 fund for the fiscal year ending June 30, 2011, the following:

5 Operating expenditures (including official hospitality)..... \$104,167,911

6 *Provided*, That any unencumbered balance in the operating expenditures
7 (including official hospitality) account in excess of \$100 as of June 30,
8 2010, is hereby reappropriated for fiscal year 2011.

9 Midwest institute for comparative stem cell biology..... \$132,799

10 *Provided*, That any unencumbered balance in the midwest institute for
11 comparative stem cell biology account in excess of \$100 as of June 30,
12 2010, is hereby reappropriated for fiscal year 2011.

13 (b) There is appropriated for the above agency from the following special
14 revenue fund or funds for the fiscal year ending June 30, 2011, all
15 moneys now or hereafter lawfully credited to and available in such fund
16 or funds, except that expenditures shall not exceed the following:

17 Parking fees fund No limit

18 Faculty of distinction matching fund No limit

19 General fees fund..... No limit

20 *Provided*, That expenditures may be made from the general fees fund to
21 match federal grant moneys: *Provided further*, That expenditures may be
22 made from the general fees fund for official hospitality.

23 Interest on endowment fund..... No limit

24 Restricted fees fund..... No limit

25 *Provided*, That restricted fees shall be limited to receipts for the following
26 accounts: Technology equipment; flight services; human resources man-
27 agement system; computer services; copy centers; standardized test fees;
28 placement center; recreational services; college of technology and avia-
29 tion; motor pool; music; professorships; student activities fees; army and
30 aerospace uniforms; aerospace uniform augmentation; biology sales and
31 services; chemistry; field camps; state department of education; physics
32 storeroom; sponsored research, instruction, public service, equipment
33 and facility grants; chemical engineering; nuclear engineering; contract-
34 post office; library collections; civil engineering; continuing education;
35 sponsored construction or improvement projects; attorney, educational
36 and personal development, human resources; student financial assistance;
37 application for undergraduate programs; speech and hearing fees; gifts;
38 human development and family research and training; college of educa-
39 tion — publications and services; guaranteed student loan application
40 processing; student identification card; auditorium receipts; catalog sales;
41 emission spectroscopy fees; interagency consulting; sales and services of
42 educational programs; transcript fees; facility use fees; human ecology
43 storeroom; college of human ecology sales; family resource center fees;

1 human movement performance; application for post baccalaureate pro-
 2 grams; art exhibit fees; college of education — Kansas careers; foreign
 3 student application fee; student union repair and replacement reserve;
 4 departmental receipts for all sales, refunds and other collections; insti-
 5 tutional support fee; miscellaneous renovations — construction; speech
 6 receipts; art museum; exchange program; flight training lab fees; admin-
 7 istrative reimbursements; parking fees; postage center; printing; short
 8 courses and conferences; student government association receipts; re-
 9 gents educational communications center; late registration fee; engineer-
 10 ing equipment fee; architecture equipment fee; biotechnology facility;
 11 English language program; international programs; Bramlage coliseum;
 12 planning and analysis; telecommunications; comparative medicine; other
 13 specifically designated receipts not available for general operations of the
 14 university: *Provided, however,* That the state board of regents, with the
 15 approval of the state finance council acting on this matter which is hereby
 16 characterized as a matter of legislative delegation and subject to the
 17 guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amend-
 18 ments thereto, may amend or change this list of restricted fees: *Provided*
 19 *further,* That all restricted fees shall be deposited in the state treasury in
 20 accordance with the provisions of K.S.A. 75-4215, and amendments
 21 thereto, and shall be credited to the appropriate account of the restricted
 22 fees fund and shall be used solely for the specific purpose or purposes
 23 for which collected: *And provided further,* That expenditures may be
 24 made from this fund to purchase insurance for equipment purchased
 25 through research and training grants only if such grants include money
 26 for and authorize the purchase of such insurance: *And provided further,*
 27 That expenditures from the restricted fees fund may be made for the
 28 purchase of insurance for operation and testing of completed project air-
 29 craft and for operation of aircraft used in professional pilot training, in-
 30 cluding coverage for public liability, physical damage, medical payments
 31 and voluntary settlement coverages.

| | | |
|----|--|----------|
| 32 | Kansas career work study program fund | No limit |
| 33 | Service clearing fund | No limit |
| 34 | <i>Provided,</i> That the service clearing fund shall be used for the following | |
| 35 | service activities: Supplies stores; telecommunications services; photo- | |
| 36 | graphic services; K-State printing services; postage; facilities services; fa- | |
| 37 | cilities carpool; public safety services; facility planning services; facilities | |
| 38 | storeroom; computing services; and such other internal service activities | |
| 39 | as are authorized by the state board of regents under K.S.A. 76-755, and | |
| 40 | amendments thereto. | |
| 41 | Sponsored research overhead fund | No limit |
| 42 | Housing system suspense fund | No limit |
| 43 | Housing system operations fund | No limit |

1 *Provided*, That expenditures may be made from the housing system op-
2 erations fund for official hospitality.
3 Housing system repairs, equipment and improvement
4 fund..... No limit
5 Mandatory retirement annuity clearing fund No limit
6 Student health fees fund No limit
7 *Provided*, That expenditures from the student health fees fund may be
8 made for the purchase of medical malpractice liability coverage for in-
9 dividuals employed on the medical staff, including pharmacists and phys-
10 ical therapists, at the student health center.
11 Scholarship funds fund..... No limit
12 Perkins student loan fund..... No limit
13 Board of regents — U.S. department of education awards
14 fund..... No limit
15 State agricultural university fund No limit
16 Federal extension civil service retirement clearing fund ... No limit
17 Salina — student union fees fund No limit
18 Salina — housing system operation fund..... No limit
19 Kansas distinguished scholarship fund No limit
20 Kansas comprehensive grant fund..... No limit
21 Temporary deposit fund..... No limit
22 Business procurement card clearing fund..... No limit
23 Suspense fund No limit
24 Voluntary tax shelter annuity clearing fund..... No limit
25 Agency payroll deduction clearing fund No limit
26 Payroll clearing fund..... No limit
27 Pre-tax parking clearing fund No limit
28 University federal fund..... No limit
29 *Provided*, That expenditures may be made by the above agency from the
30 university federal fund to purchase insurance for equipment purchased
31 through research and training grants only if such grants include money
32 for and authorize the purchase of such insurance.
33 Johnson county education research triangle fund No limit
34 Federal higher education fiscal stabilization fund — Kan-
35 sas state university No limit
36 Energy conservation improvements fund No limit
37 (c) On July 1, 2010, or as soon thereafter as moneys are available, the
38 director of accounts and reports shall transfer an amount specified by the
39 president of Kansas state university of not to exceed \$100,000 from the
40 general fees fund to the Perkins student loan fund.
41
42
43

1 Sec. 77.
2 KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND
3 AGRICULTURE RESEARCH PROGRAMS
4 (a) There is appropriated for the above agency from the state general
5 fund for the fiscal year ending June 30, 2011, the following:
6 Cooperative extension service (including official
7 hospitality)..... \$18,839,116
8 *Provided*, That any unencumbered balance in the cooperative extension
9 service (including official hospitality) account in excess of \$100 as of June
10 30, 2010, is hereby reappropriated for fiscal year 2011.
11 Agricultural experiment stations (including official
12 hospitality)..... \$29,991,495
13 *Provided*, That any unencumbered balance in the agricultural experiment
14 stations (including official hospitality) account in excess of \$100 as of June
15 30, 2010, is hereby reappropriated for fiscal year 2011.
16 (b) There is appropriated for the above agency from the following special
17 revenue fund or funds for the fiscal year ending June 30, 2011, all
18 moneys now or hereafter lawfully credited to and available in such fund
19 or funds, except that expenditures shall not exceed the following:
20 Restricted fees fund..... No limit
21 *Provided*, That restricted fees shall be limited to receipts for the following
22 accounts: Plant pathology; Kansas artificial breeding service unit; tech-
23 nology equipment; professorships; agricultural experiment station, direc-
24 tor’s office; agronomy — Ashland farm; KSU agricultural research center
25 — Hays; KSU southeast agricultural research center; KSU southwest re-
26 search extension center; agronomy — general; agronomy — experimental
27 field crop sales; entomology sales; grain science and industry — Kansas
28 state university; food and nutrition research; extension services and pub-
29 lication; sponsored construction or improvement projects; gifts; compar-
30 ative medicine; sales and services of educational programs; animal sci-
31 ences and industry livestock and product sales; horticulture greenhouse
32 and farm products sales; Konza prairie operations; departmental receipts
33 for all sales, refunds and other collections; institutional support fee; KSU
34 northwest research extension center operations; sponsored research, pub-
35 lic service, equipment and facility grants; statistical laboratory; equip-
36 ment/pesticide storage building; miscellaneous renovation — construc-
37 tion; other specifically designated receipts not available for general
38 operations of the university: *Provided, however*, That the state board of
39 regents, with the approval of the state finance council acting on this mat-
40 ter which is hereby characterized as a matter of legislative delegation and
41 subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c,
42 and amendments thereto, may amend or change this list of restricted fees:
43 *Provided further*, That all restricted fees shall be deposited in the state

1 treasury in accordance with the provisions of K.S.A. 75-4215, and amend-
 2 ments thereto, and shall be credited to the appropriate account of the
 3 restricted fees fund and shall be used solely for the specific purpose or
 4 purposes for which collected: *And provided further*, That expenditures
 5 may be made from this fund to purchase insurance for equipment pur-
 6 chased through research and training grants only if such grants include
 7 money for and authorize the purchase of such insurance: *And provided*
 8 *further*, That expenditures may be made from the Kansas agricultural
 9 mediation service account of the restricted fees fund during fiscal year
 10 2011.

| | |
|--|----------|
| 11 Fertilizer research fund..... | No limit |
| 12 Sponsored research overhead fund | No limit |
| 13 Federal extension fund..... | No limit |
| 14 Federal experimental station fund..... | No limit |
| 15 Federal awards — advance payment fund..... | No limit |
| 16 Smith-Lever special program grant — federal fund..... | No limit |
| 17 Faculty of distinction matching fund | No limit |
| 18 Agricultural land use-value fund | No limit |
| 19 University federal fund..... | No limit |

20 *Provided*, That expenditures may be made by the above agency from the
 21 university federal fund to purchase insurance for equipment purchased
 22 through research and training grants only if such grants include money
 23 for and authorize the purchase of such insurance.

24 Federal higher education fiscal stabilization fund — Kan-
 25 sas state university extension systems and agriculture
 26 research programs

No limit

27 (c) There is appropriated for the above agency from the state economic
 28 development initiatives fund for the fiscal year ending June 30, 2011, the
 29 following:

30 Agricultural experiment stations

\$298,668

31 (d) During the fiscal years ending June 30, 2010, and June 30, 2011,
 32 no moneys appropriated from the state general fund or any special rev-
 33 enue fund for Kansas state university or Kansas state university extension
 34 systems and agriculture research programs shall be expended on or after
 35 the effective date of this act by Kansas state university or Kansas state
 36 university extension systems and agriculture research programs, directly
 37 or indirectly, for (1) any financial aid or other support for any 4-H com-
 38 petitive events or activities at county fairs for which the minimum age for
 39 participants is increased from 7 years of age to 9 years of age, or (2) any
 40 financial aid or other support for any 4-H organization or unit that spon-
 41 sors competitive events at county fairs and that is planning to increase or
 42 has increased the minimum age for participants in such events from 7
 43 years of age to 9 years of age.

1 Sec. 78.

2 KANSAS STATE UNIVERSITY VETERINARY
3 MEDICAL CENTER

4 (a) There is appropriated for the above agency from the state general
5 fund for the fiscal year ending June 30, 2011, the following:

6 Operating expenditures (including official hospitality)..... \$9,975,659

7 *Provided*, That any unencumbered balance in the operating expenditures
8 (including official hospitality) account in excess of \$100 as of June 30,
9 2010, is hereby reappropriated for fiscal year 2011.

10 Veterinary training program for rural Kansas..... \$388,623

11 *Provided*, That any unencumbered balance in the veterinary training pro-
12 gram for rural Kansas account in excess of \$100 as of June 30, 2010, is
13 hereby reappropriated for fiscal year 2011.

14 (b) There is appropriated for the above agency from the following spe-
15 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
16 moneys now or hereafter lawfully credited to and available in such fund
17 or funds, except that expenditures shall not exceed the following:

18 General fees fund..... No limit

19 *Provided*, That expenditures may be made from the general fees fund to
20 match federal grant moneys.

21 Veterinary medicine teaching hospital revenue fund..... No limit

22 Faculty of distinction matching fund No limit

23 Hospital and diagnostic laboratory improvement fund No limit

24 Restricted fees fund..... No limit

25 *Provided*, That restricted fees shall be limited to receipts for the following
26 accounts: Sponsored research, instruction, public service, equipment and
27 facility grants; sponsored construction or improvement projects; technol-
28 ogy equipment; pathology fees; laboratory test fees; miscellaneous reno-
29 vations or construction; dean of veterinary medicine receipts; gifts; ap-
30 plication for postbaccalaureate programs; professorship; embryo transfer
31 unit; swine serology; rapid focal fluorescent inhibition test; comparative
32 medicine; storerooms; departmental receipts for all sales refunds and
33 other collections; other specifically designated receipts not available for
34 general operation of the Kansas state university veterinary medical center:

35 *Provided, however*, That the state board of regents, with the approval of
36 the state finance council acting on this matter which is hereby character-
37 ized as a matter of legislative delegation and subject to the guidelines
38 prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto,
39 may amend or change this list of restricted fees: *Provided further*, That
40 all restricted fees shall be deposited in the state treasury in accordance
41 with the provisions of K.S.A. 75-4215, and amendments thereto, and shall
42 be credited to the appropriate account of the restricted fees fund and
43 shall be used solely for the specific purpose or purposes for which col-

1 lected: *And provided further*, That expenditures may be made from this
2 fund to purchase insurance for equipment purchased through research
3 and training grants only if such grants include money for and authorize
4 the purchase of such insurance.

- 5 Sponsored research overhead fund No limit
- 6 Health professions student loan fund No limit
- 7 University federal fund..... No limit

8 *Provided*, That expenditures may be made by the above agency from the
9 university federal fund to purchase insurance for equipment purchased
10 through research and training grants only if such grants include money
11 for and authorize the purchase of such insurance.

12 Federal higher education fiscal stabilization fund — Kan-
13 sas state university veterinary medical center No limit

14 (c) On July 1, 2010, or as soon thereafter as moneys are available, the
15 director of accounts and reports shall transfer an amount specified by the
16 president of Kansas state university of not to exceed a total of \$15,000
17 from the general fees fund to the health professions student loan fund.

18 Sec. 79.

19 EMPORIA STATE UNIVERSITY

20 (a) There is appropriated for the above agency from the state general
21 fund for the fiscal year ending June 30, 2011, the following:

- 22 Operating expenditures (including official hospitality)..... \$31,092,853
- 23 *Provided*, That any unencumbered balance in the operating expenditures
24 (including official hospitality) account in excess of \$100 as of June 30,
25 2010, is hereby reappropriated for fiscal year 2011.
- 26 Reading recovery program..... \$215,035
- 27 Nat'l Board Cert/Future Teacher Academy..... \$129,050

28 (b) There is appropriated for the above agency from the following spe-
29 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
30 moneys now or hereafter lawfully credited to and available in such fund
31 or funds, except that expenditures shall not exceed the following:

- 32 Parking fees fund No limit
- 33 *Provided*, That expenditures may be made from the parking fees fund for
34 a capital improvement project for parking lot improvements.
- 35 General fees fund..... No limit
- 36 *Provided*, That expenditures may be made from the general fees fund to
37 match federal grant moneys.
- 38 Interest on state normal school fund fund..... No limit
- 39 Restricted fees fund..... No limit

40 *Provided*, That restricted fees shall be limited to receipts for the following
41 accounts: Computer services, student activity; technology equipment; stu-
42 dent union; sponsored research; computer services; extension classes;
43 gifts and grants (for teaching, research and capital improvements); busi-

1 ness school contributions; state department of education (vocational); li-
 2 brary services; library collections; interest on local funds; receipts from
 3 conferences, clinics, and workshops held on campus for which no college
 4 credit is given; physical plant reimbursements from auxiliary enterprises;
 5 midwestern student exchange; departmental receipts — for all sales, re-
 6 funds and other collections or receipts not specifically enumerated above:
 7 *Provided, however,* That the state board of regents, with the approval of
 8 the state finance council acting on this matter which is hereby character-
 9 ized as a matter of legislative delegation and subject to the guidelines
 10 prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto,
 11 may amend or change this list of restricted fees: *Provided further,* That
 12 all restricted fees shall be deposited in the state treasury in accordance
 13 with the provisions of K.S.A. 75-4215, and amendments thereto, and shall
 14 be credited to the appropriate account of the restricted fees fund and
 15 shall be used solely for the specific purpose or purposes for which col-
 16 lected: *And provided further,* That expenditures may be made from this
 17 fund to purchase insurance for equipment purchased through research
 18 and training grants only if such grants include money for and authorize
 19 the purchase of such insurance: *And provided further,* That all amounts
 20 of tuition received from students participating in the midwestern student
 21 exchange program shall be deposited in the state treasury in accordance
 22 with the provisions of K.S.A. 75-4215, and amendments thereto, and shall
 23 be credited to the midwestern student exchange account of the restricted
 24 fees fund.

25 Service clearing fund No limit

26 *Provided,* That the service clearing fund shall be used for the following
 27 service activities: Telecommunications services; office supplies inventory;
 28 state car operation; ESU press including duplicating and reproducing;
 29 postage; physical plant storeroom including motor fuel inventory; data
 30 processing center; and such other internal service activities as are au-
 31 thorized by the state board of regents under K.S.A. 76-755, and amend-
 32 ments thereto.

33 Commencement fees fund..... No limit

34 Kansas career work study program fund No limit

35 Student health fees fund No limit

36 *Provided,* That expenditures from the student health fees fund may be
 37 made for the purchase of medical malpractice liability coverage for in-
 38 dividuals employed on the medical staff, including pharmacists and phys-
 39 ical therapists, at the student health center.

40 Faculty of distinction matching fund No limit

41 Bureau of educational measurements fund..... No limit

42 National direct student loan fund No limit

43

1 Economic opportunity act — work study — federal
2 fund..... No limit
3 Educational opportunity grants — federal fund No limit
4 Basic opportunity grant program — federal fund No limit
5 Research and institutional overhead fund..... No limit
6 Kansas comprehensive grant fund..... No limit
7 Housing system suspense fund No limit
8 Housing system operations fund No limit
9 Housing system repairs, equipment and improvement
10 fund..... No limit
11 Kansas distinguished scholarship fund No limit
12 University federal fund..... No limit
13 *Provided*, That expenditures may be made by the above agency from the
14 university federal fund to purchase insurance for equipment purchased
15 through research and training grants only if such grants include money
16 for and authorize the purchase of such insurance.
17 Leveraging educational assistance partnership federal
18 fund..... No limit
19 Federal higher education fiscal stabilization fund — Em-
20 poria state university No limit
21 (c) On July 1, 2010, or as soon thereafter as moneys are available, the
22 director of accounts and reports shall transfer an amount specified by the
23 president of Emporia state university of not to exceed \$30,000 from the
24 general fees fund to the national direct student loan fund.
25 Sec. 80.

PITTSBURG STATE UNIVERSITY

27 (a) There is appropriated for the above agency from the state general
28 fund for the fiscal year ending June 30, 2011, the following:
29 Operating expenditures (including official hospitality)..... \$34,116,217
30 *Provided*, That any unencumbered balance in the operating expenditures
31 (including official hospitality) account in excess of \$100 as of June 30,
32 2010, is hereby reappropriated for fiscal year 2011.
33 (b) There is appropriated for the above agency from the following spe-
34 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
35 moneys now or hereafter lawfully credited to and available in such fund
36 or funds, except that expenditures shall not exceed the following:
37 Parking fees fund No limit
38 *Provided*, That expenditures may be made from the parking fees fund for
39 capital improvement projects for parking lot improvements.
40 General fees fund..... No limit
41 *Provided*, That all moneys received for tuition received from students
42 participating in the gorilla advantage program or the midwestern student
43 exchange program shall be deposited in the state treasury to the credit

1 of the general fees fund: *Provided further*, That expenditures may be
2 made from the general fees fund to match federal grant moneys: *And*
3 *provided further*, That expenditures may be made from the general fees
4 fund for official hospitality.

5 Restricted fees fund..... No limit

6 *Provided*, That restricted fees shall be limited to receipts for the following
7 accounts: Computer services; instructional technology fee; technology
8 equipment; student activity fee accounts; commencement fees; ROTC
9 activities; continuing education receipts; vocational auto parts and service
10 fees; receipts from camps, conferences and meetings held on campus;
11 library service collections and fines; and grants from other state agencies;
12 *Midwest Quarterly*; chamber music series; contract — post office; gifts
13 and grants; intensive English program; business and technology institute;
14 public sector radio station activities; economic opportunity — state match;
15 Kansas career work study; regents supplemental grants; departmental re-
16 cepts, and other specifically designated receipts not available for general
17 operations of the university: *Provided, however*, That the state board of
18 regents, with the approval of the state finance council acting on this mat-
19 ter which is hereby characterized as a matter of legislative delegation and
20 subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c,
21 and amendments thereto, may amend or change this list of restricted fees:
22 *Provided further*, That all restricted fees shall be deposited in the state
23 treasury in accordance with the provisions of K.S.A. 75-4215, and amend-
24 ments thereto, and shall be credited to the appropriate account of the
25 restricted fees fund and shall be used solely for the specific purpose or
26 purposes for which collected: *And provided further*, That expenditures
27 may be made from this fund to purchase insurance for equipment pur-
28 chased through research and training grants only if such grants include
29 money for and authorize the purchase of such insurance: *And provided*
30 *further*, That surplus restricted fees moneys generated by the music de-
31 partment may be transferred to the Pittsburg state university foundation,
32 inc., for the express purpose of awarding music scholarships: *And pro-*
33 *vided further*, That expenditures may be made from this fund for official
34 hospitality.

35 Service clearing fund No limit

36 *Provided*, That the service clearing fund shall be used for the following
37 service activities: Duplicating and printing services; instructional media
38 division; office stationery and supplies; motor carpool; postage services;
39 photo services; telephone services; and such other internal service activ-
40 ities as are authorized by the state board of regents under K.S.A. 76-755,
41 and amendments thereto.

42 Hospital and student health fees fund No limit

43 *Provided*, That expenditures from the hospital and student health fees

1 fund may be made for the purchase of medical malpractice liability cov-
 2 erage for individuals employed on the medical staff, including pharmacists
 3 and physical therapists, at the student health center: *Provided further,*
 4 That expenditures may be made from this fund for capital improvement
 5 projects for hospital and student health center improvements.

| | | |
|----|---|----------|
| 6 | Suspense fund | No limit |
| 7 | Faculty of distinction matching fund | No limit |
| 8 | Perkins student loan fund | No limit |
| 9 | Sponsored research overhead fund | No limit |
| 10 | College work study fund..... | No limit |
| 11 | Nursing student loan fund | No limit |
| 12 | Housing system suspense fund | No limit |
| 13 | Housing system operations fund | No limit |
| 14 | Housing system repairs, equipment and improvement | |
| 15 | fund..... | No limit |
| 16 | Kansas comprehensive grant fund..... | No limit |
| 17 | Kansas distinguished scholarship program fund | No limit |
| 18 | University federal fund..... | No limit |

19 *Provided,* That expenditures may be made by the above agency from the
 20 university federal fund to purchase insurance for equipment purchased
 21 through research and training grants only if such grants include money
 22 for and authorize the purchase of such insurance.

| | | |
|----|---|----------|
| 23 | Federal higher education fiscal stabilization fund — Pitts- | |
| 24 | burg state university | No limit |

25 (c) During the fiscal year ending June 30, 2011, the director of accounts
 26 and reports shall transfer amounts specified by the president of Pittsburg
 27 state university of not to exceed a total of \$125,000 for all such amounts,
 28 from the general fees fund to the following specified funds and accounts
 29 of funds: Perkins student loan fund; nursing student loan fund.

30 Sec. 81.

31 UNIVERSITY OF KANSAS

32 (a) There is appropriated for the above agency from the state general
 33 fund for the fiscal year ending June 30, 2011, the following:

| | | |
|----|--|---------------|
| 34 | Operating expenditures (including official hospitality)..... | \$129,866,493 |
|----|--|---------------|

35 *Provided,* That any unencumbered balance in the operating expenditures
 36 (including official hospitality) account in excess of \$100 as of June 30,
 37 2010, is hereby reappropriated for fiscal year 2011.

| | | |
|----|-------------------------|-------------|
| 38 | Geological survey | \$5,966,998 |
|----|-------------------------|-------------|

39 *Provided,* That any unencumbered balance in the geological survey ac-
 40 count in excess of \$100 as of June 30, 2010, is hereby reappropriated for
 41 fiscal year 2011.

| | | |
|----|------------------------------------|-----------|
| 42 | Umbilical cord matrix project..... | \$132,674 |
|----|------------------------------------|-----------|

43 *Provided,* That any unencumbered balance in the umbilical cord matrix

1 project account in excess of \$100 as of June 30, 2010, is hereby reapprop-
2 priated for fiscal year 2011.

3 (b) There is appropriated for the above agency from the following special
4 revenue fund or funds for the fiscal year ending June 30, 2011, all
5 moneys now or hereafter lawfully credited to and available in such fund
6 or funds, except that expenditures shall not exceed the following:

- 7 Parking facilities revenue fund No limit
- 8 Faculty of distinction matching fund No limit
- 9 General fees fund..... No limit

10 *Provided*, That expenditures may be made from the general fees fund to
11 match federal grant moneys: *Provided further*, That all moneys received
12 for tuition for students enrolled in courses offered at the regents center
13 on the Edwards campus shall be deposited in the state treasury in ac-
14 cordance with the provisions of K.S.A. 75-4215, and amendments thereto,
15 and shall be credited to this fund.

- 16 Regents center development fund No limit
- 17 *Provided*, That expenditures shall be made from the regents center de-
18 velopment fund for program operations and development and for capital
19 improvements at the Edwards campus.

- 20 Interest fund No limit
- 21 Sponsored research overhead fund No limit
- 22 Law enforcement training center fund No limit

23 *Provided*, That expenditures may be made from the law enforcement
24 training center fund to cover the costs of tuition for students enrolled in
25 the law enforcement training program in addition to the costs of salaries
26 and wages and other operating expenditures for the program: *Provided*
27 *further*, That expenditures may be made from this fund for the acquisition
28 of tracts of land.

- 29 Law enforcement training center fees fund..... No limit
- 30 *Provided*, That all moneys received for tuition from students enrolling in
31 the basic law enforcement training program for undergraduate or grad-
32 uate credit shall be deposited in the state treasury and credited to the
33 law enforcement training center fees fund.

- 34 Local law enforcement training reimbursement fund..... No limit
- 35 Restricted fees fund..... No limit

36 *Provided*, That restricted fees shall be limited to receipts for the following
37 accounts: Institute for public policy and business research; technology
38 equipment; clinical psychology conference; concert course; speech, lan-
39 guage and hearing clinic; perceptual motor clinic; application for admis-
40 sion fees; named professorships; summer institutes and workshops; dra-
41 matics; economic opportunity act; executive management; continuing
42 education programs; geology field trips; gifts and grants; extension serv-
43 ices; counseling center; investment income from bequests; reimbursable

1 salaries; music and art camp; child development lab preschools; orienta-
 2 tion center; educational placement; press publications; Rice estate edu-
 3 cational project; sponsored research; student activities; sale of surplus
 4 books and art objects; building use charges; Kansas applied remote sens-
 5 ing program; executive master’s degree in business administration; ap-
 6 plied English center; cartographic services; economic education; study
 7 abroad programs; computer services; recreational activities; animal care
 8 activities; geological survey; engineering equipment fee; midwestern stu-
 9 dent exchange; department commercial receipts for all sales, refunds, and
 10 all other collections or receipts not specifically enumerated above: *Pro-*
 11 *vided, however,* That the state board of regents, with the approval of the
 12 state finance council acting on this matter which is hereby characterized
 13 as a matter of legislative delegation and subject to the guidelines pre-
 14 scribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto,
 15 may amend or change this list of restricted fees: *Provided further,* That
 16 all restricted fees shall be deposited in the state treasury in accordance
 17 with the provisions of K.S.A. 75-4215, and amendments thereto, and shall
 18 be credited to the appropriate account of the restricted fees fund and
 19 shall be used solely for the specific purpose or purposes for which col-
 20 lected: *And provided further,* That moneys received for student fees in
 21 any account of the restricted fees fund may be transferred to one or more
 22 other accounts of the restricted fees fund.

| | | |
|----|---|----------|
| 23 | Service clearing fund | No limit |
| 24 | <i>Provided,</i> That the service clearing fund shall be used for the following | |
| 25 | service activities: Residence hall food stores; university motor pool; mil- | |
| 26 | itary uniforms; telecommunications service; and such other internal serv- | |
| 27 | ice activities as are authorized by the state board of regents under K.S.A. | |
| 28 | 76-755, and amendments thereto. | |
| 29 | Health service fund | No limit |
| 30 | Kansas career work study program fund | No limit |
| 31 | Student union fund..... | No limit |
| 32 | Federal Perkins loan fund..... | No limit |
| 33 | Health professions student loan fund | No limit |
| 34 | Housing system suspense fund | No limit |
| 35 | Scientific research and development project — special rev- | |
| 36 | enue fund..... | No limit |
| 37 | Housing system operations fund | No limit |
| 38 | Housing system repairs, equipment and improvement | |
| 39 | fund..... | No limit |
| 40 | Educational opportunity act — federal fund..... | No limit |
| 41 | Loans for disadvantaged students fund | No limit |
| 42 | Prepaid tuition fees clearing fund | No limit |
| 43 | Kansas comprehensive grant fund..... | No limit |

| | | |
|---|---|----------|
| 1 | Fire service training fund | No limit |
| 2 | University federal fund..... | No limit |
| 3 | Johnson county education research triangle fund | No limit |
| 4 | Federal higher education fiscal stabilization fund — uni- | |
| 5 | versity of Kansas | No limit |

6 (c) On July 1, 2010, or as soon thereafter as moneys are available, the
7 director of accounts and reports shall transfer amounts specified by the
8 chancellor of the university of Kansas of not to exceed a total of \$325,000
9 for all such amounts, from the general fees fund to the following specified
10 funds and accounts of funds: Federal Perkins student loan program ac-
11 count of the national direct student loan fund; federal supplemental ed-
12 ucational opportunity program account of the national direct student loan
13 fund; federal disadvantaged student loan program account of the national
14 direct student loan fund; health professions student loan fund.

15 (d) There is appropriated for the above agency from the state water
16 plan fund for the fiscal year ending June 30, 2011, for the water plan
17 project or projects specified, the following:

| | | |
|----|---|----------|
| 18 | Geological survey | \$28,800 |
| 19 | <i>Provided</i> , That any unencumbered balance in excess of \$100 as of June | |
| 20 | 30, 2010, in the geological survey account is hereby reappropriated for | |
| 21 | fiscal year 2011. | |

22
23 Sec. 82.

24 UNIVERSITY OF KANSAS MEDICAL CENTER

25 (a) There is appropriated for the above agency from the state general
26 fund for the fiscal year ending June 30, 2011, the following:

| | | |
|----|---|---------------|
| 27 | Operating expenditures (including official hospitality)..... | \$103,123,599 |
| 28 | <i>Provided</i> , That any unencumbered balance in the operating expenditures | |
| 29 | (including official hospitality) account in excess of \$100 as of June 30, | |
| 30 | 2010, is hereby reappropriated for fiscal year 2011: <i>Provided further</i> , That | |
| 31 | expenditures may be made from this account for the purchase of mal- | |
| 32 | practice insurance for students in training at the university of Kansas | |
| 33 | school of medicine, nursing and allied health; <i>And provided further</i> , That | |
| 34 | expenditures from this account may be used to reimburse medical resi- | |
| 35 | dents in residency programs located in Kansas City at the university of | |
| 36 | Kansas medical center for the purchase of health insurance for residents' | |
| 37 | dependents. | |

| | | |
|----|---|-------------|
| 38 | Medical scholarships and loans..... | \$2,652,900 |
| 39 | <i>Provided</i> , That any unencumbered balance in the medical scholarships | |
| 40 | and loans account in excess of \$100 as of June 30, 2010, is hereby reap- | |
| 41 | propriated for fiscal year 2011. | |

| | | |
|----|--|-------------|
| 42 | Cancer center | \$4,413,431 |
| 43 | <i>Provided</i> , That any unencumbered balance in the cancer center account | |

1 in excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal
2 year 2011.

3 (b) There is appropriated for the above agency from the following special
4 revenue fund or funds for the fiscal year ending June 30, 2011, all
5 moneys now or hereafter lawfully credited to and available in such fund
6 or funds, except that expenditures shall not exceed the following:

7 General fees fund..... No limit
8 *Provided*, That expenditures may be made from the general fees fund to
9 match federal grant moneys.

10 Faculty of distinction matching fund No limit
11 Restricted fees fund..... No limit

12 *Provided*, That restricted fees shall be limited to the following accounts:
13 Technology equipment; computer services; expenses reimbursed by the
14 Kansas university endowment association; postgraduate fees; pathology
15 fees; student health insurance premiums; gift receipts; designated re-
16 search collaboration; facilities use; photography; continuing education;
17 student activity fees; student application fees; department duplicating;
18 student health services; student identification badges; student transcript
19 fees; loan administration fees; fitness center fees; occupational health
20 fees; computer remote access; employee health; telekid care fees; area
21 outreach fees; police fees; endowment payroll reimbursement; rental
22 property; e-learning fees; surplus property sales; student union fees; out-
23 reach air travel; student loan legal fees; hospital authority salary reim-
24 bursements; graduate medical education contracts; Kansas university phy-
25 sicians inc., salaries reimbursements; housestaff activity fees; anatomy
26 cadavers; biotechnology services; energy center funded depreciation; fun-
27 gal sales; biostatistics; electron microscope services; Wichita faculty con-
28 tracts; physical therapy services; legal fee reimbursements; sponsored re-
29 search; departmental commercial receipts for all sales, refunds and all
30 other collections of receipts not specifically enumerated above; depart-
31 ment of social and rehabilitation services cost-sharing; *Provided, however*,
32 That the state board of regents, with the approval of the state finance
33 council acting on this matter which is hereby characterized as a matter
34 of legislative delegation and subject to the guidelines prescribed in sub-
35 section (c) of K.S.A. 75-3711c, and amendments thereto, may amend or
36 change this list of restricted fees: *Provided further*, That all restricted fees
37 shall be deposited in the state treasury in accordance with the provisions
38 of K.S.A. 75-4215, and amendments thereto, and shall be credited to the
39 appropriate account of the restricted fees fund and shall be used solely
40 for the specific purpose or purposes for which collected: *And provided*
41 *further*, That expenditures may be made from this fund to purchase
42 health insurance coverage for all students enrolled in the school of allied
43 health, school of nursing and school of medicine.

| | | |
|----|--|----------|
| 1 | Scientific research and development — special revenue | |
| 2 | fund..... | No limit |
| 3 | Kansas breast cancer research fund..... | No limit |
| 4 | Sponsored research overhead fund | No limit |
| 5 | Parking fund — Wichita campus | No limit |
| 6 | Services to hospital authority fund | No limit |
| 7 | Direct medical education reimbursement fund..... | No limit |
| 8 | Service clearing fund | No limit |
| 9 | <i>Provided</i> , That the service clearing fund shall be used for the following | |
| 10 | service activities: Printing services; purchasing storeroom; university mo- | |
| 11 | tor pool; clothing (uniforms); physical plant storeroom; photo services; | |
| 12 | telecommunications services; facilities operations discretionary repairs; | |
| 13 | animal care; graphic services; instructional services; biomedical engineer- | |
| 14 | ing; audiovisual services; computing services; and such other internal serv- | |
| 15 | ice activities as are authorized by the state board of regents under K.S.A. | |
| 16 | 76-755, and amendments thereto. | |
| 17 | Educational nurse faculty loan program fund..... | No limit |
| 18 | Federal college work study fund..... | No limit |
| 19 | AMA education and research grant fund..... | No limit |
| 20 | Federal health professions/primary care student loan | |
| 21 | fund..... | No limit |
| 22 | Federal nursing student loan fund | No limit |
| 23 | Suspense fund | No limit |
| 24 | Federal student educational opportunity grant fund | No limit |
| 25 | Federal Pell grant fund | No limit |
| 26 | Federal Perkins student loan fund | No limit |
| 27 | Medical loan repayment fund..... | No limit |
| 28 | <i>Provided</i> , That expenditures from the medical loan repayment fund for | |
| 29 | attorney fees and litigation costs associated with the administration of the | |
| 30 | medical scholarship and loan program shall be in addition to any expend- | |
| 31 | iture limitation imposed on the operating expenditures account of the | |
| 32 | medical loan repayment fund or on the total expenditures from the med- | |
| 33 | ical loan repayment fund. | |
| 34 | Medical student loan programs provider assessment | |
| 35 | fund..... | No limit |
| 36 | Graduate medical education administration reserve | |
| 37 | fund..... | No limit |
| 38 | University of Kansas medical center private practice foun- | |
| 39 | dation reserve fund..... | No limit |
| 40 | Robert Wood Johnson award fund..... | No limit |
| 41 | Federal scholarship for disadvantaged students fund | No limit |
| 42 | University federal fund..... | No limit |
| 43 | | |

| | | |
|----|--|--------------|
| 1 | Leveraging educational assistance partnership federal | |
| 2 | fund..... | No limit |
| 3 | Graduate medical education support fund..... | No limit |
| 4 | Johnson county education research triangle fund | No limit |
| 5 | Federal higher education fiscal stabilization fund — uni- | |
| 6 | versity of Kansas medical center | No limit |
| 7 | Wichita center for graduate medical education federal fis- | |
| 8 | cal stabilization fund..... | No limit |
| 9 | (c) On July 1, 2010, or as soon thereafter as moneys are available, the | |
| 10 | director of accounts and reports shall transfer amounts specified by the | |
| 11 | chancellor of the university of Kansas of not to exceed a total of \$125,000 | |
| 12 | for all such amounts, from the general fees fund to the following funds: | |
| 13 | Federal Perkins student loan fund; federal nursing student loan fund; | |
| 14 | federal student education opportunity grant fund; federal college work | |
| 15 | study fund; educational nurse faculty loan program fund; federal health | |
| 16 | professions/primary care student loan fund. | |
| 17 | (d) During the fiscal year ending June 30, 2011, and within the limits | |
| 18 | of appropriations therefor, the university of Kansas medical center may | |
| 19 | enter into contracts to purchase additional malpractice insurance for med- | |
| 20 | ical students enrolled at the university of Kansas medical center while in | |
| 21 | clinical training at the university of Kansas medical center or at other | |
| 22 | health care institutions. | |
| 23 | (e) During the fiscal year ending June 30, 2011, the director of accounts | |
| 24 | and reports shall transfer an amount specified by the chancellor from the | |
| 25 | general fees fund to the student health insurance premiums account of | |
| 26 | the restricted fees fund. | |
| 27 | Sec. 83. | |
| 28 | WICHITA STATE UNIVERSITY | |
| 29 | (a) There is appropriated for the above agency from the state general | |
| 30 | fund for the fiscal year ending June 30, 2011, the following: | |
| 31 | Operating expenditures (including official hospitality)..... | \$66,008,125 |
| 32 | <i>Provided</i> , That any unencumbered balance in the operating expenditures | |
| 33 | (including official hospitality) account in excess of \$100 as of June 30, | |
| 34 | 2010, is hereby reappropriated for fiscal year 2011. | |
| 35 | (b) There is appropriated for the above agency from the following spe- | |
| 36 | cial revenue fund or funds for the fiscal year ending June 30, 2011, all | |
| 37 | moneys now or hereafter lawfully credited to and available in such fund | |
| 38 | or funds, except that expenditures shall not exceed the following: | |
| 39 | General fees fund..... | No limit |
| 40 | <i>Provided</i> , That expenditures may be made from the general fees fund to | |
| 41 | match federal grant moneys: <i>Provided further</i> , That expenditures may be | |
| 42 | made from the general fees fund for official hospitality. | |
| 43 | Restricted fees fund..... | No limit |

1 *Provided*, That restricted fees shall be limited to receipts for the following
2 accounts: Summer school workshops; technology equipment; concert
3 course; dramatics; continuing education; flight training; gifts and grants
4 (for teaching, research, and capital improvements); testing service; state
5 department of education (vocational); investment income from bequests;
6 sale of surplus books and art objects; public service; veterans counseling
7 and educational benefits; sponsored research; campus privilege fee; stu-
8 dent activities; national defense education programs; engineering equip-
9 ment fee; midwestern student exchange; departmental receipts — for all
10 sales, refunds and other collections or receipts not specifically enumer-
11 ated above: *Provided, however*, That the state board of regents, with the
12 approval of the state finance council acting on this matter which is hereby
13 characterized as a matter of legislative delegation and subject to the
14 guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amend-
15 ments thereto, may amend or change this list of restricted fees: *Provided*
16 *further*, That all restricted fees shall be deposited in the state treasury in
17 accordance with the provisions of K.S.A. 75-4215, and amendments
18 thereto, and shall be credited to the appropriate account of the restricted
19 fees fund and shall be used solely for the specific purpose or purposes
20 for which collected: *And provided further*, That expenditures may be
21 made from this fund to purchase insurance for equipment purchased
22 through research and training grants only if such grants include money
23 for and authorize the purchase of such insurance: *And provided further*,
24 That expenditures from this fund may be made for the purchase of med-
25 ical malpractice liability coverage for individuals employed on the medical
26 staff at the student health center: *And provided further*, That expendi-
27 tures may be made from this fund for official hospitality.

| | | |
|----|--|----------|
| 28 | Service clearing fund | No limit |
| 29 | <i>Provided</i> , That the service clearing fund shall be used for the following | |
| 30 | service activities: Central service duplicating and reproducing bureau; au- | |
| 31 | tomobiles; furniture stores; postal clearing; telecommunication; computer | |
| 32 | service; and such other internal service activities as are authorized by the | |
| 33 | state board of regents under K.S.A. 76-755, and amendments thereto. | |
| 34 | Faculty of distinction matching fund | No limit |
| 35 | Kansas career work study program fund | No limit |
| 36 | Scholarship funds fund..... | No limit |
| 37 | Sponsored research overhead fund | No limit |
| 38 | Economic opportunity act — federal fund | No limit |
| 39 | Education opportunity grant — federal fund..... | No limit |
| 40 | Matching education opportunity grant fund | No limit |
| 41 | Health professions student assistance program — loans | |
| 42 | fund..... | No limit |
| 43 | Nine month payroll clearing account fund..... | No limit |

| | | |
|----|--|-------------|
| 1 | Pell grants fund..... | No limit |
| 2 | Housing system suspense fund..... | No limit |
| 3 | Housing system operations fund..... | No limit |
| 4 | Housing system renovation principal and interest fund | No limit |
| 5 | Housing system renovation and bond reserve fund..... | No limit |
| 6 | WSU housing system depreciation and replacement | |
| 7 | fund..... | No limit |
| 8 | Perkins loan fund | No limit |
| 9 | Kansas distinguished scholarship fund..... | No limit |
| 10 | Kansas comprehensive grant fund..... | No limit |
| 11 | WSU housing systems revenue fund..... | No limit |
| 12 | University federal fund..... | No limit |
| 13 | <i>Provided</i> , That expenditures may be made by the above agency from the | |
| 14 | university federal fund to purchase insurance for equipment purchased | |
| 15 | through research and training grants only if such grants include money | |
| 16 | for and authorize the purchase of such insurance. | |
| 17 | Leveraging educational assistance partnership — federal | |
| 18 | fund..... | No limit |
| 19 | Federal higher education fiscal stabilization fund — Wich- | |
| 20 | ita state university | No limit |
| 21 | (c) There is appropriated for the above agency from the state economic | |
| 22 | development initiatives fund for the fiscal year ending June 30, 2011, the | |
| 23 | following: | |
| 24 | Aviation research..... | \$5,000,000 |
| 25 | <i>Provided</i> , That any unencumbered balance in the aviation research ac- | |
| 26 | count in excess of \$100 as of June 30, 2010, is hereby reappropriated for | |
| 27 | fiscal year 2011. | |
| 28 | Aviation infrastructure..... | \$5,000,000 |
| 29 | Sec. 84. | |

STATE BOARD OF REGENTS

31 (a) There is appropriated for the above agency from the state general
32 fund for the fiscal year ending June 30, 2011, the following:
33 Operating expenditures (including official hospitality)..... \$3,385,596
34 *Provided*, That any unencumbered balance in the operating expenditures
35 (including official hospitality) account in excess of \$100 as of June 30,
36 2010, is hereby reappropriated for fiscal year 2011: *Provided further*,
37 That, during fiscal year 2011, notwithstanding the provisions of any other
38 statute, in addition to the other purposes for which expenditures may be
39 made from the operating expenditures (including official hospitality) ac-
40 count for fiscal year 2011 by the state board of regents as authorized by
41 this or other appropriation act of the 2010 regular session of the legisla-
42 ture, the state board of regents is hereby authorized to make expenditures
43 from the operating expenditures (including official hospitality) account

1 for fiscal year 2011 for attendance at an in-state meeting by members of
 2 the state board of regents for participation in matters of educational in-
 3 terest to the state of Kansas, upon approval of such attendance and par-
 4 ticipation by the state board of regents: *And provided further*, That each
 5 member of the state board of regents attending an in-state meeting so
 6 authorized shall be paid compensation, subsistence allowances, mileage
 7 and other expenses as provided in K.S.A. 75-3212, and amendments
 8 thereto, for members of the legislature: *And provided further*, That, dur-
 9 ing fiscal year 2011, notwithstanding the provisions of any other statute
 10 and in addition to the other purposes for which expenditures may be
 11 made from the operating expenditures (including official hospitality) ac-
 12 count for fiscal year 2011 by the state board of regents as authorized by
 13 this or other appropriation act of the 2010 regular session of the legisla-
 14 ture, the state board of regents is hereby authorized to make expenditures
 15 from the operating expenditures (including official hospitality) account
 16 for fiscal year 2011 for attendance at an out-of-state meeting by members
 17 of the state board of regents whenever under any provision of law such
 18 members of the state board of regents are authorized to attend the out-
 19 of-state meeting or whenever the state board of regents authorizes such
 20 members to attend the out-of-state meeting for participation in matters
 21 of educational interest to the state of Kansas: *And provided further*, That
 22 each member of the state board of regents attending an out-of-state meet-
 23 ing so authorized shall be paid compensation, subsistence allowances,
 24 mileage and other expenses as provided in K.S.A. 75-3212, and amend-
 25 ments thereto, for members of the legislature.

26 State scholarship program..... \$1,078,766

27 *Provided*, That any unencumbered balance in the state scholarship pro-
 28 gram account in excess of \$100 as of June 30, 2010, is hereby reappro-
 29 priated for fiscal year 2011: *Provided further*, That expenditures may be
 30 made from the state scholarship program account for the state scholarship
 31 program under K.S.A. 72-6816, and amendments thereto, and for the
 32 Kansas distinguished scholarship program under K.S.A. 74-3278 through
 33 74-3283, and amendments thereto: *And provided further*, That of the
 34 total amount appropriated in the state scholarship program account the
 35 amount dedicated for the Kansas distinguished scholarship program shall
 36 not exceed \$25,000.

37 Comprehensive grant program \$14,936,208

38 *Provided*, That any unencumbered balance in the comprehensive grant
 39 program account in excess of \$100 as of June 30, 2010, is hereby reap-
 40 propriated for fiscal year 2011.

41 Ethnic minority scholarship program..... \$300,071

42 *Provided*, That any unencumbered balance in the ethnic minority schol-
 43 arship program account in excess of \$100 as of June 30, 2010, is hereby

1 reappropriated for fiscal year 2011.
2 Kansas work-study program \$502,801
3 *Provided*, That any unencumbered balance in the Kansas work-study pro-
4 gram account in excess of \$100 as of June 30, 2010, is hereby reappro-
5 priated for fiscal year 2011: *Provided further*, That the state board of
6 regents is hereby authorized to transfer moneys from the Kansas work-
7 study program account to the Kansas career work study program fund of
8 any institution under its jurisdiction participating in the Kansas work-
9 study program established by K.S.A. 74-3274 *et seq.*, and amendments
10 thereto: *And provided further*, That all moneys transferred from this ac-
11 count to the Kansas career work study program fund of any such insti-
12 tution shall be expended for and in accordance with the Kansas work-
13 study program.
14 ROTC service scholarships \$177,447
15 *Provided*, That any unencumbered balance in the ROTC service schol-
16 arships account in excess of \$100 as of June 30, 2010, is hereby reappro-
17 priated for fiscal year 2011.
18 Military service scholarships..... \$475,982
19 *Provided*, That any unencumbered balance in the military service schol-
20 arships account in excess of \$100 as of June 30, 2010, is hereby reappro-
21 priated for fiscal year 2011: *Provided further*, That all expenditures from
22 the military service scholarships account shall be made for scholarships
23 awarded under the military service scholarship program act.
24 Teachers scholarship program \$1,868,572
25 *Provided*, That any unencumbered balance in the teachers scholarship
26 program account in excess of \$100 as of June 30, 2010, is hereby reap-
27 propriated for fiscal year 2011.
28 National guard educational assistance \$881,365
29 *Provided*, That any unencumbered balance in the national guard educa-
30 tional assistance account in excess of \$100 as of June 30, 2010, is hereby
31 reappropriated for fiscal year 2011.
32 Vocational scholarships..... \$115,450
33 *Provided*, That any unencumbered balance in the vocational scholarships
34 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
35 for fiscal year 2011.
36 Nursing student scholarship program \$422,284
37 *Provided*, That any unencumbered balance in the nursing student schol-
38 arship program account in excess of \$100 as of June 30, 2010, is hereby
39 reappropriated for fiscal year 2011.
40 Optometry education program \$108,380
41 *Provided*, That any unencumbered balance in the optometry education
42 program account in excess of \$100 as of June 30, 2010, is hereby reap-
43 propriated for fiscal year 2011.

| | | |
|----|--|--------------|
| 1 | Municipal university operating grant | \$11,087,963 |
| 2 | Postsecondary aid for vocational education..... | \$31,098,410 |
| 3 | <i>Provided</i> , That no technical college shall receive less state aid in the fiscal | |
| 4 | year ending June 30, 2011, than it received in the previous fiscal year. | |
| 5 | Adult basic education..... | \$1,474,591 |
| 6 | Community college operating grant..... | \$97,166,602 |
| 7 | Technology equipment at community colleges and Wash- | |
| 8 | burn university | \$403,277 |
| 9 | <i>Provided</i> , That the state board of regents is hereby authorized to make | |
| 10 | expenditures from the technology equipment at community colleges and | |
| 11 | Washburn university account for grants to community colleges and Wash- | |
| 12 | burn university pursuant to grant applications for the purchase of tech- | |
| 13 | nology equipment, in accordance with guidelines established by the state | |
| 14 | board of regents. | |
| 15 | Vocational education capital outlay aid..... | \$72,448 |
| 16 | Payment to KPERS | \$1,753,701 |
| 17 | Tuition waivers | \$85,677 |
| 18 | Nurse educator grant program | \$190,393 |
| 19 | <i>Provided</i> , That any unencumbered balance in the nurse educator grant | |
| 20 | program account in excess of \$100 as of June 30, 2010, is hereby reap- | |
| 21 | propriated for fiscal year 2011: <i>Provided further</i> , That all expenditures | |
| 22 | from the nurse educator grant program account shall be made for schol- | |
| 23 | arships awarded under the nurse educator service scholarship program | |
| 24 | act. | |
| 25 | Nursing faculty and supplies grant program | \$1,808,733 |
| 26 | <i>Provided</i> , That any unencumbered balance in the nursing faculty and | |
| 27 | supplies grant program account in excess of \$100 as of June 30, 2010, is | |
| 28 | hereby reappropriated for fiscal year 2011: <i>Provided further</i> , That the | |
| 29 | state board of regents is hereby authorized to make grants to Kansas | |
| 30 | postsecondary education institutions from the nursing faculty and sup- | |
| 31 | plies grant program account for expansion of nursing faculty and consum- | |
| 32 | able laboratory supplies: <i>And provided further</i> , That such grants shall be | |
| 33 | either need-based or competitive and shall be matched on the basis of \$1 | |
| 34 | from the nurse faculty and supplies grant program account for \$1 from | |
| 35 | the state educational institution receiving the grant: <i>And provided further</i> , | |
| 36 | That not less than \$95,196 in such grants shall be made to accredited | |
| 37 | private post secondary educational institutions in Kansas. | |
| 38 | Postsecondary technical education authority..... | \$731,716 |
| 39 | Postsecondary education operating grant | \$2,098,531 |
| 40 | Midwest higher education commission | \$90,669 |
| 41 | Any unencumbered balance in each of the following accounts in excess | |
| 42 | of \$100 as of June 30, 2010, is hereby reappropriated for fiscal year 2011: | |
| 43 | Southwest Kansas access project. | |

1 (b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2011, all
2 moneys now or hereafter lawfully credited to and available in such fund
3 or funds, except that expenditures shall not exceed the following:
4 Osteopathic medical service scholarship repayment
5 fund..... No limit
6 Vocational education scholarship discontinued attendance
7 fund..... No limit
8 Leveraging educational assistance program fund —
9 federal No limit
10 Regents' scholarship gift fund No limit
11 *Provided*, That expenditures may be made from the regents' scholarship
12 gift fund for scholarships awarded to Kansas residents who are attending
13 institutions of postsecondary education in Kansas which are authorized
14 under the laws of this state to award academic degrees and who meet
15 academic and other eligibility criteria established by the state board of
16 regents by rules and regulations: *Provided, however*, That a financial
17 needs test shall not be one of the eligibility criteria established by the
18 state board of regents for such scholarships: *Provided further*, That no
19 scholarship awarded from this fund shall exceed \$2,000 per academic
20 year: *And provided further*, That any recipient of a scholarship awarded
21 from this fund may also receive either a state scholarship under K.S.A.
22 72-6810 through 72-6816, and amendments thereto, or a tuition grant
23 under K.S.A. 72-6107 through 72-6111, and amendments thereto, or
24 both: *And provided further*, That there shall be no reduction of any scholarship
25 awarded from this fund for the amount of any such state scholarship
26 or tuition grant received.
27 KAN-ED fund No limit
28 *Provided*, That expenditures may be made from the KAN-ED fund for
29 official hospitality for the purposes of the KAN-ED act.
30 KAN-ED federal fund No limit
31 Earned indirect costs fund — federal..... No limit
32 Faculty of distinction program fund No limit
33 Paul Douglas teacher scholarship fund — federal No limit
34 GED credentials processing fees fund..... No limit
35 Proprietary school fee fund..... No limit
36 Tuition waiver gifts, grants and reimbursements fund..... No limit
37 Adult basic education — federal fund No limit
38 Truck driver training fund No limit
39 No child left behind federal fund..... No limit
40 Comprehensive grant program discontinued attendance
41 fund..... No limit
42 State scholarship discontinued attendance fund No limit
43

| | | |
|----|---|----------|
| 1 | Kansas ethnic minority fellowship program fund..... | No limit |
| 2 | Private postsecondary educational institution degree au- | |
| 3 | thorization expense reimbursement fee fund | No limit |
| 4 | Substance abuse education fund — federal | No limit |
| 5 | Nursing service scholarship program fund..... | No limit |
| 6 | Clearing fund..... | No limit |
| 7 | Conversion of materials and equipment fund | No limit |
| 8 | Teacher scholarship program fund..... | No limit |
| 9 | Motorcycle safety fund..... | No limit |
| 10 | Financial aid services fee fund..... | No limit |
| 11 | <i>Provided</i> , That expenditures may be made from the financial aid services | |
| 12 | fee fund for operating expenditures directly or indirectly related to the | |
| 13 | operating costs associated with student financial assistance programs ad- | |
| 14 | ministered by the state board of regents: <i>Provided further</i> , That the chief | |
| 15 | executive officer of the state board of regents is hereby authorized to fix, | |
| 16 | charge and collect fees for the processing of applications and other activ- | |
| 17 | ities related to student financial assistance programs administered by the | |
| 18 | state board of regents: <i>And provided further</i> , That such fees shall be fixed | |
| 19 | in order to recover all or a part of the direct and indirect operating ex- | |
| 20 | penses incurred for administering such programs: <i>And provided further</i> , | |
| 21 | That all moneys received for such fees shall be deposited in the state | |
| 22 | treasury in accordance with the provisions of K.S.A. 75-4215, and amend- | |
| 23 | ments thereto, and shall be credited to the financial aid services fee fund. | |
| 24 | Inservice education workshop fee fund..... | No limit |
| 25 | Optometry education repayment fund..... | No limit |
| 26 | Teacher scholarship repayment fund..... | No limit |
| 27 | Advanced registered nurse practitioner service scholarship | |
| 28 | program fund..... | No limit |
| 29 | Nursing service scholarship repayment fund..... | No limit |
| 30 | Nurse educator service scholarship repayment fund | No limit |
| 31 | ROTC service scholarship program fund..... | No limit |
| 32 | ROTC service scholarship repayment fund..... | No limit |
| 33 | Carl D. Perkins vocational and technical education — fed- | |
| 34 | eral fund | No limit |
| 35 | Carl D. Perkins vocational and technical education — fed- | |
| 36 | eral fund — state operations | No limit |
| 37 | College access challenge grant program..... | No limit |
| 38 | Other federal grants fund..... | No limit |
| 39 | <i>Provided</i> , That the above agency is authorized to make expenditures from | |
| 40 | the other federal grants fund of any moneys credited to this fund from | |
| 41 | any individual grant if the grant: (1) Is less than or equal to \$750,000 in | |
| 42 | the aggregate, and (2) does not require the matching expenditure of any | |
| 43 | other moneys in the state treasury during fiscal year 2011 other than | |

1 moneys appropriated by this or other appropriation act of the 2010 reg-
 2 ular session of the legislature: *Provided, however,* That, upon application
 3 to and authorization by the governor, the above agency may make ex-
 4 penditures of moneys credited to this fund from any individual federal
 5 grant which is more than \$750,000 in the aggregate or which requires the
 6 matching expenditure of moneys in the state treasury during fiscal year
 7 2011, other than moneys appropriated by this or other appropriation act
 8 of the 2010 regular session of the legislature.

| | |
|---|----------|
| 9 Kansas national guard educational assistance program re- | |
| 10 payment fund..... | No limit |
| 11 Carl D. Perkins technical preparation — federal fund | No limit |
| 12 Grants fund..... | No limit |
| 13 Workforce development loan fund..... | No limit |
| 14 Regents clearing fund | No limit |
| 15 Private and out-of-state postsecondary educational insti- | |
| 16 tution fee fund | No limit |
| 17 Federal higher education fiscal stabilization fund..... | No limit |
| 18 Federal higher education fiscal stabilization fund — com- | |
| 19 munity colleges | No limit |
| 20 Federal higher education fiscal stabilization fund — mu- | |
| 21 nicipal university..... | No limit |
| 22 Federal higher education fiscal stabilization fund — pos- | |
| 23 tsecondary technical education | No limit |

24 (c) During the fiscal year ending June 30, 2011, the chief executive
 25 officer of the state board of regents, with the approval of the director of
 26 the budget, may transfer any part of any item of appropriation in an
 27 account of the state general fund for the fiscal year ending June 30, 2011,
 28 to another item of appropriation in an account of the state general fund
 29 for fiscal year 2011. The chief executive officer of the state board of
 30 regents shall certify each such transfer to the director of accounts and
 31 reports and shall transmit a copy of each such certification to the director
 32 of legislative research. As used in this subsection, “account” (1) means
 33 the operating expenditures (including official hospitality) account of the
 34 state board of regents, the university of Kansas, the university of Kansas
 35 medical center, Kansas state university, Kansas state university veterinary
 36 medical center, Kansas state university extension systems and agriculture
 37 research programs, Wichita state university, Emporia state university,
 38 Pittsburg state university and Fort Hays state university; and (2) includes
 39 each other account of the state general fund of the state board of regents.

40 (d) During the fiscal year ending June 30, 2011, the chief executive
 41 officer of the state board of regents, subject to the applicable restrictions
 42 and limitations or other provisions of federal grant agreements, is hereby
 43 authorized to transfer moneys that are received under a federal grant and

1 that are credited to a federal fund of the state board of regents to a federal
2 fund of an institution under the supervision and management of the state
3 board of regents during the fiscal year ending June 30, 2011. The chief
4 executive officer of the state board of regents shall certify each such trans-
5 fer to the director of accounts and reports and shall transmit a copy of
6 each such certification to the director of the budget and to the director
7 of legislative research. As used in this subsection (d), “federal fund”
8 means (1) the federal flexible fiscal stabilization fund, the federal higher
9 education fiscal stabilization fund — community colleges, the federal
10 higher education fiscal stabilization fund — municipal university, or the
11 federal higher education fiscal stabilization fund — postsecondary tech-
12 nical education of the state board of regents, (2) the federal flexible fiscal
13 stabilization fund — university of Kansas, the federal flexible fiscal sta-
14 bilization fund — university of Kansas medical center, the federal flexible
15 fiscal stabilization fund — Kansas state university, the federal flexible
16 fiscal stabilization fund — Kansas state university veterinary medical cen-
17 ter, the federal flexible fiscal stabilization fund — Kansas state university
18 extension systems and agriculture research programs, the federal flexible
19 fiscal stabilization fund — Wichita state university, the federal flexible
20 fiscal stabilization fund — Emporia state university, the federal flexible
21 fiscal stabilization fund — Pittsburg state university, and the federal flex-
22 ible fiscal stabilization fund — Fort Hays state university of such insti-
23 tutions, or (3) a federal fiscal stabilization fund of a community college,
24 the municipal university or an institution of postsecondary technical ed-
25 ucation.

26 (e) (1) In addition to the other purposes for which expenditures may
27 be made by any state educational institution from the moneys appropri-
28 ated from the state general fund or from any special revenue fund for
29 fiscal year 2011 for such state educational institution as authorized by this
30 or other appropriation act of the 2010 regular session of the legislature,
31 expenditures may be made by such state educational institution from
32 moneys appropriated from the state general fund or from any special
33 revenue fund for fiscal year 2011 for the purposes of capital improvement
34 projects making energy and other conservation improvements: *Provided*,
35 That such capital improvement projects are hereby approved for such
36 state educational institution for the purposes of subsection (b) of K.S.A.
37 74-8905, and amendments thereto, and the authorization of issuance of
38 one or more series of bonds by the Kansas development finance authority
39 in accordance with that statute from time to time during fiscal year 2011:
40 *Provided, however*, That no such bonds shall be issued until the state
41 board of regents has first advised and consulted on any such project with
42 the joint committee on state building construction: *Provided further*, That
43 the amount of the bond proceeds that may be utilized for any such capital

1 improvement project shall be subject to approval by the state finance
 2 council acting on this matter which is hereby characterized as a matter
 3 of legislative delegation and subject to the guidelines prescribed in sub-
 4 section (c) of K.S.A. 75-3711c, and amendments thereto, except that such
 5 approval also may be given while the legislature is in session: *And pro-*
 6 *vided further*, That, in addition to such project costs, any such amount of
 7 bond proceeds may include costs of issuance, capitalized interest and any
 8 required reserves for the payment of principal and interest on such bonds:
 9 *And provided further*, That all moneys received from the issuance of any
 10 such bonds shall be deposited and accounted for as prescribed by appli-
 11 cable bond covenants: *And provided further*, That payments relating to
 12 principal and interest on such bonds shall be subject to and dependent
 13 upon annual appropriations therefor to the state educational institution
 14 for which the bonds are issued: *And provided further*, That each energy
 15 conservation capital improvement project for which bonds are issued for
 16 financing under this subsection shall be designed and completed in order
 17 to have cost savings sufficient to be equal or greater than the cost of debt
 18 service on such bonds: *And provided further*, That the state board of
 19 regents shall prepare and submit a report to the committee on appropri-
 20 ations of the house of representatives and the committee on ways and
 21 means of the senate on the savings attributable to energy conservation
 22 capital improvements for which bonds are issued for financing under this
 23 subsection at the beginning of the 2011 regular session of the legislature.

24 (2) As used in this subsection, "state educational institution" includes
 25 each state educational institution as defined in K.S.A. 76-711, and amend-
 26 ments thereto.

27 (f) There is appropriated for the above agency from the state economic
 28 development initiatives fund for the fiscal year ending June 30, 2011, the
 29 following:

30 SEDIF — vocational education capital outlay aid..... \$2,565,000

31 *Provided*, That expenditures from the SEDIF — vocational education
 32 capital outlay aid account for each grant of vocational education capital
 33 outlay aid shall be matched by the postsecondary institution awarded such
 34 grant in an amount which is equal to 50% of the grant: *Provided further*,
 35 That any unencumbered balance in excess of \$100 as of June 30, 2010,
 36 in the SEDIF — vocational education capital outlay aid account is hereby
 37 reappropriated for fiscal year 2011.

38 SEDIF — technology innovation and internship
 39 program \$180,500

40 *Provided*, That any unencumbered balance in excess of \$100 as of June
 41 30, 2010, in the SEDIF — technical innovation and internship program
 42 account is hereby reappropriated for fiscal year 2011.

43 (g) There is appropriated for the above agency from the Kansas edu-

1 cational building fund for the fiscal year ending June 30, 2011, the fol-
2 lowing:

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

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

8 (h) During the fiscal year ending June 30, 2011, notwithstanding any
9 provisions of subsection (f) of K.S.A. 2009 Supp. 66-2010, and amend-
10 ments thereto, as such subsection existed prior to June 30, 2009, to the
11 contrary, the amount of \$10,000,000 shall be certified before July 1, 2011,
12 by the chief executive officer of the state board of regents to the admin-
13 istrator of the KUSF and the administrator of the KUSF shall pay such
14 amount from the Kansas universal service fund of the state corporation
15 commission to the KAN-ED fund of the state board of regents during
16 the fiscal year 2011 in accordance with the provisions of subsections (f)(1)
17 and (f)(2) of K.S.A. 2009 Supp. 66-2010, and amendments thereto, as
18 such subsections existed prior to June 30, 2009.

19 Sec. 85.

20 DEPARTMENT OF CORRECTIONS

21 (a) There is appropriated for the above agency from the state general
22 fund for the fiscal year ending June 30, 2011, the following:

23 Operating expenditures \$23,367,545

24 *Provided*, That any unencumbered balance in the operating expenditures
25 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
26 for fiscal year 2011: *Provided, however*, That expenditures from the op-
27 erating expenditures account for official hospitality shall not exceed
28 \$2,000.

29 Community corrections \$16,998,912

30 *Provided*, That any unencumbered balance in the community corrections
31 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
32 for fiscal year 2011: *Provided, however*, That no expenditures may be
33 made by any county from any grant made to such county from the com-
34 munity corrections account for either half of state fiscal year 2011 which
35 supplant any amount of local public or private funding of existing pro-
36 grams as determined in accordance with rules and regulations adopted
37 by the secretary of corrections.

38 Local jail payments \$1,100,000

39 *Provided*, That, notwithstanding the provisions of K.S.A. 19-1930, and
40 amendments thereto, payments by the department of corrections under
41 subsection (b) of K.S.A. 19-1930, and amendments thereto, for the cost
42 of maintenance of prisoners shall not exceed the per capita daily operating
43 cost, not including inmate programs, for the department of corrections.

1 Treatment and programs \$45,463,886
2 *Provided*, That any unencumbered balance in the treatment and pro-
3 grams account in excess of \$100 as of June 30, 2010, is hereby reappro-
4 priated for fiscal year 2011.
5 Topeka correctional facility — facilities operations \$13,084,057
6 *Provided*, That any unencumbered balance in the Topeka correctional
7 facility — facilities operations account in excess of \$100 as of June 30,
8 2010, is hereby reappropriated for fiscal year 2011: *Provided, however*,
9 That expenditures from the Topeka correctional facility — facilities op-
10 erations account for official hospitality shall not exceed \$500.
11 Hutchinson correctional facility — facilities operations \$8,308,154
12 *Provided*, That any unencumbered balance in the Hutchinson correc-
13 tional facility — facilities operations account in excess of \$100 as of June
14 30, 2010, is hereby reappropriated for fiscal year 2011: *Provided, how-*
15 *ever*, That expenditures from the Hutchinson correctional facility — fa-
16 cilities operations account for official hospitality shall not exceed \$500.
17 Lansing correctional facility — facilities operations \$38,326,136
18 *Provided*, That any unencumbered balance in the Lansing correctional
19 facility — facilities operations account in excess of \$100 as of June 30,
20 2010, is hereby reappropriated for fiscal year 2011: *Provided, however*,
21 That expenditures from the Lansing correctional facility — facilities op-
22 erations account for official hospitality shall not exceed \$500.
23 Ellsworth correctional facility — facilities operations \$12,936,609
24 *Provided*, That any unencumbered balance in the Ellsworth correctional
25 facility — facilities operations account in excess of \$100 as of June 30,
26 2010, is hereby reappropriated for fiscal year 2011: *Provided, however*,
27 That expenditures from the Ellsworth correctional facility — facilities
28 operations account for official hospitality shall not exceed \$500.
29 Winfield correctional facility — facilities operations \$2,682,562
30 *Provided*, That any unencumbered balance in the Winfield correctional
31 facility — facilities operations account in excess of \$100 as of June 30,
32 2010, is hereby reappropriated for fiscal year 2011: *Provided, however*,
33 That expenditures from the Winfield correctional facility — facilities op-
34 erations account for official hospitality shall not exceed \$500.
35 Norton correctional facility — facilities operations \$3,601,602
36 *Provided*, That any unencumbered balance in the Norton correctional
37 facility — facilities operations account in excess of \$100 as of June 30,
38 2010, is hereby reappropriated for fiscal year 2011: *Provided, however*,
39 That expenditures from the Norton correctional facility — facilities op-
40 erations account for official hospitality shall not exceed \$500.
41 El Dorado correctional facility — facilities operations..... \$23,735,057
42 *Provided*, That any unencumbered balance in the El Dorado correctional
43 facility — facilities operations account in excess of \$100 as of June 30,

1 2010, is hereby reappropriated for fiscal year 2011: *Provided, however,*
2 That expenditures from the El Dorado correctional facility — facilities
3 operations account for official hospitality shall not exceed \$500.

4 Larned correctional mental health facility — facilities
5 operations..... \$9,950,415

6 *Provided,* That any unencumbered balance in the Larned correctional
7 mental health facility — facilities operations account in excess of \$100 as
8 of June 30, 2010, is hereby reappropriated for fiscal year 2011: *Provided,*
9 *however,* That expenditures from the Larned correctional mental health
10 facility — facilities operations account for official hospitality shall not
11 exceed \$500.

12 Facilities operations..... \$13,700,482

13 *Provided,* That any unencumbered balance in the facilities operations
14 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
15 for fiscal year 2011.

16 Any unencumbered balance in excess of \$100 as of June 30, 2010, in each
17 of the following accounts is hereby reappropriated for fiscal year 2011:
18 Community correctional conservation camps; reentry programs.

19 Any unencumbered balance in the DUI treatment services account in
20 excess of \$100 as of June 30, 2010, is hereby reappropriated for the fiscal
21 year 2011: *Provided further,* That expenditures may be made from the
22 DUI treatment services account for payments associated with providing
23 treatment services to offenders who were driving under the influence of
24 alcohol or drugs regardless of when the services were rendered.

25 (b) There is appropriated for the above agency from the following spe-
26 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
27 moneys now or hereafter lawfully credited to and available in such fund
28 or funds, except that expenditures other than refunds authorized by law
29 shall not exceed the following:

30 Other federal grants fund..... No limit

31 *Provided,* That the above agency is authorized to make expenditures from
32 the other federal grants fund of any moneys credited to this fund from
33 any individual grant if the grant: (1) Is less than or equal to \$1,000,000
34 in the aggregate, and (2) does not require the matching expenditure of
35 any other moneys in the state treasury during fiscal year 2011 other than
36 moneys appropriated by this or other appropriation act of the 2010 reg-
37 ular session of the legislature: *Provided, however,* That, upon application
38 to and authorization by the governor, the above agency may make ex-
39 penditures of moneys credited to this fund from any individual federal
40 grant which is more than \$1,000,000 in the aggregate or which requires
41 the matching expenditure of moneys in the state treasury during the cur-
42 rent or any ensuing fiscal year.

43 Federal flexible fiscal stabilization fund No limit

| | | |
|----|---|----------|
| 1 | Supervision fees fund..... | No limit |
| 2 | Residential substance abuse treatment — federal fund | No limit |
| 3 | Recovery act justice assistance — federal fund | No limit |
| 4 | Department of corrections state asset forfeiture fund | No limit |
| 5 | Chapter I — federal fund..... | No limit |
| 6 | Victims of crime act — federal fund | No limit |
| 7 | Correctional industries fund..... | No limit |
| 8 | <i>Provided</i> , That expenditures may be made from the correctional industries fund for official hospitality. | |
| 9 | | |
| 10 | Alcohol and drug abuse treatment fund..... | No limit |
| 11 | <i>Provided</i> , That expenditures may be made from the alcohol and drug abuse fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered. | |
| 12 | | |
| 13 | | |
| 14 | | |
| 15 | State of Kansas — department of corrections inmate benefit fund..... | No limit |
| 16 | | |
| 17 | Department of corrections — alien incarceration grant fund — federal..... | No limit |
| 18 | | |
| 19 | Department of corrections — general fees fund | No limit |
| 20 | <i>Provided</i> , That expenditures may be made from the department of corrections — general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: <i>Provided further</i> , That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: <i>And provided further</i> , That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to this fund. | |
| 21 | | |
| 22 | | |
| 23 | | |
| 24 | | |
| 25 | | |
| 26 | | |
| 27 | | |
| 28 | | |
| 29 | | |
| 30 | | |
| 31 | JEHT reentry program fund..... | No limit |
| 32 | Topeka correctional facility — community development block grant — federal fund | No limit |
| 33 | | |
| 34 | Topeka correctional facility — bureau of prisons contract — federal fund..... | No limit |
| 35 | | |
| 36 | Topeka correctional facility — general fees fund..... | No limit |
| 37 | Topeka correctional facility — laundry equipment depreciation reserve fund | No limit |
| 38 | | |
| 39 | Hutchinson correctional facility — general fees fund..... | No limit |
| 40 | Federal flexible fiscal stabilization fund — Hutchinson correctional facility..... | No limit |
| 41 | | |
| 42 | Lansing correctional facility — general fees fund..... | No limit |
| 43 | Ellsworth correctional facility — general fees fund..... | No limit |

| | | |
|----|---|----------|
| 1 | Winfield correctional facility — general fees fund..... | No limit |
| 2 | Federal flexible fiscal stabilization fund — Winfield cor- | |
| 3 | rectional facility..... | No limit |
| 4 | Norton correctional facility — general fees fund..... | No limit |
| 5 | Federal flexible fiscal stabilization fund — Norton correc- | |
| 6 | tional facility..... | No limit |
| 7 | El Dorado correctional facility — general fees fund..... | No limit |
| 8 | Larned correctional mental health facility — general fees | |
| 9 | fund..... | No limit |
| 10 | Correctional services special revenue fund..... | No limit |

11 (c) During the fiscal year ending June 30, 2011, the secretary of cor-
 12 rections, with the approval of the director of the budget, may transfer any
 13 part of any item of appropriation for the fiscal year ending June 30, 2011,
 14 from the state general fund for the department of corrections or any
 15 correctional institution or facility under the general supervision and man-
 16 agement of the secretary of corrections to another item of appropriation
 17 for fiscal year 2011 from the state general fund for the department of
 18 corrections or any correctional institution or facility under the general
 19 supervision and management of the secretary of corrections. The secre-
 20 tary of corrections shall certify each such transfer to the director of ac-
 21 counts and reports and shall transmit a copy of each such certification to
 22 the director of legislative research.

23 (d) (1) During the fiscal year ending June 30, 2011, the secretary of
 24 corrections, subject to the applicable restrictions and limitations or other
 25 provisions of federal grant agreements, is hereby authorized to transfer
 26 moneys received under a federal grant that are credited to a federal fund
 27 of the department of corrections or any correctional institution or facility
 28 under the general supervision and management of the secretary of cor-
 29 rections to another federal fund for the fiscal year ending June 30, 2011,
 30 for the department of corrections or any correctional institution or facility
 31 under the general supervision and management of the secretary of cor-
 32 rections. The secretary of corrections shall certify each such transfer to
 33 the director of accounts and reports and shall transmit a copy of each
 34 such certification to the director of the budget and the director of legis-
 35 lative research.

36 (2) As used in this subsection (d), “federal fund” means the federal
 37 flexible fiscal stabilization fund, the federal flexible fiscal stabilization fund
 38 — Hutchinson correctional facility, the federal flexible fiscal stabilization
 39 fund — Winfield correctional facility, and the federal flexible fiscal sta-
 40 bilization fund — Norton correctional facility.

41 (e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments
 42 thereto, or any other statute, the director of accounts and reports shall
 43 accept for payment from the secretary of corrections any duly authorized

1 claim to be paid from the local jail payments account of the state general
 2 fund during fiscal year 2011 for costs pursuant to subsection (b) of K.S.A.
 3 19-1930, and amendments thereto, even though such claim is not sub-
 4 mitted or processed for payment within the fiscal year in which the service
 5 is rendered and whether or not the services were rendered prior to the
 6 effective date of this act.

7 (f) Notwithstanding the provisions of K.S.A. 75-3731, and amendments
 8 thereto, or any other statute, the director of accounts and reports shall
 9 accept for payment from the director of Kansas correctional industries
 10 any duly authorized claim to be paid from the correctional industries fund
 11 during fiscal year 2011 for operating or manufacturing costs even though
 12 such claim is not submitted or processed for payment within the fiscal
 13 year in which the service is rendered and whether or not the services
 14 were rendered prior to the effective date of this act. The director of
 15 Kansas correctional industries shall provide to the director of the budget
 16 on or before September 15, 2010, a detailed accounting of all such pay-
 17 ments made from the correctional industries fund during fiscal year 2011.

18 (g) On July 1, 2010, October 1, 2010, January 1, 2011, and April 1,
 19 2011, or as soon after each such date as moneys are available, the director
 20 of accounts and reports shall transfer \$233,750 from the correctional in-
 21 dustries fund to the department of corrections — general fees fund.

22 (h) On July 1, 2010 or as soon thereafter as moneys are available, the
 23 director of accounts and reports shall transfer \$500,000 from the correc-
 24 tional industries fund to the state general fund: *Provided*, That the trans-
 25 fer of such amount shall be in addition to any other transfer from the
 26 correctional industries fund to the state general fund as prescribed by
 27 law: *Provided further*, That the amount transferred from the correctional
 28 industries fund to the state general fund pursuant to this subsection is to
 29 reimburse the state general fund for accounting, auditing, budgeting, le-
 30 gal, payroll, personnel and purchasing services and any other govern-
 31 mental services which are performed on behalf of the department of
 32 corrections by other state agencies which receive appropriations from the
 33 state general fund to provide such services.

34 Sec. 86.

35 JUVENILE JUSTICE AUTHORITY

36 (a) There is appropriated for the above agency from the state general
 37 fund for the fiscal year ending June 30, 2011, the following:

38 Operating expenditures \$3,683,033

39 *Provided*, That any unencumbered balance in the operating expenditures
 40 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
 41 for fiscal year 2011: *Provided, however*, That expenditures from the op-
 42 erating expenditures account for official hospitality shall not exceed
 43 \$2,000.

1 Management information systems..... \$1,108,092
2 *Provided*, That any unencumbered balance in the management infor-
3 mation systems account in excess of \$100 as of June 30, 2010, is hereby
4 reappropriated for fiscal year 2011.

5 Kansas juvenile correctional complex facility operations ... \$16,856,354
6 *Provided*, That any unencumbered balance in the Kansas juvenile cor-
7 rectional complex facility operations account in excess of \$100 as of June
8 30, 2010, are hereby reappropriated to the Kansas juvenile correctional
9 complex facility operations account for fiscal year 2011: *Provided further*,
10 That expenditures may be made from this account for educational services
11 contracts which are hereby authorized to be negotiated and entered into
12 by the above agency with unified school districts or other public educa-
13 tional services providers: *And provided further*, That such educational
14 services contracts shall not be subject to the competitive bid requirements
15 of K.S.A. 75-3739, and amendments thereto.

16 Larned juvenile correctional facility operations \$8,719,585
17 *Provided*, That any unencumbered balance in the Larned juvenile cor-
18 rectional facility operations account in excess of \$100 as of June 30, 2010,
19 is hereby reappropriated for fiscal year 2011: *Provided further*, That ex-
20 penditures may be made from this account for educational services con-
21 tracts which are hereby authorized to be negotiated and entered into by
22 the above agency with unified school districts or other public educational
23 services providers: *And provided further*, That such educational services
24 contracts shall not be subject to the competitive bidding requirements of
25 K.S.A. 75-3739, and amendments thereto.

26 Purchase of services..... \$23,353,176
27 Intervention and graduated sanctions community grants .. \$14,408,639
28 (b) There is appropriated for the above agency from the children’s
29 initiatives fund for the fiscal year ending June 30, 2011, the following:

30 Prevention program grant..... \$3,785,814
31 *Provided*, That any unencumbered balance in the prevention program
32 grant account in excess of \$100 as of June 30, 2010, is hereby reappro-
33 priated for fiscal year 2011: *Provided further*, That money awarded as
34 grants from this account is not an entitlement to communities, but a grant
35 that must meet conditions prescribed by the above agency for appropriate
36 outcomes.

37 Intervention and graduated sanctions community grants .. \$5,214,186
38 *Provided*, That any unencumbered balance in the intervention and grad-
39 uated sanctions community grants account in excess of \$100 as of June
40 30, 2010, is hereby reappropriated for fiscal year 2011.

41 (c) There is appropriated for the above agency from the following spe-
42 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
43 moneys now or hereafter lawfully credited to and available in such fund

1 or funds, except that expenditures other than refunds authorized by law
 2 shall not exceed the following:

| | | |
|----|--|-------------|
| 3 | Title XIX fund | No limit |
| 4 | Title IV-E fund | No limit |
| 5 | Juvenile accountability incentive block grant — federal | |
| 6 | fund..... | No limit |
| 7 | Juvenile justice delinquency prevention — federal fund... | No limit |
| 8 | Juvenile detention facilities fund..... | \$4,115,404 |
| 9 | Juvenile justice fee fund — central office..... | No limit |
| 10 | Juvenile justice federal fund — Beloit juvenile correctional | |
| 11 | facility..... | No limit |
| 12 | Juvenile justice federal fund — Larned juvenile correc- | |
| 13 | tional facility | No limit |
| 14 | Juvenile justice federal fund — Kansas juvenile correc- | |
| 15 | tional complex..... | No limit |
| 16 | Juvenile justice federal fund..... | No limit |
| 17 | Byrne grant — federal fund — Kansas juvenile correc- | |
| 18 | tional complex..... | No limit |
| 19 | Recovery act Byrne grant — federal fund — Kansas ju- | |
| 20 | venile correctional complex..... | No limit |
| 21 | Federal Byrne justice assistance grant — ARRA — federal | |
| 22 | fund — Larned juvenile correctional facility..... | No limit |
| 23 | Federal Byrne justice assistance grant — JAG — federal | |
| 24 | fund — Larned juvenile justice correctional facility .. | No limit |
| 25 | Kansas juvenile delinquency prevention trust fund..... | No limit |
| 26 | Byrne grant — federal fund..... | No limit |
| 27 | Atchison youth residential center fee fund | No limit |
| 28 | Beloit juvenile correctional facility fee fund..... | No limit |
| 29 | Larned juvenile correctional facility fee fund..... | No limit |
| 30 | Larned juvenile correctional facility — elementary and sec- | |
| 31 | ondary education fund — federal..... | No limit |
| 32 | Kansas juvenile correctional complex fee fund..... | No limit |
| 33 | Kansas juvenile correctional complex — elementary and | |
| 34 | secondary education fund — federal..... | No limit |
| 35 | Kansas juvenile correctional complex — gifts, grants, and | |
| 36 | donations fund | No limit |

37 (d) During the fiscal year ending June 30, 2011, the commissioner of
 38 juvenile justice, with the approval of the director of the budget, may
 39 transfer any part of any item of appropriation for the fiscal year ending
 40 June 30, 2011, from the state general fund for the juvenile justice au-
 41 thority or any juvenile correctional facility or institution under the general
 42 supervision and management of the commissioner of juvenile justice to
 43 another item of appropriation for fiscal year 2011 from the state general

1 fund for the juvenile justice authority or any juvenile correctional facility
2 or institution under the general supervision and management of the com-
3 missioner of juvenile justice. The commissioner of juvenile justice shall
4 certify each such transfer to the director of accounts and reports and shall
5 transmit a copy of each such certification to the director of legislative
6 research.

7 (e) During the fiscal year ending June 30, 2011, the commissioner of
8 juvenile justice, with the approval of the director of the budget, may
9 transfer any part of any item of appropriation for the fiscal year ending
10 June 30, 2011, from the children’s initiatives fund for the juvenile justice
11 authority to another item of appropriation for fiscal year 2011 from the
12 children’s initiatives fund for the juvenile justice authority. The commis-
13 sioner of juvenile justice shall certify each such transfer to the director of
14 accounts and reports and shall transmit a copy of each such certification
15 to the director of legislative research.

16 (f) In addition to the other purposes for which expenditures may be
17 made by the juvenile justice authority from the juvenile detention facili-
18 ties fund for fiscal year 2011, notwithstanding the provisions of K.S.A. 79-
19 4803, and amendments thereto, the juvenile justice authority is hereby
20 authorized and directed to make expenditures from the juvenile detention
21 facilities fund for fiscal year 2011 for purchase of services.

22 Sec. 87.

23 ADJUTANT GENERAL

24 (a) There is appropriated for the above agency from the state general
25 fund for the fiscal year ending June 30, 2011, the following:

| | | |
|----|--|-------------|
| 26 | Operating expenditures | \$4,699,766 |
| 27 | <i>Provided</i> , That any unencumbered balance in the operating expenditures | |
| 28 | account in excess of \$100 as of June 30, 2010, is hereby reappropriated | |
| 29 | for fiscal year 2011: <i>Provided, however</i> , That expenditures from this ac- | |
| 30 | count for official hospitality shall not exceed \$1,250. | |
| 31 | Disaster relief | \$5,173,836 |
| 32 | <i>Provided</i> , That any unencumbered balance in the disaster relief account | |
| 33 | in excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal | |
| 34 | year 2011. | |
| 35 | Incident management team | \$16,415 |
| 36 | <i>Provided</i> , That any unencumbered balance in the incident management | |
| 37 | team account in excess of \$100 as of June 30, 2010, is hereby reappro- | |
| 38 | priated for fiscal year 2011. | |
| 39 | Civil air patrol — operating expenditures..... | \$36,496 |
| 40 | Military activation payments..... | \$45,002 |
| 41 | <i>Provided</i> , That all expenditures from the military activation payments | |
| 42 | account shall be for military activation payments authorized by and sub- | |
| 43 | ject to the provisions of K.S.A. 2009 Supp. 75-3228, and amendments | |

1 thereto: *Provided further*, That any unencumbered balance in the military
2 activation payments account in excess of \$100 as of June 30, 2010, is
3 hereby reappropriated for fiscal year 2011.

4 Kansas military emergency relief \$46,104

5 *Provided*, That expenditures may be made from the Kansas military emer-
6 gency relief account of the state general fund for grants and interest-free
7 loans, which are hereby authorized to be entered into by the adjutant
8 general with repayment provisions and other terms and conditions in-
9 cluding eligibility as may be prescribed by the adjutant general therefor,
10 to members and families of the Kansas army and air national guard and
11 members and families of the reserve forces of the United States of Amer-
12 ica who are Kansas residents, during the period preceding, during and
13 after mobilization to provide assistance to eligible family members ex-
14 periencing financial emergencies: *Provided further*, That such assistance
15 may include, but shall not be limited to, medical, funeral, emergency
16 travel, rent, utilities, child care, food expenses and other unanticipated
17 emergencies: *And provided further*, That any moneys received by the
18 adjutant general in repayment of any grants or interest-free loans made
19 from the Kansas military emergency relief account of the state general
20 fund shall be deposited in the state treasury in accordance with the pro-
21 visions of K.S.A. 75-4215, and amendments thereto, and shall be credited
22 to the Kansas military emergency relief fund.

23 (b) There is appropriated for the above agency from the following special
24 revenue fund or funds for the fiscal year ending June 30, 2011, all
25 moneys now or hereafter lawfully credited to and available in such fund
26 or funds, except that expenditures other than refunds authorized by law
27 shall not exceed the following:

| | |
|---|----------|
| 28 Conversion of materials and equipment fund — military | |
| 29 division | No limit |
| 30 Adjutant general expense fund | No limit |
| 31 Emergency management — federal fund matching — | |
| 32 equipment fund..... | No limit |
| 33 Emergency management — federal fund matching — ad- | |
| 34 ministration fund..... | No limit |
| 35 Nuclear safety emergency management fee fund | No limit |
| 36 <i>Provided</i> , That, notwithstanding the provisions of any other statute, the | |
| 37 adjutant general may make transfers of moneys from the nuclear safety | |
| 38 emergency management fee fund to other state agencies for fiscal year | |
| 39 2011 pursuant to agreements which are hereby authorized to be entered | |
| 40 into by the adjutant general with other state agencies to provide appro- | |
| 41 priate emergency management plans to administer the Kansas nuclear | |
| 42 safety emergency management act. | |
| 43 Military fees fund — federal..... | No limit |

1 *Provided*, That all moneys received by the adjutant general from the fed-
2 eral government for reimbursement for expenditures made under agree-
3 ments with the federal government shall be deposited in the state treasury
4 in accordance with the provisions of K.S.A. 75-4215, and amendments
5 thereto, and shall be credited to the military fees fund — federal.

| | | |
|----|---|----------|
| 6 | Emergency management — federal fund..... | No limit |
| 7 | Homeland security federal fund | No limit |
| 8 | Homeland security interest — federal fund..... | No limit |
| 9 | Armories and units general fees fund | No limit |
| 10 | Emergency management — disaster fund — federal | |
| 11 | fund..... | No limit |
| 12 | State emergency fund allocation — several disasters | |
| 13 | fund..... | No limit |
| 14 | State emergency fund allocation — weather related emer- | |
| 15 | gencies fund | No limit |
| 16 | State emergency fund — weather disasters | No limit |
| 17 | State emergency fund — assistance fund | No limit |
| 18 | Radioactive materials fund..... | No limit |
| 19 | Hazardous materials emergency preparedness federal | |
| 20 | fund..... | No limit |
| 21 | Civil air patrol — grants and contributions — federal | |
| 22 | fund..... | No limit |
| 23 | Emergency management performance grant (EMPG) — | |
| 24 | federal fund..... | No limit |
| 25 | NG — federal forfeiture fund | No limit |
| 26 | Inaugural expense fund | No limit |
| 27 | Indirect cost — federal fund..... | No limit |
| 28 | Kansas military emergency relief fund..... | No limit |

29 *Provided*, That expenditures may be made from the Kansas military emer-
30 gency relief fund for grants and interest-free loans, which are hereby
31 authorized to be entered into by the adjutant general with repayment
32 provisions and other terms and conditions including eligibility as may be
33 prescribed by the adjutant general therefor, to members and families of
34 the Kansas army and air national guard and members and families of the
35 reserve forces of the United States of America who are Kansas residents,
36 during the period preceding, during and after mobilization to provide
37 assistance to eligible family members experiencing financial emergencies:
38 *Provided further*, That such assistance may include, but shall not be lim-
39 ited to, medical, funeral, emergency travel, rent, utilities, child care, food
40 expenses and other unanticipated emergencies: *And provided further*,
41 That any moneys received by the adjutant general in repayment of any
42 grants or interest-free loans made from the Kansas military emergency
43 relief fund shall be deposited in the state treasury in accordance with the

1 provisions of K.S.A. 75-4215, and amendments thereto, and shall be cred-
2 ited to the Kansas military emergency relief fund.

| | |
|--|----------|
| 3 National guard life insurance premium reimbursement | |
| 4 fund..... | No limit |
| 5 Emergency management assistance compact federal | |
| 6 fund..... | No limit |
| 7 Public safety interoperable communications grant program | |
| 8 federal fund..... | No limit |
| 9 Military construction national guard federal fund..... | No limit |
| 10 National guard civilian youth opportunities federal fund .. | No limit |
| 11 Community economic assistance brac federal fund..... | No limit |
| 12 Hazard mitigation grant federal fund..... | No limit |
| 13 Other needs or individual assistance federal fund..... | No limit |
| 14 Citizen corps federal fund | No limit |
| 15 Law enforcement terrorism prevention program federal | |
| 16 fund..... | No limit |
| 17 COPS federal fund | No limit |
| 18 IECGP federal fund | No limit |
| 19 NOAA weather alert grant federal fund..... | No limit |
| 20 National guard museum assistance fund | No limit |

21 *Provided*, That all expenditures from the national guard museum assis-
22 tance fund shall be made for an expansion of the 35th infantry division
23 museum and education center facility.

| | |
|--|----------|
| 24 Great plains joint regional training center fee fund..... | No limit |
|--|----------|

25 *Provided*, That expenditures may be made from the great plains joint
26 regional training center fee fund for use of the great plains joint regional
27 training center by other state agencies, local government agencies, for-
28 profit organizations and not-for-profit organizations: *Provided further*,
29 That the adjutant general is hereby authorized to fix, charge and collect
30 fees for recovery of costs associated with the use of the great plains joint
31 regional training center by other state agencies, local government agen-
32 cies, for-profit organizations and not-for-profit organizations: *And pro-*
33 *vided further*, That such fees shall be fixed in order to recover all or part
34 of the expenses incurred in providing for the use of the great plains joint
35 regional training center by other state agencies, local government agen-
36 cies, for-profit organizations and not-for-profit organizations: *And pro-*
37 *vided further*, That all fees received for use of the great plains joint re-
38 gional training center by other state agencies, local government agencies,
39 for-profit organizations or not-for-profit organizations shall be deposited
40 in the state treasury in accordance with the provisions of K.S.A. 75-4215,
41 and amendments thereto, and shall be credited to the great plains joint
42 regional training center fee fund.

43 (c) In addition to the other purposes for which expenditures may be

1 made by the adjutant general from moneys appropriated from the state
 2 general fund or from any special revenue fund for fiscal year 2011 and
 3 from which expenditures may be made for salaries and wages, as author-
 4 ized by this or other appropriation act of the 2010 regular session of the
 5 legislature, expenditures may be made by the adjutant general from such
 6 moneys appropriated from the state general fund or from any special
 7 revenue fund for fiscal year 2011, notwithstanding the provisions of K.S.A.
 8 48-205, and amendments thereto, or any other statute, in addition to
 9 expenditures for other positions within the adjutant general's department
 10 in the unclassified service as prescribed by law: *Provided*, That the ad-
 11 jutant general may appoint a deputy adjutant general, who shall have no
 12 military command authority, and who may be a civilian and shall have
 13 served at least five years as a commissioned officer with the Kansas na-
 14 tional guard, who will perform such duties as the adjutant general shall
 15 assign, and who will serve in the unclassified service under the Kansas
 16 civil service act: *Provided further*, That the position of such deputy ad-
 17 jutant general in the unclassified service under the Kansas civil service
 18 act shall be established by the adjutant general within the position limi-
 19 tation established for the adjutant general on the number of full-time and
 20 regular part-time positions equated to full- time, excluding seasonal and
 21 temporary positions, paid from appropriations for fiscal year 2011 made
 22 by this or other appropriation act of the 2010 regular session of the leg-
 23 islature.

24 Sec. 88.

25 STATE FIRE MARSHAL

26 (a) There is appropriated for the above agency from the following spe-
 27 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 28 moneys now or hereafter lawfully credited to and available in such fund
 29 or funds, except that expenditures, other than refunds authorized by law,
 30 purchases of nationally recognized adopted codes for resale and federally
 31 reimbursed overtime, shall not exceed the following:

32 Fire marshal fee fund \$3,628,715

33 *Provided*, That expenditures from the fire marshal fee fund for official
 34 hospitality shall not exceed \$500.

35 Other federal grants fund No limit

36 *Provided*, That the above agency is authorized to make expenditures from
 37 the other federal grants fund of any moneys credited to this fund from
 38 any individual grant if the grant: (1) Is less than or equal to \$250,000 in
 39 the aggregate, and (2) does not require the matching expenditure of any
 40 other moneys in the state treasury during fiscal year 2011 other than
 41 moneys appropriated by this or other appropriation act of the 2010 reg-
 42 ular session of the legislature: *Provided, however*, That, upon application
 43 to and authorization by the governor, the above agency may make ex-

1 expenditures of moneys credited to this fund from any individual federal
2 grant which is more than \$250,000 in the aggregate or which requires the
3 matching expenditure of moneys in the state treasury during the current
4 or any ensuing fiscal year.

| | |
|--|-----------|
| 5 Gifts, grants and donations fund | No limit |
| 6 Hazardous material program fund..... | \$377,155 |
| 7 Intragovernmental service fund | No limit |
| 8 State fire marshal liquefied petroleum gas fee fund..... | \$174,803 |
| 9 Hazardous materials emergency fund..... | \$250,000 |

10 *Provided*, That expenditures may be made by the state fire marshal from
11 the hazardous materials emergency fund for fiscal year 2011 for the pur-
12 poses of responding to specific incidences of emergencies related to haz-
13 ardous materials without prior approval of the state finance council: *Pro-*
14 *vided, however*, That expenditures from the hazardous materials
15 emergency fund during fiscal year 2011 for the purposes of responding
16 to any specific incidence of an emergency related to hazardous materials
17 without prior approval by the state finance council shall not exceed
18 \$25,000, except upon approval by the state finance council acting on this
19 matter which is hereby characterized as a matter of legislative delegation
20 and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-
21 3711c, and amendments thereto, except that such approval also may be
22 given while the legislature is in session.

| | |
|--|----------|
| 23 Fire safety standard and firefighter protection act enforce- | |
| 24 ment fund | No limit |
| 25 Cigarette fire safety standard and firefighter protection act | |
| 26 fund..... | No limit |

27 (b) On July 1, 2010, and January 1, 2011, or as soon after each such
28 date as moneys are available, the director of accounts and reports shall
29 transfer \$188,458 from the fire marshal fee fund to the hazardous material
30 program fund of the state fire marshal.

31 (c) During the fiscal year ending June 30, 2011, notwithstanding the
32 provisions of any other statute, the state fire marshal, with the approval
33 of the director of the budget, may transfer funds from the fire marshal
34 fee fund to the hazardous materials emergency fund of the state fire
35 marshal. The state fire marshal shall certify each such transfer to the
36 director of accounts and reports and shall transmit a copy of each such
37 certification to the director of legislative research. *Provided*, That the
38 aggregate amount of such transfers for the fiscal year ending June 30,
39 2011, shall not exceed \$50,000.

40 (d) During the fiscal year ending June 30, 2011, the director of the
41 budget and the director of legislative research shall consult periodically
42 and review the balance credited to and the estimated receipts to be cred-
43 ited to the fire marshal fee fund during fiscal year 2011, and, upon a

1 finding by the director of the budget in consultation with the director of
2 legislative research that the total of the unencumbered balance and es-
3 timated receipts to be credited to the fire marshal fee fund during fiscal
4 year 2011 are insufficient to fund the budgeted expenditures and transfers
5 from the fire marshal fee fund for fiscal year 2011 in accordance with the
6 provisions of appropriation acts, the director of the budget shall certify
7 such finding to the director of accounts and reports. Upon receipt of any
8 such certification, the director of accounts and reports shall transfer the
9 amount of moneys from the hazardous materials emergency fund to the
10 fire marshal fee fund that is required, in accordance with the certification
11 by the director of the budget under this subsection, to fund the budgeted
12 expenditures and transfers from the fire marshal fee fund for the re-
13 mainder of fiscal year 2011 in accordance with the provisions of appro-
14 priation acts, as specified by the director of the budget pursuant to such
15 certification.

16 (e) During the fiscal year ending June 30, 2011, the director of the
17 budget and the director of legislative research shall consult periodically
18 and review the balance credited to and the estimated receipts to be cred-
19 ited to the fire marshal fee fund and any other resources available to the
20 fire marshal fee fund during the fiscal year 2011, and, upon a finding by
21 the director of the budget in consultation with the director of legislative
22 research that the total of the unencumbered balance and estimated re-
23 cepts to be credited to the fire marshal fee fund during fiscal year 2011
24 are insufficient to meet in full the estimated expenditures for fiscal year
25 2011 as they become due to meet the financial obligations imposed by
26 law on the fire marshal fee fund as a result of a cash flow shortfall, within
27 the authorized budgeted expenditures in accordance with the provisions
28 of appropriation acts, the director of the budget is authorized and directed
29 to certify such finding to the director of accounts and reports. Upon re-
30 cept of any such certification, the director of accounts and reports shall
31 transfer the amount of money specified in such certification from the
32 state general fund to the fire marshal fee fund in order to maintain the
33 cash flow of the fire marshal fee fund for such purposes for fiscal year
34 2011: *Provided*, That the aggregate amount of such transfers during fiscal
35 year 2011 pursuant to this subsection shall not exceed \$500,000. Within
36 one year from the date of each such transfer to the fire marshal fee fund
37 pursuant to this subsection, the director of accounts and reports shall
38 transfer the amount equal to the amount transferred from the state gen-
39 eral fund to the fire marshal fee fund from the fire marshal fee fund to
40 the state general fund in accordance with a certification for such purpose
41 by the director of the budget. At the same time as the director of the
42 budget transmits any certification under this subsection is transmitted to
43 the director of accounts and reports during fiscal year 2011, the director

1 of the budget shall transmit a copy of such certification to the director of
2 legislative research.

3 Sec. 89.

4 KANSAS PAROLE BOARD

5 (a) There is appropriated for the above agency from the state general
6 fund for the fiscal year ending June 30, 2011, the following:

7 Parole from adult correctional institutions..... \$510,135

8 *Provided*, That any unencumbered balance in the parole from adult cor-
9 rectional institutions account in excess of \$100 as of June 30, 2010, is
10 hereby reappropriated for fiscal year 2011.

11 Sec. 90.

12 KANSAS HIGHWAY PATROL

13 (a) There is appropriated for the above agency from the state general
14 fund for the fiscal year ending June 30, 2011, the following:

15 Operating expenditures \$31,938,642

16 *Provided*, That any unencumbered balance in the operating expenditures
17 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
18 for fiscal year 2011: *Provided, however*, That expenditures from the op-
19 erating expenditures account for official hospitality shall not exceed
20 \$3,000.

21 (b) There is appropriated for the above agency from the following spe-
22 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
23 moneys now or hereafter lawfully credited to and available in such fund
24 or funds, except that expenditures other than refunds authorized by law
25 shall not exceed the following:

26 General fees fund..... No limit

27 *Provided*, That all moneys received from the sale of used equipment,
28 recovery of and reimbursements for expenditures and any other source
29 of revenue shall be deposited in the state treasury and credited to the
30 general fees fund, except as otherwise provided by law.

31 Homeland security 2006 — federal fund No limit

32 Homeland security 2007 — federal fund No limit

33 Homeland security 2008 — federal fund No limit

34 Homeland security 2009 — federal fund No limit

35 Homeland security 2010 — federal fund No limit

36 Homeland security 2011 — federal fund No limit

37 For patrol of Kansas turnpike fund No limit

38 *Provided*, That expenditures shall be made from the for patrol of Kansas
39 turnpike fund for necessary moving expenses in accordance with K.S.A.
40 75-3225, and amendments thereto.

41 Highway patrol motor vehicle fund No limit

42 Highway patrol — federal fund No limit

43

1 Department of justice — federal recovery act — Edward
 2 J. Byrne memorial justice assistance grant program —
 3 federal fund..... No limit
 4 Department of justice, office of justice programs and bu-
 5 reau of justice assistance — recovery act rural law en-
 6 forcement grant program — federal fund..... No limit
 7 Kansas highway patrol state forfeiture fund..... No limit
 8 Gifts and donations fund No limit
 9 *Provided*, That expenditures from the gifts and donations fund for official
 10 hospitality shall not exceed \$1,000.
 11 Federal forfeiture fund No limit
 12 Motor carrier safety assistance program state fund No limit
 13 *Provided*, That expenditures shall be made from the motor carrier safety
 14 assistance program state fund for necessary moving expenses in accord-
 15 ance with K.S.A. 75-3225, and amendments thereto.
 16 Motor carrier safety assistance program — federal fund... No limit
 17 *Provided*, That expenditures shall be made from the motor carrier safety
 18 assistance program — federal fund for necessary moving expenses in ac-
 19 cordance with K.S.A. 75-3225, and amendments thereto.
 20 COPS grant — federal fund..... No limit
 21 Aircraft fund — on budget No limit
 22 Highway safety fund No limit
 23 Capitol area security fund..... No limit
 24 Vehicle identification number fee fund..... No limit
 25 Motor vehicle fuel and storeroom sales fund No limit
 26 *Provided*, That expenditures may be made from the motor vehicle fuel
 27 and storeroom sales fund to acquire and sell commodities and to provide
 28 services to local governments and other state agencies: *Provided further*,
 29 That the superintendent of the Kansas highway patrol is hereby author-
 30 ized to fix, charge and collect fees for such commodities and services:
 31 *And provided further*, That such fees shall be fixed in order to recover
 32 all or part of the expenses incurred in acquiring or providing and selling
 33 such commodities and services: *And provided further*, That all fees re-
 34 ceived for such commodities and services shall be deposited in the state
 35 treasury in accordance with the provisions of K.S.A. 75- 4215, and amend-
 36 ments thereto, and shall be credited to the motor vehicle fuel and store-
 37 room sales fund.
 38 Kansas highway patrol operations fund..... \$19,573,115
 39 *Provided*, That expenditures may be made from the Kansas highway pa-
 40 trol operations fund for the purchase of civilian clothing for members of
 41 the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105,
 42 and amendments thereto: *Provided further*, That the superintendent shall
 43 make expenditures from the Kansas highway patrol operations fund for

1 necessary moving expenses in accordance with K.S.A. 75-3225, and
2 amendments thereto.

3 Highway patrol training center fund..... No limit
4 *Provided*, That expenditures may be made from the highway patrol train-
5 ing center fund for use of the highway patrol training center by other
6 state agencies, local government agencies and not-for-profit organiza-
7 tions: *Provided further*, That the superintendent of the Kansas highway
8 patrol is hereby authorized to fix, charge and collect fees for recovery of
9 costs associated with use of the highway patrol training center by other
10 state agencies, local government agencies and not-for-profit organiza-
11 tions: *And provided further*, That such fees shall be fixed in order to
12 recover all or part of the expenses incurred in providing for the use of
13 the highway patrol training center by other state or local government
14 agencies: *And provided further*, That all fees received for use of the high-
15 way patrol training center by other state agencies, local government agen-
16 cies or not-for-profit organizations shall be deposited in the state treasury
17 in accordance with the provisions of K.S.A. 75-4215, and amendments
18 thereto, and shall be credited to the highway patrol training center fund.

19 Executive aircraft fund..... No limit
20 *Provided*, That expenditures may be made from the executive aircraft
21 fund to provide aircraft services to other state agencies and to purchase
22 liability and property damage insurance for state aircraft: *Provided fur-*
23 *ther*, That the superintendent of the highway patrol is hereby authorized
24 to fix, charge and collect fees for such aircraft services to other state
25 agencies: *And provided further*, That such fees shall be fixed in order to
26 recover all or part of the operating expenses incurred in providing such
27 services: *And provided further*, That all fees received for such services
28 shall be deposited in the state treasury in accordance with the provisions
29 of K.S.A. 75-4215, and amendments thereto, and shall be credited to the
30 executive aircraft fund.

31 1122 program clearing fund..... No limit
32 (c) On or before the 10th of each month during the fiscal year ending
33 June 30, 2011, the director of accounts and reports shall transfer from
34 the state general fund to the 1122 program clearing fund interest earnings
35 based on: (1) The average daily balance of moneys in the 1122 program
36 clearing fund for the preceding month; and (2) the net earnings rate for
37 the pooled money investment portfolio for the preceding month.

38 (d) On July 1, 2010, and January 1, 2011, or as soon after each date as
39 moneys are available the director of accounts and reports shall transfer
40 an amount specified by the executive director of the state corporation
41 commission, with the approval of the director of the budget, of not more
42 than \$650,000 from the motor carrier license fees fund of the state cor-
43 poration commission to the motor carrier safety assistance program state

1 fund of the Kansas highway patrol.

2 (e) On July 1, 2010, October 1, 2010, January 1, 2011, and April 1,
3 2011, or as soon after each date as moneys are available, the director of
4 accounts and reports shall transfer \$4,708,956.25 from the state highway
5 fund of the department of transportation to the Kansas highway patrol
6 operations fund of the Kansas highway patrol for the purpose of financing
7 the Kansas highway patrol operations. In addition to other purposes for
8 which expenditures may be made from the state highway fund during
9 fiscal year 2011 and notwithstanding the provisions of K.S.A. 68-416, and
10 amendments thereto, or any other statute, transfers and expenditures may
11 be made from the state highway fund during fiscal year 2011 for support
12 and maintenance of the Kansas highway patrol.

13 (f) On July 1, 2010, or as soon thereafter as moneys are available, the
14 director of accounts and reports shall transfer \$212,000 from the state
15 highway fund of the department of transportation to the highway safety
16 fund of the Kansas highway patrol for the purpose of financing the mo-
17 torist assistance program of the Kansas highway patrol.

18 (g) On July 1, 2010, or as soon thereafter as moneys are available, the
19 director of accounts and reports shall transfer \$250,000 from the state
20 highway fund of the department of transportation to the general fees fund
21 of the Kansas highway patrol for the purpose of financing operating ex-
22 penditures of the Kansas highway patrol.

23 (h) On July 1, 2010, and January 1, 2011, or as soon after each date as
24 moneys are available, notwithstanding the provisions of K.S.A. 74-2136,
25 and amendments thereto, or any other statute, the director of accounts
26 and reports shall transfer \$200,000 from the highway patrol motor vehicle
27 fund of the Kansas highway patrol to the aircraft fund — on budget of
28 the Kansas highway patrol.

29 (i) On July 1, 2010, October 1, 2010, January 1, 2011, and April 1, 2011,
30 or as soon after each date as moneys are available, the director of accounts
31 and reports shall transfer \$9,000,000 from the state highway fund of the
32 department of transportation to the state general fund. In addition to
33 other purposes for which expenditures may be made from the state high-
34 way fund during fiscal year 2011 and notwithstanding the provisions of
35 K.S.A. 68-416, and amendments thereto, or any other statute, transfers
36 and expenditures may be made from the state highway fund during fiscal
37 year 2011 for the support and maintenance of the Kansas highway patrol.

38 (j) On July 1, 2010, or as soon thereafter as moneys are available, the
39 director of accounts and reports shall transfer \$333,588 from the highway
40 patrol training center fund of the Kansas highway patrol to the Kansas
41 highway patrol operations fund of the Kansas highway patrol.

42 (k) On July 1, 2010, or as soon thereafter as moneys are available, the
43 director of accounts and reports shall transfer \$240,570 from the general

1 fees fund of the Kansas highway patrol to the Kansas highway patrol
2 operations fund of the Kansas highway patrol.

3 (l) On July 1, 2010, or as soon thereafter as moneys are available, the
4 director of accounts and reports shall transfer \$37,153 from the vehicle
5 identification number fee fund of the Kansas highway patrol to the Kansas
6 highway patrol operations fund of the Kansas highway patrol.

7 Sec. 91.

8 ATTORNEY GENERAL — KANSAS BUREAU OF INVESTIGATION

9 (a) There is appropriated for the above agency from the state general
10 fund for the fiscal year ending June 30, 2011, the following:

11 Operating expenditures \$15,589,562

12 *Provided*, That any unencumbered balance in the operating expenditures
13 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
14 to the operating expenditures account for fiscal year 2011: *Provided, how-*
15 *ever*, That expenditures from the operating expenditures account for of-
16 ficial hospitality shall not exceed \$750.

17 (b) There is appropriated for the above agency from the following spe-
18 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
19 moneys now or hereafter lawfully credited to and available in such fund
20 or funds, except that expenditures other than refunds authorized by law
21 shall not exceed the following:

22 Kansas bureau of investigation state forfeiture fund..... No limit

23 *Provided*, That expenditures may be made from the Kansas bureau of
24 investigation state forfeiture fund for direct or indirect operating expend-
25 itures incurred for the conducting educational classes and training for
26 special agents and other personnel, including official hospitality.

27 Kansas bureau of investigation federal forfeiture fund No limit

28 *Provided*, That expenditures may be made from the Kansas bureau of
29 investigation federal forfeiture fund for direct or indirect operating ex-
30 penditures incurred for the conducting educational classes and training
31 for special agents and other personnel, including official hospitality.

32 Kansas bureau of investigation federal grants fund No limit

33 *Provided*, That the above agency is authorized to make expenditures from
34 the Kansas bureau of investigation federal grants fund of any moneys
35 credited to this fund from any individual federal grant if the grant is less
36 than or equal to \$500,000 in the aggregate and the grant does not require
37 the matching expenditure of any moneys in the state treasury during fiscal
38 year 2011 or any ensuing fiscal year, other than moneys appropriated by
39 this or other appropriation act of the 2010 regular session of the legisla-
40 ture: *Provided, however*, That, upon application to and authorization by
41 the governor, the above agency may make expenditures of moneys cred-
42 ited to this fund from any individual federal grant which is more than
43 \$500,000 in the aggregate or which requires the matching expenditure of

1 moneys in the state treasury during the current or any ensuing fiscal year,
2 other than moneys appropriated by this or other appropriation act of the
3 2010 regular session of the legislature.

4 High intensity drug trafficking area — federal fund..... No limit
5 Private detective fee fund..... No limit
6 DNA database fund..... No limit
7 Kansas bureau of investigation motor vehicle fund..... No limit

8 *Provided*, That expenditures may be made from the Kansas bureau of
9 investigation motor vehicle fund to acquire and sell motor vehicles for
10 the Kansas bureau of investigation: *Provided further*, That all moneys
11 received for sale of motor vehicles of the Kansas bureau of investigation
12 shall be deposited in the state treasury in accordance with the provisions
13 of K.S.A. 75-4215, and amendments thereto, and shall be credited to the
14 Kansas bureau of investigation motor vehicle fund.

15 Forensic laboratory and materials fee fund..... No limit

16 *Provided*, That expenditures may be made from the forensic laboratory
17 and materials fee fund for the acquisition of laboratory equipment and
18 materials and for other direct or indirect operating expenditures for the
19 forensic laboratory of the Kansas bureau of investigation incurred for
20 laboratory tests conducted for noncriminal justice entities, including gov-
21 ernmental agencies and private organizations, which testing activity is
22 hereby authorized: *Provided, however*, That all expenditures from this
23 fund of moneys received as Kansas bureau of investigation laboratory
24 analysis fees pursuant to subsection (a) of K.S.A. 28-176, and amendments
25 thereto, shall be for the purposes authorized by subsection (c) of K.S.A.
26 28-176, and amendments thereto: *Provided further*, That the director of
27 the Kansas bureau of investigation is hereby authorized to fix, charge and
28 collect fees for laboratory tests conducted for such noncriminal justice
29 entities: *And provided further*, That such fees shall be fixed in order to
30 recover all or part of the direct and indirect operating expenses incurred
31 for conducting laboratory tests for such noncriminal justice entities: *And*
32 *provided further*, That all fees received for such laboratory tests, including
33 all moneys received pursuant to subsection (a) of K.S.A. 28-176, and
34 amendments thereto, shall be deposited in the state treasury in accord-
35 ance with the provisions of K.S.A. 75-4215, and amendments thereto, and
36 shall be credited to the forensic laboratory and materials fee fund.

37 KBI general fees fund..... No limit

38 *Provided*, That expenditures may be made from the KBI general fees
39 fund for direct or indirect operating expenditures incurred for the follow-
40 ing activities: (1) Conducting education and training classes for special
41 agents and other personnel, including official hospitality; (2) purchasing
42 illegal drugs, making contacts and acquiring information leading to illegal
43 drug outlets, contraband and stolen property, and conducting other ac-

1 tivities for similar investigatory purposes; (3) conducting investigations
2 and related activities for the Kansas lottery or the Kansas racing and
3 gaming commission; (4) conducting DNA forensic laboratory tests and
4 related activities; (5) preparing, publishing and distributing crime pre-
5 vention materials; and (6) conducting agency operations: *Provided, how-*
6 *ever,* That the director of the Kansas bureau of investigation is hereby
7 authorized to fix, charge and collect fees in order to recover all or part of
8 the direct and indirect operating expenses incurred, except as otherwise
9 hereinafter provided, for the following: (1) Education and training serv-
10 ices made available to local law enforcement personnel in classes con-
11 ducted for special agents and other personnel of the Kansas bureau of
12 investigation; (2) investigations and related activities conducted for the
13 Kansas lottery or the Kansas racing and gaming commission, except that
14 the fees fixed for these activities shall be fixed in order to recover all of
15 the direct and indirect expenses incurred for such investigations and re-
16 lated activities; (3) DNA forensic laboratory tests and related activities;
17 (4) sale and distribution of crime prevention materials: *Provided further,*
18 That all fees received for such activities shall be deposited in the state
19 treasury in accordance with the provisions of K.S.A. 75-4215, and amend-
20 ments thereto, and shall be credited to the KBI general fees fund: *And*
21 *provided further,* That all moneys which are expended for any such evi-
22 dence purchase, information acquisition or similar investigatory purpose
23 or activity from whatever funding source and which are recovered shall
24 be deposited in the state treasury in accordance with the provisions of
25 K.S.A. 75-4215, and amendments thereto, and shall be credited to the
26 KBI general fees fund: *And provided further,* That all moneys received
27 as gifts, grants or donations for the preparation, publication or distribution
28 of crime prevention materials shall be deposited in the state treasury in
29 accordance with the provisions of K.S.A. 75-4215, and amendments
30 thereto, and shall be credited to the KBI general fees fund: *And provided*
31 *further,* That expenditures from any moneys received from the division
32 of alcoholic beverage control and credited to the KBI general fees fund
33 may be made by the Kansas bureau of investigation for all purposes for
34 which expenditures may be made for operating expenditures.
35 Record check fee fund..... No limit
36 *Provided,* That the director of the Kansas bureau of investigation is au-
37 thorized to fix, charge and collect fees in order to recover all or part of
38 the direct and indirect operating expenses for criminal history record
39 checks conducted for noncriminal justice entities including government
40 agencies and private organizations: *Provided, however,* That all moneys
41 received for such fees shall be deposited in the state treasury in accord-
42 ance with the provisions of K.S.A. 75-4215, and amendments thereto, and
43 shall be credited to the record check fee fund: *Provided further,* That

1 expenditures may be made from the record check fee fund for operating
2 expenditures of the Kansas bureau of investigation.

| | | |
|----|---|----------|
| 3 | Intergovernmental service fund..... | No limit |
| 4 | Agency motor pool fund..... | No limit |
| 5 | Marijuana eradication federal fund | No limit |
| 6 | National criminal history improvement federal fund..... | No limit |
| 7 | Violence against women federal fund | No limit |
| 8 | Public safety partnership and community policing federal | |
| 9 | fund..... | No limit |
| 10 | Byrne — JAG federal fund | No limit |
| 11 | DNA backlog reduction federal fund..... | No limit |
| 12 | Coverdell forensic sciences improvement federal fund..... | No limit |
| 13 | Anti-gang initiative federal fund | No limit |
| 14 | Convicted offender/arrestee DNA federal fund..... | No limit |
| 15 | Byrne/JAG — ARRA federal fund | No limit |
| 16 | Homeland security federal fund | No limit |
| 17 | State homeland security program federal fund..... | No limit |
| 18 | Sec. 92. | |

19 EMERGENCY MEDICAL SERVICES BOARD

20 (a) There is appropriated for the above agency from the following special
21 revenue fund or funds for the fiscal year ending June 30, 2011, all
22 moneys now or hereafter lawfully credited to and available in such fund
23 or funds, except that expenditures other than refunds authorized by law
24 shall not exceed the following:

| | | |
|----|---|-------------|
| 25 | Rural health options grant fund..... | No limit |
| 26 | Rural access to emergency devices grant — federal | |
| 27 | fund..... | No limit |
| 28 | Emergency medical services operating fund..... | \$1,384,926 |

29 *Provided*, That the emergency medical services board is hereby authorized
30 to fix, charge and collect fees in order to recover costs incurred for
31 distributing educational videos, replacing lost educational materials and
32 mailing labels of those licensed by the board: *Provided further*, That such
33 fees may be fixed in order to recover all or part of such costs: *And provided further*,
34 That all moneys received from such fees shall be deposited
35 in the state treasury in accordance with the provisions of K.S.A. 75-4215,
36 and amendments thereto, and shall be credited to the emergency medical
37 services operating fund: *And provided further*, That, notwithstanding any
38 provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or
39 of any other statute to the contrary, all moneys received by the emergency
40 medical services board for fees authorized by law for licensure or the
41 issuance of permits, or for any other regulatory duties and functions prescribed
42 by law in the field of emergency medical services, shall be deposited
43 in the state treasury to the credit of the emergency medical serv-

1 ices operating fund of the emergency medical services board: *And*
2 *provided further*, That expenditures from the emergency medical services
3 operating fund for official hospitality shall not exceed \$2,000.
4 Education incentive grant payment fund..... No limit
5 *Provided*, That the priority for award of education incentive grants shall
6 be to award such grants to rural areas.
7 EMS revolving fund..... No limit
8 *Provided*, That, if an organization agrees to receive money from the EMS
9 revolving fund, the organization shall enter into a grant agreement re-
10 quiring such organization to submit a written report to the emergency
11 medical services board detailing and accounting for all expenditures and
12 receipts related to the use of the moneys received from the EMS revol-
13 ving fund: *Provided further*, That the emergency medical services board
14 shall prepare a written report specifying and accounting for all moneys
15 allocated to and expended from the EMS revolving fund: *And provided*
16 *further*, That such report shall be submitted to the house of representa-
17 tives committee on appropriations and the senate committee on ways and
18 means on or before February 1, 2011.

19 (b) In addition to the other purposes for which expenditures may be
20 made by the emergency medical services board from the board of emer-
21 gency medical services operating fund for fiscal year 2011 by this or other
22 appropriation act of the 2010 regular session of the legislature, expendi-
23 tures may be made by the emergency medical services board from the
24 emergency medical services operating fund for fiscal year 2011 for the
25 purpose of implementing a grant program for emergency medical services
26 training and educational assistance for persons in underserved areas: *Pro-*
27 *vided*, That when issuing such grants, first priority shall be given to am-
28 bulance services submitting applications seeking grants to pay the cost of
29 recruiting volunteers and cost of the initial courses of training for atten-
30 dants, instructor-coordinators and training officers: *Provided further*,
31 That the second priority shall be given to ambulance services submitting
32 applications seeking grants to pay the cost of continuing education for
33 attendants, instructor-coordinators and training officers: *And provided*
34 *further*, That the third priority shall be given to ambulance services sub-
35 mitting applications seeking grants to pay the cost of education for atten-
36 dants, instructor-coordinators and training officers who are obtaining a
37 post-secondary education degree.

38 (c) In addition to the other purposes for which expenditures may be
39 made by the emergency medical services board from the moneys appro-
40 priated from the state general fund or from any special revenue fund for
41 the emergency medical services board for fiscal year 2011, as authorized
42 by this or any other appropriation act of the 2010 regular session of the
43 legislature, expenditures shall be made by the emergency medical services

1 board from moneys appropriated from the state general fund or from any
2 special revenue fund for the emergency medical services board for fiscal
3 year 2011 to require emergency medical services agencies in each of the
4 six EMS regions of the state to prepare and submit a report of the ex-
5 penditures made and moneys received in the EMS region are related to
6 the operation and administration of the Kansas emergency medical serv-
7 ices examination to the emergency medical services board: *Provided*, That
8 the report for each EMS region specify and account for all moneys ap-
9 propriated from the state treasury for the emergency medical services
10 board and disbursed to such EMS region for the operation of the most
11 recently conducted Kansas emergency medical services examination in
12 such EMS region.

13 (d) On July 1, 2010, and January 1, 2011, or as soon after each such
14 date as moneys are available, the director of accounts and reports shall
15 transfer \$125,000 from the emergency medical services operating fund
16 to the educational incentive grant payment fund.

17 (e) During the fiscal year ending June 30, 2011, the director of the
18 budget and the director of legislative research shall consult periodically
19 and review the balance credited to and the estimated receipts to be cred-
20 ited to the emergency medical services operating fund during fiscal year
21 2011, and, upon a finding by the director of the budget in consultation
22 with the director of legislative research that the total of the unencum-
23 bered balance and estimated receipts to be credited to the emergency
24 medical services operating fund during fiscal year 2011 are insufficient to
25 fund the budgeted expenditures and transfers from the emergency med-
26 ical services operating fund for fiscal year 2011 in accordance with the
27 provisions of appropriation acts, the director of the budget shall certify
28 such funding to the director of accounts and reports. Upon receipt of any
29 such certification, the director of accounts and reports shall transfer the
30 amount of moneys from the education incentive grant payment fund to
31 the emergency medical services operating fund that is required, in ac-
32 cordance with the certification by the director of the budget under this
33 subsection, to fund the budgeted expenditures and transfers from the
34 emergency medical services operating fund for the remainder of fiscal
35 year 2011 in accordance with the provisions of appropriation acts, as spec-
36 ified by the director of the budget pursuant to such certification.

37 (f) During the fiscal year ending June 30, 2011, if any EMS regional
38 council enters into a grant agreement with the emergency medical service
39 board, such council shall be required to submit pursuant to such grant
40 agreement a written report detailing and accounting for all expenditures
41 and receipts of such council during such fiscal year. The emergency med-
42 ical services board shall prepare a written report specifying and account-
43 ing for all moneys received by and expended by each individual council

1 that has reported to the emergency medical services board pursuant to
2 such grant agreement and submit such report to the house of represen-
3 tatives committee on appropriations and the senate committee on ways
4 and means on or before February 1, 2011.

5 Sec. 93.

6 KANSAS SENTENCING COMMISSION

7 (a) There is appropriated for the above agency from the state general
8 fund for the fiscal year ending June 30, 2011, the following:

9 Operating expenditures \$713,536

10 *Provided*, That any unencumbered balance in the operating expenditures
11 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
12 for fiscal year 2011.

13 Substance abuse treatment programs \$6,646,019

14 *Provided*, That any unencumbered balance in the substance abuse treat-
15 ment programs account in excess of \$100 as of June 30, 2010, is hereby
16 reappropriated for fiscal year 2011.

17 (b) There is appropriated for the above agency from the following spe-
18 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
19 moneys now or hereafter lawfully credited to and available in such fund
20 or funds, except that expenditures other than refunds authorized by law
21 shall not exceed the following:

22 General fees fund..... No limit

23 Statistical analysis — federal fund..... No limit

24 Drug abuse fund — federal..... No limit

25 Sec. 94.

26 KANSAS COMMISSION ON PEACE OFFICERS’ STANDARDS
27 AND TRAINING

28 (a) There is appropriated for the above agency from the following spe-
29 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
30 moneys now or hereafter lawfully credited to and available in such fund
31 or funds, except that expenditures other than refunds authorized by law
32 shall not exceed the following:

33 Kansas commission on peace officers’ standards and train-
34 ing fund \$650,005

35 *Provided*, That expenditures from the Kansas commission on peace of-
36 ficers’ standards and training fund for the fiscal year ending June 30, 2011,
37 for official hospitality shall not exceed \$1,000.

38 (b) On July 1, 2010, or as soon thereafter as moneys are available, the
39 director of accounts and reports shall transfer \$200,000 from the Kansas
40 commission on peace officers’ standards and training fund of the Kansas
41 commission on peace officers’ standards and training to the state general
42 fund: *Provided*, That the transfer of such amount shall be in addition to
43 any other transfer from the Kansas commission on peace officers’ stan-

1 dards and training fund to the state general fund as prescribed by law:
 2 *Provided further*, That the amount transferred from the Kansas commis-
 3 sion on peace officers’ standards and training fund to the state general
 4 fund pursuant to this subsection is to reimburse the state general fund
 5 for accounting, auditing, budgeting, legal, payroll, personnel and pur-
 6 chasing services and any other governmental services which are per-
 7 formed on behalf of the Kansas commission on peace officers’ standards
 8 and training by other state agencies which receive appropriations from
 9 the state general fund to provide such services.

10 Sec. 95.

11 KANSAS DEPARTMENT OF AGRICULTURE

12 (a) There is appropriated for the above agency from the state general
13 fund for the fiscal year ending June 30, 2011, the following:

| | |
|---------------------------------|-------------|
| 14 Operating expenditures | \$9,513,336 |
|---------------------------------|-------------|

15 *Provided*, That any unencumbered balance in the operating expenditures
 16 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
 17 to the operating expenditures account for fiscal year 2011: *Provided fur-*
 18 *ther*, That expenditures may be made from this account for expenses
 19 incurred in holding the annual meeting; *And provided further*, That ex-
 20 penditures from this account for official hospitality shall not exceed
 21 \$5,000; *And provided further*, That the above agency may negotiate and
 22 enter into contracts to carry out its functions at the annual meeting; *And*
 23 *provided further*, That such contracts shall not be subject to the com-
 24 petitive bid requirements of K.S.A. 75-3739, and amendments thereto.

25 (b) There is appropriated for the above agency from the following spe-
 26 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 27 moneys now or hereafter lawfully credited to and available in such fund
 28 or funds, except that expenditures other than refunds authorized by law
 29 shall not exceed the following:

| | |
|--|-----------|
| 30 Dairy fee fund | No limit |
| 31 Meat and poultry inspection fee fund..... | No limit |
| 32 Wheat quality survey fund | No limit |
| 33 Entomology fee fund | No limit |
| 34 Laboratory equipment fund | No limit |
| 35 Water structures — state highway fund | \$104,832 |
| 36 Soil amendment fee fund | No limit |
| 37 Agricultural liming materials fee fund..... | No limit |
| 38 Weights and measures fee fund..... | No limit |
| 39 Water appropriation certification fund..... | \$525,522 |
| 40 Water resources cost fund | No limit |

41 *Provided*, That all moneys received by the secretary of agriculture from
 42 any governmental or nongovernmental source to implement the provi-
 43 sions of the Kansas water banking act, K.S.A. 2009 Supp. 82a-761 through

1 82a-773, and amendments thereto, which are hereby authorized to be
 2 applied for and received, shall be deposited in the state treasury in ac-
 3 cordance with the provisions of K.S.A. 75-4215, and amendments thereto,
 4 and shall be credited to the water resources cost fund.

| | | |
|----|---|----------|
| 5 | Agriculture seed fee fund | No limit |
| 6 | Chemigation fee fund | No limit |
| 7 | Agriculture statistics fund | No limit |
| 8 | Petroleum inspection fee fund | No limit |
| 9 | Water transfer hearing fund..... | No limit |
| 10 | Grain commodity commission services fund..... | No limit |
| 11 | Kansas agricultural remediation board fund..... | No limit |
| 12 | Kansas agricultural remediation fund..... | No limit |
| 13 | Warehouse fee fund..... | No limit |
| 14 | U.S. geological survey cooperative gauge agreement grants | |
| 15 | fund..... | No limit |

16 *Provided*, That the secretary of agriculture is hereby authorized to enter
 17 into a cooperative gauge agreement with the United States geological
 18 survey: *Provided further*, That all moneys collected for the construction
 19 or operation of river water intake gauges shall be deposited in the state
 20 treasury in accordance with the provisions of K.S.A. 75-4215, and amend-
 21 ments thereto, and shall be credited to the U.S. geological survey coop-
 22 erative gauge agreement grants fund: *And provided further*, That ex-
 23 penditures may be made from this fund to pay the costs incurred in the
 24 construction or operation of river water intake gauges.

| | | |
|----|---|-----------|
| 25 | Computer services fund | No limit |
| 26 | Agricultural chemical fee fund..... | No limit |
| 27 | Feeding stuffs fee fund | No limit |
| 28 | Fertilizer fee fund | No limit |
| 29 | Plant pest emergency response fund | No limit |
| 30 | Pesticide use fee fund..... | No limit |
| 31 | Geographic information system fee fund..... | No limit |
| 32 | Egg fee fund | No limit |
| 33 | Fertilizer/pesticide compliance admin fund..... | No limit |
| 34 | Water structures fund | \$131,032 |
| 35 | Meat and poultry inspection fund — federal | No limit |
| 36 | EPA pesticide performance partnership grant — federal | |
| 37 | fund..... | No limit |
| 38 | FEMA dam safety — federal fund..... | No limit |
| 39 | FEMA stream mapping — federal fund | No limit |
| 40 | Pest detection and survey — federal fund..... | No limit |
| 41 | USDA NASS postage fund | No limit |
| 42 | FDA tissue residue — federal fund | No limit |
| 43 | Conversion of materials and equipment fund | No limit |

1 Speciality crop block grant — federal fund..... No limit
2 Publications fee fund No limit
3 *Provided*, That expenditures may be made from the publications fee fund
4 for operating expenditures related to preparation and publication of in-
5 formational or educational materials related to the programs or functions
6 of the Kansas department of agriculture: *Provided further*, That, not-
7 withstanding the provisions of K.S.A. 75-1005, and amendments thereto,
8 to the contrary, the secretary of agriculture is hereby authorized to enter
9 into a contract with a commercial publisher for the printing, distribution
10 and sale of such materials: *And provided further*, That the secretary of
11 agriculture is hereby authorized to collect fees from such commercial
12 publisher pursuant to contract with the publisher for the sale of such
13 materials: *And provided further*, That the secretary of agriculture is
14 hereby authorized to receive and accept grants, gifts, donations or funds
15 from any non- federal source for the printing, publication and distribution
16 of such materials: *And provided further*, That all moneys received from
17 such fees or for such grants, gifts, donations or other funds received for
18 such purpose, shall be deposited in the state treasury in accordance with
19 the provisions of K.S.A. 75-4215, and amendments thereto, and shall be
20 credited to the publications fee fund.
21 Agriculture preparedness — homeland security — federal
22 fund..... No limit
23 Other federal grants fund No limit
24 *Provided*, That, the above agency is authorized to make expenditures from
25 the other federal grants fund of any moneys credited to this fund from
26 any individual grant if the grant: (1) Is less than or equal to \$500,000 in
27 the aggregate, and (2) does not require the matching expenditure of any
28 moneys in the state treasury during fiscal year 2011 other than moneys
29 appropriated by this or other appropriation act of the 2010 regular session
30 of the legislature: *Provided, however*, That, upon application to and au-
31 thorization by the governor, the above agency may make expenditures of
32 moneys credited to this fund from any individual federal grant which is
33 more than \$500,000 in the aggregate or which requires the matching
34 expenditure of moneys in the state treasury during fiscal year 2011, other
35 than moneys appropriated by this or other appropriation act of the 2010
36 regular session of the legislature: *Provided further*, That no grant for the
37 farmers’ assistance, counseling and training program shall be deposited
38 to the credit of this fund.
39 USDA national agricultural statistics services — federal
40 fund..... No limit
41 FDA food protection conference grant — federal fund.... No limit
42 Retail food good manufacturing practice management —
43 federal fund..... No limit

1 Medicated feed and FDA BSE inspection — federal
2 fund..... No limit

3 National floodplain insurance assistance (CAP) — federal
4 fund..... No limit

5 FEMA map modernization management support — fed-
6 eral fund No limit

7 Civil litigation fee fund..... No limit

8 *Provided*, That the above agency is authorized to make expenditures from
9 the civil litigation fee fund for costs or other expenses associated with
10 investigation and litigation regarding fraudulent meat sales: *Provided fur-*
11 *ther*, That a portion of the moneys received by the state from fines and
12 other moneys collected as a result of the settlement of fraudulent meat
13 sales cases, as determined by the secretary of agriculture and the attorney
14 general, shall be deposited in the state treasury in accordance with the
15 provisions of K.S.A. 75-4215, and amendments thereto, and shall be cred-
16 ited to the civil litigation fee fund by the attorney general.

17 Food safety fund No limit

18 *Provided*, That expenditures may be made from the food safety fund for
19 operating expenditures for the food inspection program and other activ-
20 ities for the regulation of food service establishments, food vending ma-
21 chines, food vending machine companies and food vending machine deal-
22 ers under the food service and lodging act: *Provided further*, That,
23 notwithstanding the provisions of K.S.A. 36-512, and amendments
24 thereto, to the contrary, all moneys received from fees charged and col-
25 lected by the secretary of agriculture under the food inspection program
26 and other activities for the regulation of food service establishments, food
27 vending machines, food vending machine companies and food vending
28 machine dealers under the food service and lodging act shall be remitted
29 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,
30 and amendments thereto, deposited in the state treasury and shall be
31 credited to the food safety fund: *And provided further*, That the secretary
32 of agriculture is hereby authorized to make expenditures from the food
33 safety fund for contracts or other agreements with local governments to
34 inspect food service, food processing, grocery or other facilities for which
35 the department of agriculture has inspection authority.

36 Gifts and donations fund No limit

37 *Provided*, That the secretary of agriculture is hereby authorized to receive
38 gifts and donations of resources and money for services for the benefit
39 and support of agriculture and purposes thereto: *Provided further*, That
40 such gifts and donations of money shall be deposited in the state treasury
41 in accordance with the provisions of K.S.A. 75-4215, and amendments
42 thereto, and shall be credited to the gifts and donations fund.

43 General fees fund..... No limit

1 *Provided*, That expenditures may be made from the general fees fund for
 2 operating expenditures for the regulatory programs of the Kansas de-
 3 partment of agriculture and for official hospitality: *Provided further*, That
 4 the secretary of agriculture is hereby authorized to fix, charge and collect
 5 fees in order to recover all or part of the costs incurred for such regulatory
 6 program activities and for official hospitality: *And provided further*, That
 7 such fees shall be fixed in order to recover all or part of the operating
 8 expenses incurred for the regulatory program activity or official hospitality
 9 for which such fees are imposed: *And provided further*, That all amounts
 10 received for such fees shall be deposited in the state treasury in accord-
 11 ance with the provisions of K.S.A. 75-4215, and amendments thereto, and
 12 shall be credited to the general fees fund.

| | |
|---|----------|
| 13 Food service inspection reimbursement fund | No limit |
| 14 Food inspection fee fund..... | No limit |

15 *Provided*, That expenditures may be made from the food inspection fee
 16 fund for operating expenditures for the food inspection program and
 17 other activities for the regulation of food service establishments under
 18 the food service and lodging act: *Provided further*, That, notwithstanding
 19 the provisions of K.S.A. 36-512, and amendments thereto, to the contrary,
 20 all moneys received from fees charged and collected by the secretary of
 21 agriculture under the food inspection program and other activities for the
 22 regulation of food service establishments under the food service and lodg-
 23 ing act shall be deposited in the state treasury in accordance with the
 24 provisions of K.S.A. 75-4215, and amendments thereto, and shall be cred-
 25 ited to the food inspection fee fund: *And provided further*, That, on the
 26 first day of each month during fiscal year 2011, the director of accounts
 27 and reports shall transfer from the food inspection fee fund to the food
 28 service inspection reimbursement fund an amount equal to 80% of all
 29 fees credited to the food inspection fee fund where food service inspec-
 30 tion services are provided by a local agency under contract with the sec-
 31 retary to inspect food service establishments located in a municipality.

32 (c) There is appropriated for the above agency from the state water
 33 plan fund for the fiscal year ending June 30, 2011, for the water plan
 34 project or projects specified, the following:

| | |
|---------------------------------|-----------|
| 35 Basin management | \$490,032 |
| 36 Water use..... | \$46,200 |
| 37 Interstate water issues..... | \$459,816 |

38 (d) During the fiscal year ending June 30, 2011, the secretary of agri-
 39 culture, with the approval of the director of the budget, may transfer any
 40 part of any item of appropriation for fiscal year 2011 from the state water
 41 plan fund for the Kansas department of agriculture to another item of
 42 appropriation for fiscal year 2011 from the state water plan fund for the
 43 Kansas department of agriculture: *Provided*, That the secretary of agri-

1 culture shall certify each such transfer to the director of accounts and
 2 reports and shall transmit a copy of each such certification to (1) the
 3 director of legislative research, (2) the chairperson of the house of rep-
 4 resentatives agriculture and natural resources budget committee, and (3)
 5 the appropriate chairperson of the subcommittee on agriculture of the
 6 senate committee on ways and means.

7 (e) On July 1, 2010, the director of accounts and reports shall transfer
 8 \$99,732 from the state highway fund of the department of transportation
 9 to the water structures — state highway fund of the Kansas department
 10 of agriculture.

11 Sec. 96.

12 KANSAS ANIMAL HEALTH DEPARTMENT

13 (a) There is appropriated for the above agency from the state general
 14 fund for the fiscal year ending June 30, 2011, the following:

15 Operating expenditures \$798,253

16 *Provided*, That any unencumbered balance in the operating expenditures
 17 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
 18 for fiscal year 2011: *Provided, however*, That expenditures from such
 19 reappropriated balance shall be made only upon approval by the state
 20 finance council.

21 (b) There is appropriated for the above agency from the following spe-
 22 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 23 moneys now or hereafter lawfully credited to and available in such fund
 24 or funds, except that expenditures other than refunds authorized by law
 25 shall not exceed the following:

26 Animal disease control fund..... No limit

27 *Provided*, That expenditures from the animal disease control fund for
 28 official hospitality shall not exceed \$450.

29 Animal dealers fee fund No limit

30 *Provided*, That expenditures from the animal dealers fee fund for official
 31 hospitality shall not exceed \$300: *Provided further*, That expenditures
 32 shall be made from the animal dealers fund by the livestock commissioner
 33 for operating expenditures for an educational course regarding animals
 34 and their care and treatment as authorized by K.S.A. 47-1707, and
 35 amendments thereto, to be provided through the internet or printed
 36 booklets.

37 Veterinary inspection fee fund..... No limit

38 Livestock market brand inspection fee fund No limit

39 Livestock brand fee fund..... No limit

40 *Provided*, That expenditures from the livestock brand fee fund for official
 41 hospitality shall not exceed \$250.

42 Livestock brand emergency revolving fund..... No limit

43 County option brand fee fund No limit

- 1 Livestock and pseudorabies indemnity fund No limit
- 2 Conversion of materials and equipment fund No limit
- 3 Legal services fund..... No limit
- 4 *Provided*, That all moneys received by the animal health department from
- 5 other state agencies pursuant to one or more interagency agreements for
- 6 the provision of legal services, which agreements are hereby authorized
- 7 and directed to be entered into, shall be credited to the legal services
- 8 fund.
- 9 Disease control fund — federal..... No limit
- 10 Animal donation fund No limit
- 11 Animal health protection fund..... No limit
- 12 (c) On July 1, 2010, or as soon thereafter as moneys are available, the
- 13 director of accounts and reports shall transfer \$12,442 from the livestock
- 14 brand fee fund to the animal disease control fund.
- 15 (d) On July 1, 2010, or as soon thereafter as moneys are available, the
- 16 director of accounts and reports shall transfer \$4,662 from the livestock
- 17 brand emergency revolving fund to the animal disease control fund.
- 18 (e) On July 1, 2010, or as soon thereafter as moneys are available, the
- 19 director of accounts and reports shall transfer \$4,909 from the legal serv-
- 20 ices fund to the animal disease control fund.
- 21 (f) On July 1, 2010, or as soon thereafter as moneys are available, the
- 22 director of accounts and reports shall transfer \$20,000 from the animal
- 23 dealers fee fund to the animal disease control fund.
- 24 (g) On July 1, 2010, or as soon thereafter as moneys are available, the
- 25 director of accounts and reports shall transfer \$6,723 from the livestock
- 26 brand fee fund to the county option brand fee fund.
- 27 Sec. 97.

STATE FAIR BOARD

- 28
- 29 (a) There is appropriated for the above agency from the following spe-
- 30 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
- 31 moneys now or hereafter lawfully credited to and available in such fund
- 32 or funds, except that expenditures, other than refunds authorized by law
- 33 and remittances of sales tax to the department of revenue, shall not exceed
- 34 the following:
- 35 State fair fee fund No limit
- 36 *Provided*, That expenditures from the state fair fee fund for official hos-
- 37 pitality shall not exceed \$15,000.
- 38 State fair federal transfer fund No limit
- 39 State fair special cash fund No limit
- 40 State fair debt service special revenue fund..... No limit
- 41 (b) There is appropriated for the above agency from the state general
- 42 fund for the fiscal year ending June 30, 2011, the following:
- 43 State fair debt service \$1,549,854

1 Sec. 98.

2 STATE CONSERVATION COMMISSION

3 (a) There is appropriated for the above agency from the state general
4 fund for the fiscal year ending June 30, 2011, the following:

5 Operating expenditures \$744,134

6 *Provided*, That any unencumbered balance in the operating expenditures
7 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
8 for fiscal year 2011: *Provided further*, That expenditures from this account
9 for official hospitality shall not exceed \$1,500.

10 (b) There is appropriated for the above agency from the following special
11 revenue fund or funds for the fiscal year ending June 30, 2011, all
12 moneys now or hereafter lawfully credited to and available in such fund
13 or funds, except that expenditures other than refunds authorized by law
14 shall not exceed the following:

- 15 Agency motor pool fund..... No limit
- 16 Land reclamation fee fund..... No limit
- 17 Watershed protect approach/WTR RSRCE MGT fund.... No limit
- 18 Conversion of materials and equipment fund No limit
- 19 Buffer participation incentive fund..... No limit
- 20 NRCS contribution agreement 2002 farm bill — federal
21 fund..... No limit

22 (c) There is appropriated for the above agency from the state water
23 plan fund for the fiscal year ending June 30, 2011, for the following water
24 plan project or projects specified, the following:

25 Water resources cost share \$2,142,151

26 *Provided*, That any unencumbered balance in the water resources cost
27 share account in excess of \$100 as of June 30, 2010, is hereby reapprop-
28 riated to the water resources cost share account for fiscal year 2011:
29 *Provided further*, That the initial allocation for grants to conservation
30 districts for fiscal year 2011 shall be made on a priority basis, as deter-
31 mined by the state conservation commission and the provisions of the
32 state water plan.

33 Nonpoint source pollution assistance..... \$2,278,435

34 *Provided*, That any unencumbered balance in the nonpoint source pol-
35 lution assistance account in excess of \$100 as of June 30, 2010, is hereby
36 reappropriated for fiscal year 2011.

37 Conservation district aid..... \$2,113,796

38 *Provided*, That any unencumbered balance in the conservation district
39 aid account in excess of \$100 as of June 30, 2010, is hereby reappropriated
40 for fiscal year 2011.

41 Watershed dam construction..... \$691,975

42 *Provided*, That any unencumbered balance in the watershed dam con-
43 struction account in excess of \$100 as of June 30, 2010, is hereby reap-

1 appropriated for fiscal year 2011: *Provided further*, That expenditures from
2 the watershed dam construction account are hereby authorized for en-
3 gineering contracts for watershed planning as determined by the state
4 conservation commission.

5 Lake restoration \$656,298

6 *Provided*, That any unencumbered balance in the lake restoration account
7 in excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal
8 year 2011.

9 Kansas water quality buffer initiatives..... \$196,770

10 *Provided*, That any unencumbered balance in the Kansas water quality
11 buffer initiatives account in excess of \$100 as of June 30, 2010, is hereby
12 reappropriated for fiscal year 2011: *Provided further*, That all expendi-
13 tures from the Kansas water quality buffer initiatives account shall be for
14 grants or incentives to install water quality best management practices
15 under the governor’s water quality initiative: *And provided further*, That
16 such expenditures may be made from this account from the approved
17 budget amount for fiscal year 2011 in accordance with contracts, which
18 are hereby authorized to be entered into by the executive director of the
19 state conservation commission on behalf of the commission, for such
20 grants or incentives.

21 Riparian and wetland program \$165,144

22 *Provided*, That any unencumbered balance in the riparian and wetland
23 program account in excess of \$100 as of June 30, 2010, is hereby reap-
24 propriated for fiscal year 2011.

25 Water transition assistance program \$600,984

26 *Provided*, That any unencumbered balance in the water transition assis-
27 tance program account in excess of \$100 as of June 30, 2010, is hereby
28 reappropriated for fiscal year 2011.

29 (d) During the fiscal year ending June 30, 2011, the executive director
30 of the state conservation commission, with the approval of the director
31 of the budget, may transfer any part of any item of appropriation for fiscal
32 year 2011 from the state water plan fund for the state conservation com-
33 mission to another item of appropriation for fiscal year 2011 from the
34 state water plan fund for the state conservation commission: *Provided*,
35 That the executive director of the state conservation commission shall
36 certify each such transfer to the director of accounts and reports and shall
37 transmit a copy of each such certification to (1) the director of legislative
38 research, (2) the chairperson of the house of representatives agriculture
39 and natural resources budget committee, and (3) the appropriate chair-
40 person of the subcommittee on agriculture of the senate committee on
41 ways and means.

42

43

1 Sec. 99.

2 KANSAS WATER OFFICE

3 (a) There is appropriated for the above agency from the state general
4 fund for the fiscal year
5 ending June 30, 2011, the following:

6 Water resources operating expenditures \$1,889,952

7 *Provided*, That any unencumbered balance in the water resources oper-
8 ating expenditures account in excess of \$100 as of June 30, 2010, is hereby
9 reappropriated for fiscal year 2011: *Provided, however*, That expenditures
10 from this account for official hospitality shall not exceed \$250.

11 (b) There is appropriated for the above agency from the following special
12 revenue fund or funds for the fiscal year ending June 30, 2011, all
13 moneys now or hereafter lawfully credited to and available in such fund
14 or funds, except that expenditures shall not exceed the following:

15 Local water project match fund..... No limit

16 *Provided*, That all moneys received from local government entities and
17 instrumentalities to be used to match funds for water projects shall be
18 deposited in the state treasury in accordance with the provisions of K.S.A.
19 75-4215, and amendments thereto, and shall be credited to the local water
20 project match fund: *Provided further*, That all moneys credited to this
21 fund shall be used to match state funds or federal funds, or both for water
22 projects.

23 Water supply storage assurance fund..... No limit

24 *Provided*, That no additional water supply storage space shall be pur-
25 chased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year
26 2011, unless a contract is entered into under the state water plan storage
27 act, K.S.A. 82a-1301 et seq., and amendments thereto, to supply water
28 to users which is not held under contract in such reservoirs.

29 State conservation storage water supply fund..... \$0

30 Water marketing fund..... No limit

31 Federal grants and receipts fund No limit

32 General fees fund..... No limit

33 *Provided*, That expenditures may be made from the general fees fund for
34 operating expenditures for the Kansas water office, including training and
35 informational programs and official hospitality: *Provided further*, That the
36 director of the Kansas water office is hereby authorized to fix, charge and
37 collect fees for such programs: *And provided further*, That fees for such
38 programs shall be fixed in order to recover all or part of the operating
39 expenses incurred for such programs, including official hospitality: *And*
40 *provided further*, That all fees received for such programs and all fees
41 received for providing access to or for furnishing copies of public records
42 shall be deposited in the state treasury in accordance with the provisions
43 of K.S.A. 75-4215, and amendments thereto, and shall be credited to the

1 general fees fund.

2 Motor pool vehicle replacement fund..... No limit

3 Reservoir storage beneficial use fund No limit

4 *Provided*, That expenditures may be made by the above agency from the

5 reservoir storage beneficial use fund to call water into service for bene-

6 ficial uses or to complete studies or take actions necessary to ensure res-

7 ervoir storage sustainability, subject to the availability of moneys credited

8 to the reservoir storage beneficial use fund.

9 (c) There is appropriated for the above agency from the state water

10 plan fund for the fiscal year ending June 30, 2011, for the state water

11 plan project or projects specified, the following:

12 Assessment and evaluation..... \$490,000

13 *Provided*, That any unencumbered balance in the assessment and eval-

14 uation account in excess of \$100 as of June 30, 2010, is hereby reappro-

15 priated for fiscal year 2011.

16 GIS data base development \$175,000

17 *Provided*, That any unencumbered balance in the GIS data base devel-

18 opment account in excess of \$100 as of June 30, 2010, is hereby reap-

19 propriated for fiscal year 2011.

20 MOU — storage operations and maintenance \$248,500

21 *Provided*, That any unencumbered balance in the MOU — storage op-

22 erations and maintenance account in excess of \$100 as of June 30, 2010,

23 is hereby reappropriated for fiscal year 2011.

24 Technical assistance to water users \$437,443

25 *Provided*, That any unencumbered balance in the technical assistance to

26 water users account in excess of \$100 as of June 30, 2010, is hereby

27 reappropriated for fiscal year 2011.

28 Water resource education \$38,500

29 *Provided*, That any unencumbered balance in the water resource edu-

30 cation account in excess of \$100 as of June 30, 2010, is hereby reappro-

31 priated for fiscal year 2011.

32 Wichita aquifer storage and recovery project..... \$563,531

33 *Provided*, That any unencumbered balance in the Wichita aquifer recov-

34 ery project account in excess of \$100 as of June 30, 2010, is hereby reap-

35 propriated to the Wichita aquifer storage and recovery project account

36 for fiscal year 2011.

37 Weather modification program..... \$168,000

38 *Provided*, That any unencumbered balance in the weather modification

39 program account in excess of \$100 as of June 30, 2010, is hereby reap-

40 propriated for fiscal year 2011.

41 Weather stations \$49,000

42 *Provided*, That any unencumbered balance in the weather stations ac-

43 count in excess of \$100 as of June 30, 2010, is hereby reappropriated for

1 fiscal year 2011.

2 (d) During the fiscal year ending June 30, 2011, the director of the
3 Kansas water office, with approval of the director of the budget, may
4 transfer any part of any item of appropriation for fiscal year 2011 from
5 the state water plan fund for the Kansas water office to another item of
6 appropriation for fiscal year 2011 from the state water plan fund for the
7 Kansas water office: *Provided, however*, That the director of the Kansas
8 water office shall certify each such transfer to the director of accounts
9 and reports and shall transmit a copy of each such certification to (1) the
10 director of legislative research, (2) the chairperson of the house of rep-
11 resentatives agriculture and natural resources budget committee, and (3)
12 the appropriate chairperson of the subcommittee on agriculture of the
13 senate committee on ways and means.

14 (e) During the fiscal year ending June 30, 2011, if it appears that the
15 resources are insufficient to meet in full the estimated expenditures as
16 they become due to meet the financial obligations imposed by law on the
17 water marketing fund of the Kansas water office as a result of a cash flow
18 shortfall, the pooled money investment board is authorized and directed
19 to loan to the director of the Kansas water office a sufficient amount or
20 amounts of moneys to maintain the cash flow of the water marketing fund
21 upon approval of each such loan by the state finance council acting on
22 this matter which is hereby characterized as a matter of legislative dele-
23 gation and subject to the guidelines prescribed in subsection (c) of K.S.A.
24 75-3711c, and amendments thereto. No such loan shall be made unless
25 the terms have been approved by the director of the budget. A copy of
26 the terms of each such loan shall be submitted to the director of legislative
27 research. The pooled money investment board is authorized and directed
28 to use any moneys in the operating accounts, investment accounts or other
29 investments of the state of Kansas to provide the funds for each such loan.
30 Each such loan shall be repaid without interest within one year from the
31 date of the loan.

32 (f) During the fiscal year ending June 30, 2011, if it appears that the
33 resources are insufficient to meet in full the estimated expenditures as
34 they become due to meet the financial obligations imposed by law on the
35 water marketing fund of the Kansas water office as a result of increases
36 in water rates, fees or charges imposed by the federal government, the
37 pooled money investment board is authorized and directed to loan to the
38 director of the Kansas water office a sufficient amount or amounts of
39 moneys to reimburse the water marketing fund for increases in water
40 rates, fees or charges imposed by the federal government and to allow
41 the Kansas water office to spread such increases to consumers over a
42 longer period, except that no such loan shall be made unless the terms
43 thereof have been approved by the state finance council acting on this

1 matter which is hereby characterized as a matter of legislative delegation
 2 and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-
 3 3711c, and amendments thereto. The pooled money investment board is
 4 authorized and directed to use any moneys in the operating accounts,
 5 investment accounts or other investments of the state of Kansas to provide
 6 the funds for each such loan. Each such loan shall bear interest at a rate
 7 equal to the net earnings rate for the pooled money investment portfolio
 8 at the time of the making of such loan. Such loan shall not be deemed to
 9 be an indebtedness or debt of the state of Kansas within the meaning of
 10 section 6 of article 11 of the constitution of the state of Kansas. Upon
 11 certification to the pooled money investment board by the director of the
 12 Kansas water office of the amount of each loan authorized pursuant to
 13 this subsection, the pooled money investment board shall transfer each
 14 such amount certified by the director of the Kansas water office from the
 15 state bank account or accounts to the water marketing fund of the Kansas
 16 water office. The principal and interest of each loan authorized pursuant
 17 to this subsection shall be repaid in payments payable at least annually
 18 for a period of not more than five years.

19 (g) During the fiscal year ending June 30, 2011, the director of accounts
 20 and reports shall transfer an amount or amounts specified by the director
 21 of the Kansas water office prior to April 1, 2011, from the water marketing
 22 fund to the state general fund, in accordance with the provisions of the
 23 state water plan storage act, and amendments thereto, and rules and reg-
 24 ulations adopted thereunder, for the purposes of making repayments to
 25 the state general fund for moneys advanced for annual capital cost pay-
 26 ments for water supply storage space in reservoirs.

27 (h) During the fiscal year ending June 30, 2011, the director of accounts
 28 and reports shall transfer an amount or amounts specified by the director
 29 of the Kansas water office prior to April 1, 2011, from the water assurance
 30 fund to the state general fund, in accordance with the provisions of the
 31 state water plan storage act, and amendments thereto, and rules and reg-
 32 ulations adopted thereunder, for the purposes of making repayments to
 33 the state general fund for moneys advanced for the purchase of water
 34 supply storage space in reservoirs.

35 Sec. 100.

36 DEPARTMENT OF WILDLIFE AND PARKS

37 (a) There is appropriated for the above agency from the state general
 38 fund for the fiscal year ending June 30, 2011, the following:

39 Operating expenditures \$3,935,862

40 *Provided*, That any unencumbered balance in the operating expenditures
 41 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
 42 for fiscal year 2011: *Provided, however*, That expenditures from this ac-
 43 count for official hospitality shall not exceed \$1,000.

1 State parks operating expenditures..... \$1,457,810
2 *Provided*, That any unencumbered balance in the state parks operating
3 expenditures account in excess of \$100 as of June 30, 2010, is hereby
4 reappropriated for fiscal year 2011.
5 Reimbursement for annual licenses issued to national
6 guard members \$36,500
7 *Provided*, That all moneys in the reimbursement for annual licenses is-
8 sued to national guard members account shall be expended to pay the
9 wildlife fee fund for the cost of fees for annual hunting and annual fishing
10 licenses issued for the calendar year 2011 to Kansas army or air national
11 guard members, which licenses are hereby authorized to be issued with-
12 out charge to such members in accordance with policies and procedures
13 prescribed by the secretary of wildlife and parks therefor and subject to
14 the limitation of the moneys appropriated and available in the reimburse-
15 ment for annual licenses issued to national guard members account to
16 pay the wildlife fee fund for such licenses: *Provided, however*, That no
17 other hunting or fishing licenses or permits shall be eligible to be paid
18 from this account: *Provided further*, That any unencumbered balance in
19 the reimbursement for annual licenses issued to national guard members
20 account in excess of \$100 as of June 30, 2010, is hereby reappropriated
21 for fiscal year 2011.
22 Reimbursement for annual park permits issued to national
23 guard members \$18,000
24 *Provided*, That all moneys in the reimbursement for annual park permits
25 issued to national guard members account shall be expended to pay the
26 parks fee fund for the cost of fees for annual park vehicle permits issued
27 for the calendar year 2011 to Kansas army or air national guard members,
28 which annual park vehicle permits are hereby authorized to be issued
29 without charge to such members in accordance with policies and proce-
30 dures prescribed by the secretary of wildlife and parks therefor and sub-
31 ject to the limitation of the moneys appropriated and available in the
32 reimbursement for annual park permits issued to national guard members
33 account to pay the parks fee fund for such permits: *Provided, however*,
34 That not more than one annual park vehicle permit per family shall be
35 eligible to be paid from this account: *Provided further*, That any unen-
36 cumbered balance in the reimbursement for annual park permits issued
37 to national guard members account in excess of \$100 as of June 30, 2010,
38 is hereby reappropriated for fiscal year 2011.
39 Reimbursement for annual licenses issued to Kansas dis-
40 abled veterans \$74,264
41 *Provided*, That all moneys in the reimbursement for annual licenses is-
42 sued to Kansas disabled veterans account shall be expended to pay the
43 wildlife fee fund for the cost of fees for annual hunting and annual fishing

1 licenses issued for the calendar year 2011 to Kansas disabled veterans,
 2 which licenses are hereby authorized to be issued without charge to such
 3 veterans in accordance with policies and procedures prescribed by the
 4 secretary of wildlife and parks therefor and subject to the limitation of
 5 the moneys appropriated and available in the reimbursement for annual
 6 licenses issued to Kansas disabled veterans account to pay the wildlife fee
 7 fund for such licenses: *Provided, however*, That to qualify for such license
 8 without charge, the resident disabled veteran shall have been separated
 9 from the armed services under honorable conditions, have a disability
 10 certified by the Kansas commission on veterans affairs as being service
 11 connected and such service connected disability is equal to or greater
 12 than 30%: *Provided further*, That no other hunting or fishing licenses or
 13 permits shall be eligible to be paid from this account: *And provided fur-*
 14 *ther*, That any unencumbered balance in the reimbursement for annual
 15 licenses issued to Kansas disabled veterans account in excess of \$100 as
 16 of June 30, 2010, is hereby reappropriated for fiscal year 2011.

17 (b) There is appropriated for the above agency from the following spe-
 18 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 19 moneys now or hereafter lawfully credited to and available in such fund
 20 or funds, except that expenditures other than refunds authorized by law
 21 shall not exceed the following:

22 Wildlife fee fund \$24,254,777

23 *Provided*, That additional expenditures may be made from the wildlife
 24 fee fund for fiscal year 2011 for the purposes of compensating federal aid
 25 program expenditures if necessary in order to comply with requirements
 26 established by the United States fish and wildlife service for the utilization
 27 of federal aid funds: *Provided further*, That all such expenditures shall be
 28 in addition to any expenditure limitation imposed upon the wildlife fee
 29 fund for fiscal year 2011: *And provided further*, That the secretary of
 30 wildlife and parks shall report all such expenditures to the governor and
 31 the legislature as appropriate: *And provided further*, That expenditures
 32 from this fund for official hospitality shall not exceed \$1,000.

33 Parks fee fund \$5,734,743

34 *Provided*, That additional expenditures may be made from the parks fee
 35 fund for fiscal year 2011 for the purposes of compensating federal aid
 36 program expenditures if necessary in order to comply with requirements
 37 established by the United States fish and wildlife service for the utilization
 38 of federal aid funds: *Provided further*, That all such expenditures shall be
 39 in addition to any expenditure limitation imposed upon the parks fee fund
 40 for fiscal year 2011: *And provided further*, That the secretary of wildlife
 41 and parks shall report all such expenditures to the governor and the leg-
 42 islature as appropriate.

43 Boating fee fund \$964,820

1 *Provided*, That additional expenditures may be made from the boating
 2 fee fund for fiscal year 2011 for the purposes of compensating federal aid
 3 program expenditures if necessary in order to comply with requirements
 4 established by the United States fish and wildlife service for the utilization
 5 of federal aid funds: *Provided further*, That all such expenditures shall be
 6 in addition to any expenditure limitation imposed upon the boating fee
 7 fund for fiscal year 2011: *And provided further*, That the secretary of
 8 wildlife and parks shall report all such expenditures to the governor and
 9 the legislature as appropriate: *And provided further*, That expenditures
 10 from this fund for official hospitality shall not exceed \$1,000.

11 Central aircraft fund No limit

12 *Provided*, That expenditures may be made by the above agency from the
 13 central aircraft fund for aircraft operating expenditures, for aircraft main-
 14 tenance and repair, to provide aircraft services to other state agencies,
 15 and for the purchase of state aircraft insurance: *Provided further*, That
 16 the secretary of wildlife and parks is hereby authorized to fix, charge and
 17 collect fees for the provision of aircraft services to other state agencies:
 18 *And provided further*, That such fees shall be fixed to recover all or part
 19 of the operating expenditures incurred in providing such services: *And*
 20 *provided further*, That all fees received for such services shall be credited
 21 to the central aircraft fund.

22 Department access roads fund \$1,012,347

23 Wildlife and parks nonrestricted fund..... No limit

24 Prairie spirit rails-to-trails fee fund..... No limit

25 Nongame wildlife improvement fund No limit

26 Nongame wildlife improvement fund — federal No limit

27 Wildlife conservation fund No limit

28 Federally licensed wildlife areas fund..... No limit

29 State agricultural production fund..... No limit

30 Land and water conservation fund — state No limit

31 Land and water conservation fund — local No limit

32 Development and promotions fund..... No limit

33 Department of wildlife and parks private gifts and dona-
 34 tions fund No limit

35 Fish and wildlife restitution fund..... No limit

36 Parks restitution fund..... No limit

37 Nonfederal grants fund No limit

38 Other federal grants fund No limit

39 *Provided*, That the above agency is authorized to make expenditures from
 40 the other federal grants fund of any moneys credited to this fund from
 41 any individual grant if the grant: (1) Is less than or equal to \$750,000 in
 42 the aggregate, and (2) does not require the matching expenditure of any
 43 other moneys in the state treasury during fiscal year 2011 other than

1 moneys appropriated by this or other appropriation act of the 2010 reg-
 2 ular session of the legislature: *Provided, however,* That, upon application
 3 to and authorization by the governor, the above agency may make ex-
 4 penditures of moneys credited to this fund from any individual federal
 5 grant which is more than \$750,000 in the aggregate or which requires the
 6 matching expenditure of moneys in the state treasury during the current
 7 or any ensuing fiscal year: *Provided further,* That, subject to the provisions
 8 of the other provisos prescribing guidelines for authority to make ex-
 9 penditures from the other federal grants fund, expenditures may be made
 10 from the other federal grants fund for capital improvements.

| | | |
|----|--|----------|
| 11 | Suspense fund | No limit |
| 12 | Employee maintenance deduction clearing fund | No limit |
| 13 | Cabin revenue fund | No limit |
| 14 | Boating fund — federal..... | No limit |
| 15 | Wildlife fund — federal | No limit |
| 16 | Wildlife conservation fund — federal | No limit |
| 17 | Feed the hungry fund | No limit |

18 (c) There is appropriated for the above agency from the state water
 19 plan fund for the fiscal year ending June 30, 2011, the following:

| | | |
|----|------------------------|----------|
| 20 | Stream monitoring..... | \$28,800 |
|----|------------------------|----------|

21 Sec. 101.

22 DEPARTMENT OF TRANSPORTATION

23 (a) There is appropriated for the above agency from the following spe-
 24 cial revenue fund or funds for the fiscal year ending June 30, 2011, all
 25 moneys now or hereafter lawfully credited to and available in such fund
 26 or funds, except that expenditures shall not exceed the following:

| | | |
|----|---|-------------|
| 27 | State highway fund | No limit |
| 28 | <i>Provided,</i> That no expenditures may be made from the state highway fund | |
| 29 | other than for the purposes specifically authorized by this or other ap- | |
| 30 | propriation act. | |
| 31 | Special city and county highway fund | No limit |
| 32 | County equalization and adjustment fund | \$2,500,000 |
| 33 | Highway special permits fund | No limit |
| 34 | Highway bond debt service fund | No limit |
| 35 | Rail service improvement fund..... | No limit |
| 36 | Transportation revolving fund | No limit |
| 37 | Rail service assistance program loan guarantee fund..... | No limit |
| 38 | Railroad rehabilitation loan guarantee fund | No limit |

39 *Provided,* That expenditures from the railroad rehabilitation loan guar-
 40 antee fund shall not exceed the amount which the secretary of transpor-
 41 tation is obligated to pay during the fiscal year ending June 30, 2011, in
 42 satisfaction of liabilities arising from the unconditional guarantee of pay-
 43 ment which was entered into by the secretary of transportation in con-

1 nection with the mid-states port authority federally taxable revenue re-
2 funding bonds, series 1994, dated May 1, 1994, authorized by K.S.A.
3 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A.
4 75-5031, and amendments thereto.

5 Interagency motor vehicle fuel sales fund No limit
6 *Provided*, That expenditures may be made from the interagency motor
7 vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas
8 highway patrol: *Provided further*, That the secretary of transportation is
9 hereby authorized to fix, charge and collect fees for motor vehicle fuel
10 sold to the Kansas highway patrol: *And provided further*, That such fees
11 shall be fixed in order to recover all or part of the expenses incurred in
12 providing motor vehicle fuel to the Kansas highway patrol: *And provided*
13 *further*, That all fees received for such sales of motor vehicle fuel shall
14 be credited to the interagency motor vehicle fuel sales fund.

15 Coordinated public transportation assistance fund..... No limit
16 Public use general aviation airport development fund..... No limit
17 Highway bond proceeds fund..... No limit
18 Communication system revolving fund No limit
19 Traffic records enhancement fund No limit
20 Other federal grants fund No limit
21 *Provided*, That no moneys received by the department of transportation
22 that are highway trust funds or moneys that are received by the depart-
23 ment of transportation under federal grants received on an ongoing basis
24 shall be credited to the other federal grants fund: *Provided, however*,
25 That the secretary of transportation may transfer moneys between the
26 other federal grants fund and the state highway fund.

27 Kansas intermodal transportation revolving fund..... No limit
28 (b) Expenditures may be made by the above agency for the fiscal year
29 ending June 30, 2011, from the state highway fund for the following
30 specified purposes: *Provided*, That expenditures from the state highway
31 fund for fiscal year 2011 other than refunds authorized by law for the
32 following specified purposes shall not exceed the limitations prescribed
33 therefor as follows:

34 Agency operations \$267,865,758
35 *Provided*, That expenditures from the agency operations account of the
36 state highway fund for official hospitality by the secretary of transporta-
37 tion shall not exceed \$5,000: *Provided further*, That expenditures may be
38 made from this account for engineering services furnished to counties for
39 road and bridge projects under K.S.A. 68-402e, and amendments thereto.

40 Conference fees No limit
41 *Provided*, That the secretary of transportation is hereby authorized to fix,
42 charge and collect conference, training and workshop attendance and
43 registration fees for conferences, training seminars and workshops spon-

1 sored or cosponsored by the department: *Provided further*, That such
 2 fees shall be deposited in the state treasury and credited to the conference
 3 fees account of the state highway fund: *And provided further*, That ex-
 4 penditures may be made from this account to defray all or part of the
 5 costs of the conferences, training seminars and workshops.

| | |
|--|-------------|
| 6 Substantial maintenance | No limit |
| 7 Claims | No limit |
| 8 Payments for city connecting links | \$3,360,000 |
| 9 Federal local aid programs..... | No limit |
| 10 Bond services fees | No limit |
| 11 Construction, remodeling and special maintenance pro- 12 jects for buildings | \$0 |

13 *Provided*, That expenditures may be made from the construction, re-
 14 modeling and special maintenance projects for buildings account of the
 15 state highway fund of amounts in unexpended balances as of June 30,
 16 2010, in capital improvement project accounts of projects approved for
 17 prior fiscal years: *Provided further*, That expenditures from this account
 18 of amounts in such unexpended balances shall be in addition to any ex-
 19 penditure limitation imposed on this account for fiscal year 2011.

20 Other capital improvements..... No limit
 21 *Provided*, That the secretary of transportation is authorized to make ex-
 22 penditures from the other capital improvements account to undertake a
 23 program to assist cities and counties with railroad crossings of roads not
 24 on the state highway system.

25 (c) (1) In addition to the other purposes for which expenditures may
 26 be made by the above agency from the state highway fund for fiscal year
 27 2011, expenditures may be made by the above agency from the following
 28 capital improvement account or accounts of the state highway fund for
 29 fiscal year 2011 for the following capital improvement project or projects,
 30 subject to the expenditure limitations prescribed therefor:

| | |
|---|-------------|
| 31 Buildings — rehabilitation and repair | \$3,454,139 |
| 32 Buildings — reroofing..... | \$380,317 |
| 33 Buildings — other construction, renovation and repair | \$1,991,974 |

34 (2) In addition to the other purposes for which expenditures may be
 35 made by the above agency from the state highway fund for fiscal year
 36 2011, expenditures may be made by the above agency from the state
 37 highway fund for fiscal year 2011 from the unencumbered balance as of
 38 June 30, 2010, in each capital improvement project account for a building
 39 or buildings in the state highway fund for one or more projects approved
 40 for prior fiscal years: *Provided*, That all expenditures from the unencum-
 41 bered balance in any such project account of the state highway fund for
 42 fiscal year 2011 shall not exceed the amount of the unencumbered bal-
 43 ance in such project account on June 30, 2010, subject to the provisions

1 of section (d): *Provided further*, That all expenditures from any such pro-
2 ject account shall be in addition to any expenditure limitation imposed
3 on the state highway fund for fiscal year 2011.

4 (d) During the fiscal year ending June 30, 2011, the secretary of trans-
5 portation, with the approval of the director of the budget, may transfer
6 any part of any item of appropriation in a capital improvement project
7 account for a building or buildings for fiscal year 2011 from the state
8 highway fund for the department of transportation to another item of
9 appropriation in a capital improvement project account for a building or
10 buildings for fiscal year 2011 from the state highway fund for the de-
11 partment of transportation: *Provided*, That the secretary of transportation
12 shall certify each such transfer to the director of accounts and reports and
13 shall transmit a copy of each such certification to the director of legislative
14 research.

15 (e) On April 1, 2011, the director of accounts and reports shall transfer
16 from the motor pool service fund of the department of administration to
17 the state highway fund of the department of transportation an amount
18 determined to be equal to the sum of the annual vehicle registration fees
19 for each vehicle owned or leased by the state or any state agencies in
20 accordance with K.S.A. 75-4611, and amendments thereto.

21 (f) During the fiscal year ending June 30, 2011, upon notification from
22 the secretary of transportation that an amount is due and payable from
23 the railroad rehabilitation loan guarantee fund, the director of accounts
24 and reports shall transfer from the state highway fund to the railroad
25 rehabilitation loan guarantee fund the amount certified by the secretary
26 as due and payable.

27 (g) Any payment for services during the fiscal year ending June 30,
28 2011, from the state highway fund to other state agencies shall be in
29 addition to any expenditure limitation imposed on the state highway fund
30 for fiscal year 2011.

31 (h) For the fiscal year ending June 30, 2011, the department of trans-
32 portation shall prepare and submit along with the documents required
33 under K.S.A. 75-3717, and amendments thereto, additional documents
34 that present the revenues, transfers, and expenditures that are considered
35 to be in support of the comprehensive transportation program authorized
36 by K.S.A. 68-2314a et seq., and amendments thereto: *Provided*, That
37 documents shall include both reportable as well as nonreportable and off-
38 budget items that reflect the revenues, transfers and expenditures asso-
39 ciated with the comprehensive transportation program.

40 (i) On July 1, 2010, October 1, 2010, January 1, 2011, and April 1, 2011,
41 or as soon after each such date as moneys are available, the director of
42 accounts and reports shall transfer \$26,250,000 from the state highway
43 fund of the department of transportation to the state general fund: *Pro-*

1 *vided*, That the transfer of each such amount shall be in addition to any
 2 other transfer from the state highway fund of the department of trans-
 3 portation to the state general fund as prescribed by law: *Provided further*,
 4 That, in addition to other purposes for which transfers and expenditures
 5 may be made from the state highway fund during fiscal year 2011 and
 6 notwithstanding the provisions of K.S.A. 68-416, and amendments
 7 thereto, or any other statute, transfers may be made from the state high-
 8 way fund to the state general fund under this subsection during fiscal year
 9 2011: *And provided further*, That all moneys transferred from the state
 10 highway fund to the state general fund under this subsection shall be
 11 moneys credited to the state highway fund pursuant to K.S.A. 79-3620 or
 12 79-3710, and amendments thereto.

13 (j) On July 1, 2010, or soon thereafter as moneys are available, not-
 14 withstanding the provisions of K.S.A. 75-5061, and amendments thereto,
 15 or any other statute, the director of accounts and reports shall transfer
 16 \$1,000,000 from the public use general aviation airport development fund
 17 to the state highway fund of the department of transportation.

18 Sec. 102. *Position limitations.* (a) The number of full-time and regular
 19 part-time positions equated to full-time, excluding seasonal and tempo-
 20 rary positions, paid from appropriations for the fiscal year ending June
 21 30, 2011, made in this or other appropriation act of the 2010 regular
 22 session of the legislature for the following agencies shall not exceed the
 23 following, except upon approval of the state finance council or pursuant
 24 to subsection (b):

| | | |
|----|--|--------|
| 25 | Attorney General..... | 110.00 |
| 26 | Secretary of State | 54.00 |
| 27 | State Treasurer | 53.50 |
| 28 | Insurance Department..... | 138.36 |
| 29 | <i>Provided</i> , That any attorney positions established in the insurance de- | |
| 30 | partment for the purpose of defense of the workers compensation fund | |
| 31 | shall be in addition to any limitation imposed on the full-time and regular | |
| 32 | part-time equivalent number of positions, excluding seasonal and tem- | |
| 33 | porary positions, paid from appropriations made for fiscal year 2011 for | |
| 34 | the department of insurance. | |
| 35 | Department of Commerce..... | 314.75 |
| 36 | Health Care Stabilization Fund Board of Governors..... | 17.00 |
| 37 | Judicial Council..... | 7.00 |
| 38 | Kansas Human Rights Commission..... | 34.00 |
| 39 | State Corporation Commission..... | 214.00 |
| 40 | Citizens' Utility Ratepayer Board..... | 6.00 |
| 41 | Department of Administration | 746.95 |
| 42 | Office of Administrative Hearings..... | 13.00 |
| 43 | State Court of Tax Appeals | 26.00 |

| | | |
|----|---|----------|
| 1 | Department of Revenue | 1,096.00 |
| 2 | Kansas Health Policy Authority | 288.65 |
| 3 | Kansas Lottery | 99.00 |
| 4 | Kansas Racing and Gaming Commission — state racing | |
| 5 | operations and expanded lottery act regulation | |
| 6 | division | 49.53 |
| 7 | Kansas Racing and Gaming Commission — state gaming | |
| 8 | agency | 24.00 |
| 9 | Department of Labor | 552.00 |
| 10 | Kansas Commission on Veterans Affairs | 498.00 |
| 11 | Department of Health and Environment — Division of | |
| 12 | Health | 364.40 |
| 13 | Department of Health and Environment — Division of | |
| 14 | Environment | 431.03 |
| 15 | Department on Aging | 214.00 |
| 16 | Department of Social and Rehabilitation Services | 3,669.13 |
| 17 | Kansas Neurological Institute | 570.20 |
| 18 | Larned State Hospital | 976.20 |
| 19 | Osawatomie State Hospital | 441.40 |
| 20 | Parsons State Hospital and Training Center | 497.20 |
| 21 | Rainbow Mental Health Facility | 122.20 |
| 22 | Kansas, Inc. | 4.50 |
| 23 | Kansas Guardianship Program | 11.00 |
| 24 | State Library | 25.00 |
| 25 | Kansas Arts Commission | 8.00 |
| 26 | Kansas State School for the Blind | 93.50 |
| 27 | Kansas State School for the Deaf | 173.50 |
| 28 | State Historical Society | 134.00 |
| 29 | State Board of Regents | 63.50 |
| 30 | Department of Corrections | 3,023.00 |
| 31 | Juvenile Justice Authority | 499.50 |
| 32 | Adjutant General | 219.00 |
| 33 | State Fire Marshal | 53.00 |
| 34 | Kansas Parole Board | 3.00 |
| 35 | Attorney General — Kansas Bureau of Investigation | 221.00 |
| 36 | Emergency Medical Services Board | 14.00 |
| 37 | Kansas Sentencing Commission | 10.00 |
| 38 | Kansas Commission on Peace Officers' Standards and | |
| 39 | Training | 7.00 |
| 40 | Kansas Department of Agriculture | 341.50 |
| 41 | Kansas Animal Health Department | 33.00 |
| 42 | State Fair Board | 24.00 |
| 43 | State Conservation Commission | 13.00 |

| | | |
|---|--|----------|
| 1 | Kansas Water Office | 23.50 |
| 2 | Department of Wildlife and Parks | 416.50 |
| 3 | Department of Transportation..... | 3,113.50 |

4 (b) During the fiscal year ending June 30, 2011, the secretary of social
5 and rehabilitation services may increase the position limitation for the
6 department of social and rehabilitation services or for any institution or
7 facility under the general supervision and management of the secretary
8 of social and rehabilitation services by making a corresponding decrease
9 in the position limitation for either the department of social and rehabil-
10 itation services or any institution or facility under the general supervision
11 and management of the secretary of social and rehabilitation services.
12 The secretary of social and rehabilitation services shall certify each such
13 increase and corresponding decrease to the director of personnel services
14 of the department of administration and shall transmit a copy of each
15 such certification to the director of legislative research and the director
16 of the budget.

17 (c) During the fiscal year ending June 30, 2011, the attorney general
18 may authorize full-time non-FTE unclassified permanent positions and
19 regular part-time non-FTE unclassified permanent positions, for the Kan-
20 sas bureau of investigation that are paid from appropriations for the at-
21 torney general — Kansas bureau of investigation for fiscal year 2011 made
22 in this or other appropriation act of the 2010 regular session of the leg-
23 islature, which shall be in addition to the number of full-time and regular
24 part-time positions equated to full-time, excluding seasonal and tempo-
25 rary positions, authorized for fiscal year 2011 for the attorney general —
26 Kansas bureau of investigation. The attorney general shall certify each
27 such authorization for non-FTE unclassified permanent positions for the
28 Kansas bureau of investigation to the director of personnel services of the
29 department of administration and shall transmit a copy of each such cer-
30 tification to the director of legislative research and the director of the
31 budget.

32 Sec. 103. (a) In addition to the other purposes for which expenditures
33 may be made by the legislature from the operations (including official
34 hospitality) account of the state general fund for the fiscal year ending
35 June 30, 2011, expenditures shall be made by the legislature from the
36 operations (including official hospitality) account of the state general fund
37 for fiscal year 2011 for an additional amount of allowance equal to the
38 amount required to provide, along with the amount of allowance other-
39 wise payable from appropriations for the legislature to each member of
40 the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a,
41 and amendments thereto, an aggregate amount of allowance (A) of
42 \$354.15 for the two-week period which coincides with the first biweekly
43 payroll period which is chargeable to fiscal year 2011 and for each of the

1 14 ensuing two-week periods thereafter, and (B) of \$354.15 for the two-
2 week period which coincides with the biweekly payroll period which in-
3 cludes April 3, 2011, which is chargeable to fiscal year 2011 and for each
4 of the four ensuing two-week periods thereafter, for each member of the
5 legislature to defray expenses incurred between sessions of the legislature
6 for postage, telephone, office and other incidental expenses, which are
7 chargeable to fiscal year 2011, notwithstanding the provisions of K.S.A.
8 46-137a, and amendments thereto: *Provided*, That all expenditures under
9 this subsection (a) for such purposes shall be made otherwise in the same
10 manner that such allowance is payable to such members of the legislature
11 for such two-week periods for which such allowance is payable in accord-
12 ance with this subsection (a) and which are chargeable to fiscal year 2011.

13 (b) (1) In addition to the other purposes for which expenditures may
14 be made by any state agency named in this or other appropriation act of
15 the 2010 regular session of the legislature from the moneys appropriated
16 from the state general fund or from any special revenue fund for fiscal
17 year 2011 as authorized by this or other appropriation act of the 2010
18 regular session of the legislature, expenditures are hereby authorized and
19 directed to be made by each such state agency from moneys appropriated
20 from the state general fund or from any special revenue fund for fiscal
21 year 2011 to provide each employee, who is eligible for a longevity bonus
22 payment pursuant to K.S.A. 75-5541, and amendments thereto, an ad-
23 ditional amount of longevity bonus payment during fiscal year 2011 equal
24 to the amount required to provide, along with the amount of the longevity
25 bonus payment otherwise payable pursuant to K.S.A. 75-5541, and
26 amendments thereto, an aggregate amount of longevity bonus that would
27 be payable if the amount of the longevity bonus payment pursuant to
28 K.S.A. 75-5541, and amendments thereto, were determined by multiply-
29 ing the number of full years of state service, not to exceed 25 years,
30 rendered by such employee by \$50: *Provided*, That all expenditures under
31 this subsection (b) for such purposes shall be made in the same manner
32 and at the same time that the longevity bonus payment determined under
33 K.S.A. 75-5541, and amendments thereto, is payable during fiscal year
34 2011 to such employee: *Provided further*, That each such additional
35 amount of longevity bonus payment to any such employee shall be
36 deemed to have the same characteristics, be subject to the same with-
37 holding, deduction or contribution requirements, and is intended to be a
38 bonus as defined in 29 C.F.R. § 778.208, to the same extent and effect
39 as longevity bonus payments that are payable pursuant to K.S.A. 75-5541,
40 and amendments thereto.

41 (2) As used in this subsection (b), “state agency” means any state agency
42 in the executive branch, legislative branch or judicial branch of state gov-
43 ernment and “employee” means any officer or employee of a state agency.

1 Sec. 104. (a) On and after July 1, 2010, notwithstanding the provisions
2 of K.S.A. 2009 Supp. 74-99b34, and amendments thereto, or any other
3 statute, the aggregate amount equal to (1) the annual amount equal to
4 95% of withholding above the base, as certified or estimated and recon-
5 ciled by the secretary of revenue, plus (2) annual interest earnings based
6 on the average daily balance of moneys in the bioscience development
7 and investment fund and the net earnings rate of the pooled money in-
8 vestment portfolio, that is directed to be transferred during the fiscal year
9 ending June 30, 2011, from the state general fund to the bioscience de-
10 velopment and investment fund by K.S.A. 2009 Supp. 74-99b34, and
11 amendments thereto, is hereby decreased from such aggregate amount,
12 which would otherwise be transferred pursuant to K.S.A. 2009 Supp. 74-
13 99b34, and amendments thereto, to the aggregate annual amount of
14 \$35,000,000: *Provided*, That not more than \$35,000,000 shall be trans-
15 ferred from the state general fund to the bioscience development and
16 investment fund during the fiscal year ending June 30, 2011, pursuant to
17 K.S.A. 2009 Supp. 74-99b34, and amendments thereto: *Provided further*,
18 That the state treasurer shall certify to the director of the budget and the
19 director of legislative research when \$35,000,000 has been transferred
20 from the state general fund to the bioscience development and invest-
21 ment fund during the fiscal year ending June 30, 2011, pursuant to K.S.A.
22 2009 Supp. 74-99b34, and amendments thereto.

23 (b) On and after July 1, 2011, notwithstanding the provisions of K.S.A.
24 2009 Supp 74-99b34, and amendments thereto, or any other statute, the
25 aggregate amount equal to (1) the annual amount equal to 95% of with-
26 holding above the base, as certified or estimated and reconciled by the
27 secretary of revenue, plus (2) annual interest earnings based on the av-
28 erage daily balance of moneys in the bioscience development and invest-
29 ment fund and the net earnings rate of the pooled money investment
30 portfolio, that is directed to be transferred during the fiscal year ending
31 June 30, 2012, from the state general fund to the bioscience development
32 and investment fund by K.S.A. 2009 Supp. 74-99b34, and amendments
33 thereto, is hereby decreased from such aggregate amount, which would
34 otherwise be transferred pursuant to K.S.A. 2009 Supp. 74-99b34, and
35 amendments thereto, to the aggregate annual amount of \$35,000,000:
36 *Provided*, That not more than \$35,000,000 shall be transferred from the
37 state general fund to the bioscience development and investment fund
38 during the fiscal year ending June 30, 2012, pursuant to K.S.A. 2009 Supp.
39 74-99b34, and amendments thereto: *Provided further*, That the state trea-
40 surer shall certify to the director of the budget and the director of leg-
41 islative research when \$35,000,000 has been transferred from the state
42 general fund to the bioscience development and investment fund during
43 the fiscal year ending June 30, 2012, pursuant to K.S.A. 2009 Supp. 74-

1 99b34, and amendments thereto.

2 Sec. 105. On June 30, 2011, notwithstanding the provisions of K.S.A.
3 79-4804, and amendments thereto, or any other statute, the director of
4 accounts and reports shall transfer \$3,018,605 from the state economic
5 development initiatives fund to the state general fund.

6 Sec. 106. (a) The director of accounts and reports shall not make the
7 transfer of \$250,000 prescribed to be transferred from the state general
8 fund to the waste tire management fund of the department of health and
9 environment — division of environment by section 48(h)(2) of chapter 2
10 of the 2009 Session Laws of Kansas, which was directed to be made on
11 or before June 30, 2011, on a date certified by the director of the budget
12 for the purpose of repaying 25% of the amount transferred from the waste
13 tire management fund to the state general fund pursuant to section
14 13(a)(1) of chapter 3 of the 2003 Session Laws of Kansas. On the effective
15 date of this act, the provisions of section 48(h)(2) of chapter 2 of the 2009
16 Session Laws of Kansas are hereby declared to be null and void and shall
17 have no force and effect.

18 (b) The director of accounts and reports shall not make the transfer of
19 \$2,500,000 prescribed to be transferred from the state general fund to
20 the underground petroleum storage tank release trust fund of the de-
21 partment of health and environment — division of environment by sec-
22 tion 48(i)(2) of chapter 2 of the 2009 Session Laws of Kansas, which was
23 directed to be made on or before June 30, 2011, on a date certified by
24 the director of the budget for the purpose of repaying 25% of the amount
25 transferred from the underground petroleum storage tank release trust
26 fund to the state general fund pursuant to section 13(b)(1) of chapter 3
27 of the 2003 Session Laws of Kansas. On the effective date of this act, the
28 provisions of section 48(i)(2) of chapter 2 of the 2009 Session Laws of
29 Kansas are hereby declared to be null and void and shall have no force
30 and effect.

31 (c) The director of accounts and reports shall not make the transfer of
32 \$23,652,162 prescribed to be transferred from the state general fund to
33 the state highway fund of the department of transportation by section
34 86(d)(2) of chapter 2 of the 2009 Session Laws of Kansas, which was
35 directed to be made on or before June 30, 2011, on a date certified by
36 the director of the budget for the purpose of repaying 25% of the amount
37 transferred from the state highway fund to the state general fund pursuant
38 to section 40(a) of chapter 205 of the 2002 Session Laws of Kansas. On
39 the effective date of this act, the provisions of section 86(d)(2) of chapter
40 2 of the 2009 Session Laws of Kansas are hereby declared to be null and
41 void and shall have no force and effect.

42 (d) The director of accounts and reports shall not make the transfer of
43 \$7,220,145 prescribed to be transferred from the state general fund to

1 the state highway fund of the department of transportation by section
2 86(e)(2) of chapter 2 of the 2009 Session Laws of Kansas, which was
3 directed to be made on or before June 30, 2011, on a date certified by
4 the director of the budget for the purpose of repaying 25% of the amount
5 transferred from the state highway fund to the state general fund pursuant
6 to section 73(j) of chapter 138 of the 2003 Session Laws of Kansas. On
7 the effective date of this act, the provisions of section 86(e)(2) of chapter
8 2 of the 2009 Session Laws of Kansas are hereby declared to be null and
9 void and shall have no force and effect.

10 (e) The director of accounts and reports shall not make the transfer of
11 \$23,901.75 prescribed to be transferred from the state general fund to
12 the state highway fund of the department of transportation by section
13 86(f)(2) of chapter 2 of the 2009 Session Laws of Kansas, which was
14 directed to be made on or before June 30, 2011, on a date certified by
15 the director of the budget for the purpose of repaying 25% of the amount
16 transferred from the state highway fund to the state general fund pursuant
17 to section 19(c) of chapter 160 of the 2003 Session Laws of Kansas. On
18 the effective date of this act, the provisions of section 86(f)(2) of chapter
19 2 of the 2009 Session Laws of Kansas are hereby declared to be null and
20 void and shall have no force and effect.

21 (f) The director of accounts and reports shall not make the transfer of
22 \$1,000,000 prescribed to be transferred from the state general fund to
23 the workers compensation fund of the insurance department by section
24 86(i)(2) of chapter 2 of the 2009 Session Laws of Kansas, which was
25 directed to be made on or before June 30, 2011, on a date certified by
26 the director of the budget for the purpose of repaying 25% of the amount
27 transferred from the workers compensation fund to the state general fund
28 pursuant to section 10(a) of chapter 3 of the 2003 Session Laws of Kansas.
29 On the effective date of this act, the provisions of section 86(i)(2) of
30 chapter 2 of the 2009 Session Laws of Kansas are hereby declared to be
31 null and void and shall have no force and effect.

32 Sec. 107. On the effective date of this act, K.S.A. 2009 Supp. 2-223 is
33 hereby amended to read as follows: 2-223. (a) There is hereby established
34 in the state treasury the state fair capital improvements fund. All expend-
35 itures of moneys in the state fair capital improvements fund shall be used
36 for the payment of capital improvements and maintenance for the state
37 fairgrounds and the payment of capital improvement obligations that have
38 been financed. Capital improvement projects for the Kansas state fair-
39 grounds are hereby approved for the purposes of subsection (b) of K.S.A.
40 74-8905 and amendments thereto and the authorization of the issuance
41 of bonds by the Kansas development finance authority in accordance with
42 that statute.

43 (b) On each June 30, the state fair board shall certify to the director of

1 accounts and reports an amount to be transferred from the state fair fee
2 fund to the state fair capital improvements fund, which amount shall be
3 not less than the amount equal to 5% of the total gross receipts during
4 the current fiscal year from state fair activities and non-fair days activities,
5 *except that (1) for the fiscal year ending June 30, 2010, notwithstanding*
6 *the other provisions of this section, on March 1, 2010, or as soon thereafter*
7 *as moneys are available therefor, the director of accounts and reports shall*
8 *transfer from the state fair fee fund to the state fair capital improvements*
9 *fund the amount equal to the greater of \$300,000 or the amount equal to*
10 *5% of the total gross receipts during fiscal year 2010 from state fair ac-*
11 *tivities and non-fair days activities through March 1, 2010; and (2) for*
12 *the fiscal year ending June 30, 2011, notwithstanding the other provisions*
13 *of this section, on March 1, 2011, or as soon thereafter as moneys are*
14 *available therefor, the director of accounts and reports shall transfer from*
15 *the state fair fee fund to the state fair capital improvements fund the*
16 *amount equal to the greater of \$350,000 or the amount equal to 5% of*
17 *the total gross receipts during fiscal year 2011 from state fair activities*
18 *and non-fair days activities through March 1, 2011, except that, (1) sub-*
19 *ject to approval by the director of the budget prior to March 1, 2010,*
20 *after reviewing the amounts credited to the state fair fee fund and the*
21 *state fair capital improvements fund, cash flow considerations for the state*
22 *fair fee fund, and the amount required to be credited to the state fair*
23 *capital improvements fund pursuant to this subsection to pay the bonded*
24 *debt service payment due on April 1, 2010, the state fair board may certify*
25 *an amount on March 1, 2010, to the director of accounts and reports to*
26 *be transferred from the state fair fee fund to the state fair capital im-*
27 *provements fund that is equal to the amount required to be credited to*
28 *the state fair capital improvements fund pursuant to this subsection to*
29 *pay the bonded debt service payment due on April 1, 2010, and shall*
30 *certify to the director of accounts and reports on the date specified by the*
31 *director of the budget the amount equal to the balance of the aggregate*
32 *amount that is required to be transferred from the state fair fee fund to*
33 *the state fair capital improvements fund for fiscal year 2010, and (2)*
34 *subject to approval by the director of the budget prior to March 1, 2011,*
35 *after reviewing the amounts credited to the state fair fee fund and the*
36 *state fair capital improvements fund, cash flow considerations for the state*
37 *fair fee fund, and the amount required to be credited to the state fair*
38 *capital improvements fund pursuant to this subsection to pay the bonded*
39 *debt service payment due on April 1, 2011, the state fair board may certify*
40 *an amount on March 1, 2011, to the director of accounts and reports to*
41 *be transferred from the state fair fee fund to the state fair capital im-*
42 *provements fund that is equal to the amount required to be credited to*
43 *the state fair capital improvements fund pursuant to this subsection to*

1 *pay the bonded debt service payment due on April 1, 2011, and shall*
2 *certify to the director of accounts and reports on the date specified by the*
3 *director of the budget the amount equal to the balance of the aggregate*
4 *amount that is required to be transferred from the state fair fee fund to*
5 *the state fair capital improvements fund for fiscal year 2011.* Upon receipt
6 of *any* such certification, the director of accounts and reports shall trans-
7 fer moneys from the state fair fee fund to the state fair capital improve-
8 ments fund in accordance with such certification.

9 (c) On each July 1, the director of accounts and reports shall transfer
10 from the state general fund to the state fair capital improvements fund,
11 an amount equal to the amount certified by the state fair board pursuant
12 to subsection (b), except that: (1) No transfer from the state general fund
13 under this subsection shall exceed \$300,000 in any fiscal year; ~~and (2) all~~
14 ~~transfers made in accordance with the provisions of this section during~~
15 ~~the fiscal years ending June 30, 2010, and June 30, 2011, shall be consid-~~
16 ~~ered to be revenue transfers from the state general fund, and (3) no~~
17 moneys shall be transferred pursuant to this section from the state general
18 fund to the state fair capital improvements fund during the fiscal year
19 *years ending June 30, 2010, June 30, 2011, or June 30, 2012.*

20 Sec. 108. On July 1, 2010, K.S.A. 2009 Supp. 12-5256 is hereby
21 amended to read as follows: 12-5256. (a) All expenditures from the state
22 housing trust fund made for the purposes of K.S.A. 2009 Supp. 12-5253
23 through 12-5255, and amendments thereto, shall be made in accordance
24 with appropriation acts upon warrants of the director of accounts and
25 reports issued pursuant to vouchers approved by the president of the
26 Kansas housing resources corporation.

27 (b) On the effective date of this act and on July 1, 2008, ~~July 1, 2011,~~
28 ~~July 1, 2012,~~ July 1, 2013, and July 1, 2014, the director of accounts and
29 reports shall transfer \$4,000,000 from the state general fund to the state
30 housing trust fund established by K.S.A. 2009 Supp. 74-8959, and amend-
31 ments thereto. On July 1, ~~2009~~ 2012, the director of accounts and reports
32 shall transfer \$2,000,000 from the economic development initiatives fund
33 to the state housing trust fund established by K.S.A. 2009 Supp. 74-8959,
34 and amendments thereto. On July 1, ~~2010~~ 2012, the director of accounts
35 and reports shall transfer \$2,000,000 from the state general fund to the
36 state housing trust fund established by K.S.A. 2009 Supp. 74-8959, and
37 amendments thereto.

38 Sec. 109. On July 1, 2010, K.S.A. 2009 Supp. 40-3403 is hereby
39 amended to read as follows: 40-3403. (a) For the purpose of paying dam-
40 ages for personal injury or death arising out of the rendering of or the
41 failure to render professional services by a health care provider, self-
42 insurer or inactive health care provider subsequent to the time that such
43 health care provider or self-insurer has qualified for coverage under the

1 provisions of this act, there is hereby established the health care stabili-
2 zation fund. The fund shall be held in trust in the state treasury and
3 accounted for separately from other state funds. The board of governors
4 shall administer the fund or contract for the administration of the fund
5 with an insurance company authorized to do business in this state.

6 (b) (1) There is hereby created a board of governors which shall be
7 composed of such members and shall have such powers, duties and func-
8 tions as are prescribed by this act. The board of governors shall:

9 (A) Administer the fund and exercise and perform other powers, duties
10 and functions required of the board under the health care provider in-
11 surance availability act;

12 (B) provide advice, information and testimony to the appropriate li-
13 censing or disciplinary authority regarding the qualifications of a health
14 care provider;

15 (C) prepare and publish, on or before October 1 of each year, a sum-
16 mary of the fund's activity during the preceding fiscal year, including but
17 not limited to the amount collected from surcharges, the highest and
18 lowest surcharges assessed, the amount paid from the fund, the number
19 of judgments paid from the fund, the number of settlements paid from
20 the fund and the amount in the fund at the end of the fiscal year; and

21 (D) have the authority to grant exemptions from the provisions of sub-
22 section (m) of this section when a health care provider temporarily leaves
23 the state for the purpose of obtaining additional education or training or
24 to participate in religious, humanitarian or government service programs.
25 Whenever a health care provider has previously left the state for one of
26 the reasons specified in this paragraph and returns to the state and re-
27 commences practice, the board of governors may refund any amount paid
28 by the health care provider pursuant to subsection (m) of this section if
29 no claims have been filed against such health care provider during the
30 provider's temporary absence from the state.

31 (2) The board shall consist of 10 persons appointed by the commis-
32 sioner of insurance, as provided by this subsection (b) and as follows:

33 (A) Three members who are licensed to practice medicine and surgery
34 in Kansas who are doctors of medicine and who are on a list of nominees
35 submitted to the commissioner by the Kansas medical society;

36 (B) three members who are representatives of Kansas hospitals and
37 who are on a list of nominees submitted to the commissioner by the
38 Kansas hospital association;

39 (C) two members who are licensed to practice medicine and surgery
40 in Kansas who are doctors of osteopathic medicine and who are on a list
41 of nominees submitted to the commissioner by the Kansas association of
42 osteopathic medicine;

43 (D) one member who is licensed to practice chiropractic in Kansas and

1 who is on a list of nominees submitted to the commissioner by the Kansas
2 chiropractic association;

3 (E) one member who is a licensed professional nurse authorized to
4 practice as a registered nurse anesthetist who is on a list of nominees
5 submitted to the commissioner by the Kansas association of nurse anes-
6 thetists.

7 (3) When a vacancy occurs in the membership of the board of gover-
8 nors created by this act, the commissioner shall appoint a successor of
9 like qualifications from a list of three nominees submitted to the com-
10 missioner by the professional society or association prescribed by this
11 section for the category of health care provider required for the vacant
12 position on the board of governors. All appointments made shall be for a
13 term of office of four years, but no member shall be appointed for more
14 than two successive four-year terms. Each member shall serve until a
15 successor is appointed and qualified. Whenever a vacancy occurs in the
16 membership of the board of governors created by this act for any reason
17 other than the expiration of a member's term of office, the commissioner
18 shall appoint a successor of like qualifications to fill the unexpired term.
19 In each case of a vacancy occurring in the membership of the board of
20 governors, the commissioner shall notify the professional society or as-
21 sociation which represents the category of health care provider required
22 for the vacant position and request a list of three nominations of health
23 care providers from which to make the appointment.

24 (4) The board of governors shall organize on July 1 of each year and
25 shall elect a chairperson and vice-chairperson from among its member-
26 ship. Meetings shall be called by the chairperson or by a written notice
27 signed by three members of the board.

28 (5) The board of governors, in addition to other duties imposed by this
29 act, shall study and evaluate the operation of the fund and make such
30 recommendations to the legislature as may be appropriate to ensure the
31 viability of the fund.

32 (6) (A) The board shall appoint an executive director who shall be in
33 the unclassified service under the Kansas civil service act and may appoint
34 such attorneys, legal assistants, claims managers and compliance auditors
35 who shall also be in the unclassified service under the Kansas civil service
36 act. Such executive director, attorneys, legal assistants, claims managers
37 and compliance auditors shall receive compensation fixed by the board,
38 in accordance with appropriation acts of the legislature, not subject to
39 approval of the governor.

40 (B) The board may appoint such additional employees, and provide all
41 office space, services, equipment, materials and supplies, and all budg-
42 eting, personnel, purchasing and related management functions required
43 by the board in the exercise of the powers, duties and functions imposed

1 or authorized by the health care provider insurance availability act or may
2 enter into a contract with the commissioner of insurance for the provision,
3 by the commissioner, of all or any part thereof.

4 (7) The commissioner shall:

5 (A) Provide technical and administrative assistance to the board of gov-
6 ernors with respect to administration of the fund upon request of the
7 board;

8 (B) provide such expertise as the board may reasonably request with
9 respect to evaluation of claims or potential claims.

10 (c) Subject to subsections (d), (e), (f), (i), (k), (m), (n), (o), (p) and (q),
11 the fund shall be liable to pay: (1) Any amount due from a judgment or
12 settlement which is in excess of the basic coverage liability of all liable
13 resident health care providers or resident self-insurers for any personal
14 injury or death arising out of the rendering of or the failure to render
15 professional services within or without this state;

16 (2) subject to the provisions of subsection (m), any amount due from
17 a judgment or settlement which is in excess of the basic coverage liability
18 of all liable nonresident health care providers or nonresident self-insurers
19 for any such injury or death arising out of the rendering or the failure to
20 render professional services within this state but in no event shall the
21 fund be obligated for claims against nonresident health care providers or
22 nonresident self-insurers who have not complied with this act or for
23 claims against nonresident health care providers or nonresident self-in-
24 surers that arose outside of this state;

25 (3) subject to the provisions of subsection (m), any amount due from
26 a judgment or settlement against a resident inactive health care provider,
27 an optometrist or pharmacist who purchased coverage pursuant to sub-
28 section (n) or a physical therapist who purchased coverage pursuant to
29 subsection (o), for any such injury or death arising out of the rendering
30 of or failure to render professional services;

31 (4) subject to the provisions of subsection (m), any amount due from
32 a judgment or settlement against a nonresident inactive health care pro-
33 vider, an optometrist or pharmacist who purchased coverage pursuant to
34 subsection (n) or a physical therapist who purchased coverage pursuant
35 to subsection (o), for any injury or death arising out of the rendering or
36 failure to render professional services within this state, but in no event
37 shall the fund be obligated for claims against: (A) Nonresident inactive
38 health care providers who have not complied with this act; or (B) non-
39 resident inactive health care providers for claims that arose outside of this
40 state, unless such health care provider was a resident health care provider
41 or resident self-insurer at the time such act occurred;

42 (5) subject to subsection (b) of K.S.A. 40-3411, and amendments
43 thereto, reasonable and necessary expenses for attorney fees incurred in

1 defending the fund against claims;

2 (6) any amounts expended for reinsurance obtained to protect the best
3 interests of the fund purchased by the board of governors, which purchase
4 shall be subject to the provisions of K.S.A. 75-3738 through 75-3744, and
5 amendments thereto, but shall not be subject to the provisions of K.S.A.
6 75-4101 and amendments thereto;

7 (7) reasonable and necessary actuarial expenses incurred in adminis-
8 tering the act, including expenses for any actuarial studies contracted for
9 by the legislative coordinating council, which expenditures shall not be
10 subject to the provisions of K.S.A. 75-3738 through 75-3744, and amend-
11 ments thereto;

12 (8) periodically to the plan or plans, any amount due pursuant to sub-
13 section (a)(3) of K.S.A. 40-3413 and amendments thereto;

14 (9) reasonable and necessary expenses incurred by the board of gov-
15 ernors in the administration of the fund or in the performance of other
16 powers, duties or functions of the board under the health care provider
17 insurance availability act;

18 (10) return of any unearned surcharge;

19 (11) subject to subsection (b) of K.S.A. 40-3411, and amendments
20 thereto, reasonable and necessary expenses for attorney fees and other
21 costs incurred in defending a person engaged or who was engaged in
22 residency training or the private practice corporations or foundations and
23 their full-time physician faculty employed by the university of Kansas
24 medical center or any nonprofit corporation organized to administer the
25 graduate medical education programs of community hospitals or medical
26 care facilities affiliated with the university of Kansas school of medicine
27 from claims for personal injury or death arising out of the rendering of
28 or the failure to render professional services by such health care provider;

29 (12) notwithstanding the provisions of subsection (m), any amount due
30 from a judgment or settlement for an injury or death arising out of the
31 rendering of or failure to render professional services by a person engaged
32 or who was engaged in residency training or the private practice corpo-
33 rations or foundations and their full-time physician faculty employed by
34 the university of Kansas medical center or any nonprofit corporation or-
35 ganized to administer the graduate medical education programs of com-
36 munity hospitals or medical care facilities affiliated with the university of
37 Kansas school of medicine;

38 (13) subject to the provisions of K.S.A. 65-429 and amendments
39 thereto, reasonable and necessary expenses for the development and pro-
40 motion of risk management education programs and for the medical care
41 facility licensure and risk management survey functions carried out under
42 K.S.A. 65-429 and amendments thereto;

43 (14) notwithstanding the provisions of subsection (m), any amount, but

1 not less than the required basic coverage limits, owed pursuant to a judg-
2 ment or settlement for any injury or death arising out of the rendering
3 of or failure to render professional services by a person, other than a
4 person described in clause (12) of this subsection (c), who was engaged
5 in a postgraduate program of residency training approved by the state
6 board of healing arts but who, at the time the claim was made, was no
7 longer engaged in such residency program;

8 (15) subject to subsection (b) of K.S.A. 40-3411, and amendments
9 thereto, reasonable and necessary expenses for attorney fees and other
10 costs incurred in defending a person described in clause (14) of this sub-
11 section (c);

12 (16) expenses incurred by the commissioner in the performance of
13 duties and functions imposed upon the commissioner by the health care
14 provider insurance availability act, and expenses incurred by the com-
15 missioner in the performance of duties and functions under contracts
16 entered into between the board and the commissioner as authorized by
17 this section; and

18 (17) periodically to the state general fund reimbursements of amounts
19 paid to members of the health care stabilization fund oversight committee
20 for compensation, travel expenses and subsistence expenses pursuant to
21 subsection (e) of K.S.A. 40-3403b, and amendments thereto.

22 (d) All amounts for which the fund is liable pursuant to subsection (c)
23 shall be paid promptly and in full except that, if the amount for which
24 the fund is liable is \$300,000 or more, it shall be paid, by installment
25 payments of \$300,000 or 10% of the amount of the judgment including
26 interest thereon, whichever is greater, per fiscal year, the first installment
27 to be paid within 60 days after the fund becomes liable and each subse-
28 quent installment to be paid annually on the same date of the year the
29 first installment was paid, until the claim has been paid in full. Any at-
30 torney fees payable from such installment shall be similarly prorated.

31 (e) In no event shall the fund be liable to pay in excess of \$3,000,000
32 pursuant to any one judgment or settlement against any one health care
33 provider relating to any injury or death arising out of the rendering of or
34 the failure to render professional services on and after July 1, 1984, and
35 before July 1, 1989, subject to an aggregate limitation for all judgments
36 or settlements arising from all claims made in any one fiscal year in the
37 amount of \$6,000,000 for each health care provider.

38 (f) The fund shall not be liable to pay in excess of the amounts specified
39 in the option selected by the health care provider pursuant to subsection
40 (l) for judgments or settlements relating to injury or death arising out of
41 the rendering of or failure to render professional services by such health
42 care provider on or after July 1, 1989.

43 (g) A health care provider shall be deemed to have qualified for cov-

1 erage under the fund:

2 (1) On and after July 1, 1976, if basic coverage is then in effect;

3 (2) subsequent to July 1, 1976, at such time as basic coverage becomes
4 effective; or

5 (3) upon qualifying as a self-insurer pursuant to K.S.A. 40-3414 and
6 amendments thereto.

7 (h) A health care provider who is qualified for coverage under the fund
8 shall have no vicarious liability or responsibility for any injury or death
9 arising out of the rendering of or the failure to render professional serv-
10 ices inside or outside this state by any other health care provider who is
11 also qualified for coverage under the fund. The provisions of this subsec-
12 tion shall apply to all claims filed on or after July 1, 1986.

13 (i) Notwithstanding the provisions of K.S.A. 40-3402 and amendments
14 thereto, if the board of governors determines due to the number of claims
15 filed against a health care provider or the outcome of those claims that
16 an individual health care provider presents a material risk of significant
17 future liability to the fund, the board of governors is authorized by a vote
18 of a majority of the members thereof, after notice and an opportunity for
19 hearing in accordance with the provisions of the Kansas administrative
20 procedure act, to terminate the liability of the fund for all claims against
21 the health care provider for damages for death or personal injury arising
22 out of the rendering of or the failure to render professional services after
23 the date of termination. The date of termination shall be 30 days after
24 the date of the determination by the board of governors. The board of
25 governors, upon termination of the liability of the fund under this sub-
26 section, shall notify the licensing or other disciplinary board having juris-
27 diction over the health care provider involved of the name of the health
28 care provider and the reasons for the termination.

29 (j) (1) Upon the payment of moneys from the health care stabilization
30 fund pursuant to subsection (c)(11), the board of governors shall certify
31 to the director of accounts and reports the amount of such payment, and
32 the director of accounts and reports shall transfer an amount equal to the
33 amount certified, reduced by any amount transferred pursuant to para-
34 graph (3) or (4) of this subsection (j), from the state general fund to the
35 health care stabilization fund.

36 (2) Upon the payment of moneys from the health care stabilization
37 fund pursuant to subsection (c)(12), the board of governors shall certify
38 to the director of accounts and reports the amount of such payment which
39 is equal to the basic coverage liability of self-insurers, and the director of
40 accounts and reports shall transfer an amount equal to the amount cer-
41 tified, reduced by any amount transferred pursuant to paragraph (3) or
42 (4) of this subsection (j), from the state general fund to the health care
43 stabilization fund.

1 (3) The university of Kansas medical center private practice foundation
2 reserve fund is hereby established in the state treasury. If the balance in
3 such reserve fund is less than \$500,000 on July 1 of any year, the private
4 practice corporations or foundations referred to in subsection (c) of K.S.A.
5 40-3402, and amendments thereto, shall remit the amount necessary to
6 increase such balance to \$500,000 to the state treasurer for credit to such
7 reserve fund as soon after such July 1 date as is practicable. Upon receipt
8 of each such remittance, the state treasurer shall credit the same to such
9 reserve fund. When compliance with the foregoing provisions of this par-
10 agraph have been achieved on or after July 1 of any year in which the
11 same are applicable, the state treasurer shall certify to the board of gov-
12 ernors that such reserve fund has been funded for the year in the manner
13 required by law. Moneys in such reserve fund may be invested or rein-
14 vested in accordance with the provisions of K.S.A. 40-3406, and amend-
15 ments thereto, and any income or interest earned by such investments
16 shall be credited to such reserve fund. Upon payment of moneys from
17 the health care stabilization fund pursuant to subsection (c)(11) or (c)(12)
18 with respect to any private practice corporation or foundation or any of
19 its full-time physician faculty employed by the university of Kansas, the
20 director of accounts and reports shall transfer an amount equal to the
21 amount paid from the university of Kansas medical center private practice
22 foundation reserve fund to the health care stabilization fund or, if the
23 balance in such reserve fund is less than the amount so paid, an amount
24 equal to the balance in such reserve fund.

25 (4) The graduate medical education administration reserve fund is
26 hereby established in the state treasury. If the balance in such reserve
27 fund is less than \$40,000 on July 1 of any year, the nonprofit corporations
28 organized to administer the graduate medical education programs of com-
29 munity hospitals or medical care facilities affiliated with the university of
30 Kansas school of medicine shall remit the amount necessary to increase
31 such balance to \$40,000 to the state treasurer for credit to such reserve
32 fund as soon after such July 1 date as is practicable. Upon receipt of each
33 such remittance, the state treasurer shall credit the same to such reserve
34 fund. When compliance with the foregoing provisions of this paragraph
35 have been achieved on or after July 1 of any year in which the same are
36 applicable, the state treasurer shall certify to the board of governors that
37 such reserve fund has been funded for the year in the manner required
38 by law. Moneys in such reserve fund may be invested or reinvested in
39 accordance with the provisions of K.S.A. 40-3406, and amendments
40 thereto, and any income or interest earned by such investments shall be
41 credited to such reserve fund. Upon payment of moneys from the health
42 care stabilization fund pursuant to subsection (c)(11) or (c)(12) with re-
43 spect to any nonprofit corporations organized to administer the graduate

1 medical education programs of community hospitals or medical care fa-
2 cilities affiliated with the university of Kansas school of medicine the
3 director of accounts and reports shall transfer an amount equal to the
4 amount paid from the graduate medical education administration reserve
5 fund to the health care stabilization fund or, if the balance in such reserve
6 fund is less than the amount so paid, an amount equal to the balance in
7 such reserve fund.

8 (5) Upon payment of moneys from the health care stabilization fund
9 pursuant to subsection (c)(14) or (c)(15), the board of governors shall
10 certify to the director of accounts and reports the amount of such pay-
11 ment, and the director of accounts and reports shall transfer an amount
12 equal to the amount certified from the state general fund to the health
13 care stabilization fund.

14 (6) *Notwithstanding any other provision of this subsection (j), no mon-*
15 *eys shall be transferred pursuant to subsection (j) from the state general*
16 *fund to the healthcare stabilization fund for the fiscal years ending June*
17 *30, 2011, and June 30, 2012.*

18 (k) Notwithstanding any other provision of the health care provider
19 insurance availability act, no psychiatric hospital licensed under K.S.A.
20 75-3307b and amendments thereto shall be assessed a premium sur-
21 charge or be entitled to coverage under the fund if such hospital has not
22 paid any premium surcharge pursuant to K.S.A. 40-3404 and amend-
23 ments thereto prior to January 1, 1988.

24 (l) On or after July 1, 1989, every health care provider shall make an
25 election to be covered by one of the following options provided in this
26 subsection (l) which shall limit the liability of the fund with respect to
27 judgments or settlements relating to injury or death arising out of the
28 rendering of or failure to render professional services on or after July 1,
29 1989. Such election shall be made at the time the health care provider
30 renews the basic coverage in effect on July 1, 1989, or, if basic coverage
31 is not in effect, such election shall be made at the time such coverage is
32 acquired pursuant to K.S.A. 40-3402, and amendments thereto. Notice
33 of the election shall be provided by the insurer providing the basic cov-
34 erage in the manner and form prescribed by the board of governors and
35 shall continue to be effective from year to year unless modified by a
36 subsequent election made prior to the anniversary date of the policy. The
37 health care provider may at any subsequent election reduce the dollar
38 amount of the coverage for the next and subsequent fiscal years, but may
39 not increase the same, unless specifically authorized by the board of gov-
40 ernors. Any election of fund coverage limits, whenever made, shall be
41 with respect to judgments or settlements relating to injury or death arising
42 out of the rendering of or failure to render professional services on or
43 after the effective date of such election of fund coverage limits. Such

1 election shall be made for persons engaged in residency training and
2 persons engaged in other postgraduate training programs approved by
3 the state board of healing arts at medical care facilities or mental health
4 centers in this state by the agency or institution paying the surcharge
5 levied under K.S.A. 40-3404, and amendments thereto, for such persons.
6 The election of fund coverage limits for a nonprofit corporation organized
7 to administer the graduate medical education programs of community
8 hospitals or medical care facilities affiliated with the university of Kansas
9 school of medicine shall be deemed to be effective at the highest option.
10 Such options shall be as follows:

11 (1) *OPTION 1.* The fund shall not be liable to pay in excess of \$100,000
12 pursuant to any one judgment or settlement for any party against such
13 health care provider, subject to an aggregate limitation for all judgments
14 or settlements arising from all claims made in the fiscal year in an amount
15 of \$300,000 for such provider.

16 (2) *OPTION 2.* The fund shall not be liable to pay in excess of \$300,000
17 pursuant to any one judgment or settlement for any party against such
18 health care provider, subject to an aggregate limitation for all judgments
19 or settlements arising from all claims made in the fiscal year in an amount
20 of \$900,000 for such provider.

21 (3) *OPTION 3.* The fund shall not be liable to pay in excess of \$800,000
22 pursuant to any one judgment or settlement for any party against such
23 health care provider, subject to an aggregate limitation for all judgments
24 or settlements arising from all claims made in the fiscal year in an amount
25 of \$2,400,000 for such health care provider.

26 (m) The fund shall not be liable for any amounts due from a judgment
27 or settlement against resident or nonresident inactive health care provid-
28 ers who first qualify as an inactive health care provider on or after July 1,
29 1989, unless such health care provider has been in compliance with K.S.A.
30 40-3402, and amendments thereto, for a period of not less than five years.
31 If a health care provider has not been in compliance for five years, such
32 health care provider may make application and payment for the coverage
33 for the period while they are nonresident health care providers, nonres-
34 ident self-insurers or resident or nonresident inactive health care provid-
35 ers to the fund. Such payment shall be made within 30 days after the
36 health care provider ceases being an active health care provider and shall
37 be made in an amount determined by the board of governors to be suf-
38 ficient to fund anticipated claims based upon reasonably prudent actuarial
39 principles. The provisions of this subsection shall not be applicable to any
40 health care provider which becomes inactive through death or retirement,
41 or through disability or circumstances beyond such health care provider's
42 control, if such health care provider notifies the board of governors and
43 receives approval for an exemption from the provisions of this subsection.

1 Any period spent in a postgraduate program of residency training ap-
2 proved by the state board of healing arts shall not be included in com-
3 putation of time spent in compliance with the provisions of K.S.A. 40-
4 3402, and amendments thereto.

5 (n) Notwithstanding the provisions of subsection (m) or any other pro-
6 vision in article 34 of chapter 40 of the Kansas Statutes Annotated to the
7 contrary, the fund shall not be liable for any claim made on or after July
8 1, 1991, against a licensed optometrist or pharmacist relating to any injury
9 or death arising out of the rendering of or failure to render professional
10 services by such optometrist or pharmacist prior to July 1, 1991, unless
11 such optometrist or pharmacist qualified as an inactive health care pro-
12 vider prior to July 1, 1991.

13 (o) Notwithstanding the provisions of subsection (m) or any other pro-
14 vision in article 34 of chapter 40 of the Kansas Statutes Annotated to the
15 contrary, the fund shall not be liable for any claim made on or after July
16 1, 1995, against a physical therapist registered by the state board of heal-
17 ing arts relating to any injury or death arising out of the rendering of or
18 failure to render professional services by such physical therapist prior to
19 July 1, 1995, unless such physical therapist qualified as an inactive health
20 care provider prior to July 1, 1995.

21 (p) Notwithstanding the provisions of subsection (m) or any other pro-
22 vision in article 34 of chapter 40 of the Kansas Statutes Annotated to the
23 contrary, the fund shall not be liable for any claim made on or after July
24 1, 1997, against a health maintenance organization relating to any injury
25 or death arising out of the rendering of or failure to render professional
26 services by such health maintenance organization prior to July 1, 1997,
27 unless such health maintenance organization qualified as an inactive
28 health care provider prior to July 1, 1997, and obtained coverage pursuant
29 to subsection (m). Health maintenance organizations not qualified as in-
30 active health care providers prior to July 1, 1997, may purchase coverage
31 from the fund for periods of prior compliance by making application prior
32 to August 1, 1997, and payment within 30 days from notice of the cal-
33 culated amount as determined by the board of governors to be sufficient
34 to fund anticipated claims based on reasonably prudent actuarial princi-
35 ples.

36 (q) Notwithstanding anything in article 34 of chapter 40 of the Kansas
37 Statutes Annotated to the contrary, the fund shall in no event be liable
38 for any claims against any health care provider based upon or relating to
39 the health care provider's sexual acts or activity, but in such cases the
40 fund may pay reasonable and necessary expenses for attorney fees in-
41 curred in defending the fund against such claim. The fund may recover
42 all or a portion of such expenses for attorney fees if an adverse judgment
43 is returned against the health care provider for damages resulting from

1 the health care provider's sexual acts or activity.

2 Sec. 110. On July 1, 2010, K.S.A. 2009 Supp. 55-193 is hereby amended
3 to read as follows: 55-193. On July 15, 1996, and on the 15th day of each
4 calendar quarter thereafter before July 1, 2016, the director of accounts
5 and reports shall transfer \$100,000 from the state general fund, \$100,000
6 from the state water plan fund established by K.S.A. 82a-951 and amend-
7 ments thereto and \$100,000 from the conservation fee fund established
8 by K.S.A. 55-143 and amendments thereto to the abandoned oil and gas
9 well fund established by K.S.A. 55-192 and amendments thereto, except
10 that: (a) No transfers shall be made pursuant to this section from the state
11 general fund to the abandoned oil and gas well fund during state fiscal
12 year 2009 ~~or~~, state fiscal year 2010, *state fiscal year 2011 or state fiscal*
13 *year 2012*; (b) the aggregate of the transfers made pursuant to this section
14 from the state water plan fund to the abandoned oil and gas well fund
15 during state fiscal year 2009 shall not exceed \$320,000; ~~and~~ (c) the ag-
16 gregate of the transfers made pursuant to this section from the state water
17 plan fund to the abandoned oil and gas well fund during state fiscal year
18 2010 shall not exceed \$288,000; *and (d) the aggregate of the transfers*
19 *made pursuant to this section from the state water plan fund to the aban-*
20 *doned oil and gas well fund during state fiscal year 2011 shall not exceed*
21 *\$374,865.*

22 Sec. 111. On July 1, 2010, K.S.A. 2009 Supp. 72-8814 is hereby
23 amended to read as follows: 72-8814. (a) There is hereby established in
24 the state treasury the school district capital outlay state aid fund. Such
25 fund shall consist of all amounts transferred thereto under the provisions
26 of subsection (c).

27 (b) In each school year, each school district which levies a tax pursuant
28 to K.S.A. 72-8801 et seq., and amendments thereto, shall be entitled to
29 receive payment from the school district capital outlay state aid fund in
30 an amount determined by the state board of education as provided in this
31 subsection. The state board of education shall:

32 (1) Determine the amount of the assessed valuation per pupil (AVPP)
33 of each school district in the state and round such amount to the nearest
34 \$1,000. The rounded amount is the AVPP of a school district for the
35 purposes of this section;

36 (2) determine the median AVPP of all school districts;

37 (3) prepare a schedule of dollar amounts using the amount of the me-
38 dian AVPP of all school districts as the point of beginning. The schedule
39 of dollar amounts shall range upward in equal \$1,000 intervals from the
40 point of beginning to and including an amount that is equal to the amount
41 of the AVPP of the school district with the highest AVPP of all school
42 districts and shall range downward in equal \$1,000 intervals from the
43 point of beginning to and including an amount that is equal to the amount

1 of the AVPP of the school district with the lowest AVPP of all school
2 districts;

3 (4) determine a state aid percentage factor for each school district by
4 assigning a state aid computation percentage to the amount of the median
5 AVPP shown on the schedule, decreasing the state aid computation per-
6 centage assigned to the amount of the median AVPP by one percentage
7 point for each \$1,000 interval above the amount of the median AVPP,
8 and increasing the state aid computation percentage assigned to the
9 amount of the median AVPP by one percentage point for each \$1,000
10 interval below the amount of the median AVPP. Except as provided by
11 K.S.A. 2009 Supp. 72-8814b, and amendments thereto, the state aid per-
12 centage factor of a school district is the percentage assigned to the sched-
13 ule amount that is equal to the amount of the AVPP of the school district,
14 except that the state aid percentage factor of a school district shall not
15 exceed 100%. The state aid computation percentage is 25%;

16 (5) determine the amount levied by each school district pursuant to
17 K.S.A. 72-8801 et seq., and amendments thereto;

18 (6) multiply the amount computed under (5), but not to exceed 8 mills,
19 by the applicable state aid percentage factor. The product is the amount
20 of payment the school district is entitled to receive from the school district
21 capital outlay state aid fund in the school year.

22 (c) The state board shall certify to the director of accounts and reports
23 the entitlements of school districts determined under the provisions of
24 subsection (b), and an amount equal thereto shall be transferred by the
25 director from the state general fund to the school district capital outlay
26 state aid fund for distribution to school districts, *except that no transfers*
27 *shall be made from the state general fund to the school district capital*
28 *outlay state aid fund during the fiscal years ending June 30, 2011, or June*
29 *30, 2012.* All transfers made in accordance with the provisions of this
30 subsection shall be considered to be demand transfers from the state
31 general fund.

32 (d) Payments from the school district capital outlay state aid fund shall
33 be distributed to school districts at times determined by the state board
34 of education. The state board of education shall certify to the director of
35 accounts and reports the amount due each school district entitled to pay-
36 ment from the fund, and the director of accounts and reports shall draw
37 a warrant on the state treasurer payable to the treasurer of the school
38 district. Upon receipt of the warrant, the treasurer of the school district
39 shall credit the amount thereof to the capital outlay fund of the school
40 district to be used for the purposes of such fund.

41 (e) Amounts transferred to the capital outlay fund of a school district
42 as authorized by K.S.A. 72-6433, and amendments thereto, shall not be
43 included in the computation when determining the amount of state aid

1 to which a district is entitled to receive under this section.

2 Sec. 112. On July 1, 2010, K.S.A. 2009 Supp. 75-2319 is hereby
3 amended to read as follows: 75-2319. (a) There is hereby established in
4 the state treasury the school district capital improvements fund. The fund
5 shall consist of all amounts transferred thereto under the provisions of
6 subsection (c).

7 (b) Subject to the provisions of subsection (f), in each school year, each
8 school district which is obligated to make payments from its capital im-
9 provements fund shall be entitled to receive payment from the school
10 district capital improvements fund in an amount determined by the state
11 board of education as provided in this subsection. The state board of
12 education shall:

13 (1) Determine the amount of the assessed valuation per pupil (AVPP)
14 of each school district in the state and round such amount to the nearest
15 \$1,000. The rounded amount is the AVPP of a school district for the
16 purposes of this section;

17 (2) determine the median AVPP of all school districts;

18 (3) prepare a schedule of dollar amounts using the amount of the me-
19 dian AVPP of all school districts as the point of beginning. The schedule
20 of dollar amounts shall range upward in equal \$1,000 intervals from the
21 point of beginning to and including an amount that is equal to the amount
22 of the AVPP of the school district with the highest AVPP of all school
23 districts and shall range downward in equal \$1,000 intervals from the
24 point of beginning to and including an amount that is equal to the amount
25 of the AVPP of the school district with the lowest AVPP of all school
26 districts;

27 (4) determine a state aid percentage factor for each school district by
28 assigning a state aid computation percentage to the amount of the median
29 AVPP shown on the schedule, decreasing the state aid computation per-
30 centage assigned to the amount of the median AVPP by one percentage
31 point for each \$1,000 interval above the amount of the median AVPP,
32 and increasing the state aid computation percentage assigned to the
33 amount of the median AVPP by one percentage point for each \$1,000
34 interval below the amount of the median AVPP. Except as provided by
35 K.S.A. 2009 Supp. 75-2319c, and amendments thereto, the state aid per-
36 centage factor of a school district is the percentage assigned to the sched-
37 ule amount that is equal to the amount of the AVPP of the school district.
38 The state aid percentage factor of a school district shall not exceed 100%.
39 The state aid computation percentage is 5% for contractual bond obli-
40 gations incurred by a school district prior to the effective date of this act,
41 and 25% for contractual bond obligations incurred by a school district on
42 or after the effective date of this act;

43 (5) determine the amount of payments in the aggregate that a school

1 district is obligated to make from its bond and interest fund and, of such
2 amount, compute the amount attributable to contractual bond obligations
3 incurred by the school district prior to the effective date of this act and
4 the amount attributable to contractual bond obligations incurred by the
5 school district on or after the effective date of this act;

6 (6) multiply each of the amounts computed under (5) by the applicable
7 state aid percentage factor; and

8 (7) add the products obtained under (6). The amount of the sum is the
9 amount of payment the school district is entitled to receive from the
10 school district capital improvements fund in the school year.

11 (c) The state board of education shall certify to the director of accounts
12 and reports the entitlements of school districts determined under the
13 provisions of subsection (b), and an amount equal thereto shall be trans-
14 ferred by the director from the state general fund to the school district
15 capital improvements fund for distribution to school districts. All transfers
16 made in accordance with the provisions of this subsection shall be con-
17 sidered to be demand transfers from the state general fund, except that
18 all such transfers during the fiscal ~~year~~ *years* ending June 30, ~~2007~~ *2011*,
19 *and June 30, 2012*, shall be considered to be revenue transfers from the
20 state general fund.

21 (d) Payments from the school district capital improvements fund shall
22 be distributed to school districts at times determined by the state board
23 of education to be necessary to assist school districts in making scheduled
24 payments pursuant to contractual bond obligations. The state board of
25 education shall certify to the director of accounts and reports the amount
26 due each school district entitled to payment from the fund, and the di-
27 rector of accounts and reports shall draw a warrant on the state treasurer
28 payable to the treasurer of the school district. Upon receipt of the warrant,
29 the treasurer of the school district shall credit the amount thereof to the
30 bond and interest fund of the school district to be used for the purposes
31 of such fund.

32 (e) The provisions of this section apply only to contractual obligations
33 incurred by school districts pursuant to general obligation bonds issued
34 upon approval of a majority of the qualified electors of the school district
35 voting at an election upon the question of the issuance of such bonds.

36 (f) Amounts transferred to the capital improvements fund of a school
37 district as authorized by K.S.A. 72-6433, and amendments thereto, shall
38 not be included in the computation when determining the amount of
39 state aid to which a district is entitled to receive under this section.

40 Sec. 113. On July 1, 2010, K.S.A. 2009 Supp. 75-6702 is hereby
41 amended to read as follows: 75-6702. (a) The last appropriation bill passed
42 in any regular session of the legislature shall be the omnibus reconciliation
43 spending limit bill. Each bill which is passed during a regular session of

1 the legislature and which appropriates or transfers money from the state
2 general fund for the ensuing fiscal year shall contain a provision that such
3 bill shall take effect and be in force from and after the effective date of
4 the omnibus reconciliation spending limit bill for that regular session of
5 the legislature or from and after such effective date and a subsequent
6 date or an event occurring after such effective date.

7 (b) Except as provided in subsection (c), the maximum amount of ex-
8 penditures and demand transfers from the state general fund that may
9 be authorized by act of the legislature during the 2004 regular session of
10 the legislature and each regular session of the legislature thereafter, is
11 hereby fixed so that there will be an ending balance in the state general
12 fund for the ensuing fiscal year that is equal to 7.5% or more of the total
13 amount authorized to be expended or transferred by demand transfer
14 from the state general fund in such fiscal year.

15 (c) The provisions of subsection (b) are hereby suspended for the fiscal
16 year ending June 30, ~~2010~~ 2011, and shall not prescribe a maximum
17 amount of expenditures and demand transfers from the state general fund
18 that may be authorized by act of the legislature during the ~~2009~~ 2010
19 regular session of the legislature.

20 Sec. 114. On July 1, 2010, K.S.A. 2009 Supp. 76-775 is hereby amended
21 to read as follows: 76-775. (a) Subject to the other provisions of this act,
22 on the first day of the first state fiscal year commencing after receiving a
23 certification of receipt of a qualifying gift under K.S.A. 2009 Supp. 76-
24 774 and amendments thereto, the director of accounts and reports shall
25 transfer from the state general fund the amount determined by the di-
26 rector of accounts and reports to be the earnings equivalent award for
27 such qualifying gift for the period of time between the date of certification
28 of the qualifying gift and the first day of the ensuing state fiscal year to
29 either (1) the endowed professorship account of the faculty of distinction
30 matching fund of the eligible educational institution, in the case of a
31 certification of a qualifying gift to an eligible educational institution that
32 is a state educational institution, or (2) the faculty of distinction program
33 fund of the state board of regents, in the case of a certification of a
34 qualifying gift to an eligible institution that is not a state educational in-
35 stitution. Subject to the other provisions of this act, on each July 1 there-
36 after, the director of accounts and reports shall make such transfer from
37 the state general fund of the earnings equivalent award for such qualifying
38 gift for the period of the preceding state fiscal year. All transfers made in
39 accordance with the provisions of this subsection shall be considered de-
40 mand transfers from the state general fund, except that all such transfers
41 during the fiscal years ending June 30, ~~2007~~ 2011, and June 30, ~~2008~~
42 2012, shall be considered to be revenue transfers from the state general
43 fund.

1 (b) There is hereby established in the state treasury the faculty of dis-
2 tinction program fund which shall be administered by the state board of
3 regents. All moneys transferred under this section to the faculty of dis-
4 tinction program fund of the state board of regents shall be paid to eligible
5 educational institutions that are not state educational institutions for earn-
6 ings equivalent awards for qualifying gifts to such eligible educational
7 institutions. The state board of regents shall pay from the faculty of dis-
8 tinction program fund the amount of each such transfer to the eligible
9 educational institution for the earnings equivalent award for which such
10 transfer was made under this section.

11 (c) The earnings equivalent award for an endowed professorship shall
12 be determined by the director of accounts and reports and shall be the
13 amount of interest earnings that the amount of the qualifying gift certified
14 by the state board of regents would have earned at the average net earn-
15 ings rate of the pooled money investment board portfolio for the period
16 for which the determination is being made.

17 (d) The total amount of new qualifying gifts which may be certified to
18 the director of accounts and reports under this act during any state fiscal
19 year for all eligible educational institutions shall not exceed \$30,000,000.
20 The total amount of new qualifying gifts which may be certified to the
21 director of accounts and reports under this act during any state fiscal year
22 for any individual eligible educational institution shall not exceed
23 \$10,000,000. No additional qualifying gifts shall be certified by the state
24 board of regents under this act when the total of all transfers from the
25 state general fund for earnings equivalent awards for qualifying gifts pur-
26 suant to this section and amendments thereto for a fiscal year is equal to
27 or greater than \$6,000,000 in fiscal year 2009, \$7,000,000 in fiscal year
28 2010 and \$8,000,000 in fiscal year 2011 and in each fiscal year thereafter.

29 Sec. 115. On July 1, 2010, K.S.A. 2009 Supp. 76-783 is hereby amended
30 to read as follows: 76-783. (a) (1) The Kansas development finance au-
31 thority is hereby authorized to issue from time to time bonds on behalf
32 of the board of regents in such principal amounts as the Kansas devel-
33 opment finance authority and the board of regents determine to be nec-
34 essary to provide sufficient funds to finance scientific research and de-
35 velopment facilities, including, but not limited to, the payment of interest
36 on such bonds, the establishment of reserves to secure such bonds, costs
37 of issuance, refunding any outstanding bonds, and all other expenditures
38 of the board of regents incident to and necessary or convenient to carry
39 out the powers and functions authorized by this act. The Kansas devel-
40 opment finance authority shall not issue any bond or bonds on behalf of
41 the corporation formed by the board of regents under this act. The Kansas
42 development finance authority shall not issue bonds under this act for
43 more than \$120,000,000, in the aggregate, plus all amounts required for

1 costs of any bond issuance, costs of interest on any bond issued or ob-
2 tained for such scientific research and development facilities and any
3 required reserves for payment of principal and interest on any such bond.
4 (2) Except as may otherwise be expressly provided by the board of
5 regents, every obligation of the board of regents with respect to such
6 bonds shall be an obligation of the board of regents payable out of any
7 revenues or moneys of the board of regents derived from annual appro-
8 priations of the legislature. Subject only to any agreements with holders
9 of particular bonds pledging any particular revenues, the board of regents
10 shall use moneys derived from scientific research and development facil-
11 ities to provide funds sufficient to pay principal and interest on any bonds
12 issued pursuant to this act commencing after the date a project is com-
13 pleted and has been accepted by the board of regents. Subject to the
14 provisions of appropriation acts, payment of principal and interest on the
15 bonds shall be made by the state board of regents from annual appro-
16 priations by the legislature from such revenues as are furnished by the
17 board of regents, or from any other available funds, in amounts sufficient
18 to pay principal and interest on the bonds until the bonds are finally paid.
19 (3) Upon acceptance by the board of regents of each project initiated
20 and completed under this act and upon a determination by the board of
21 regents that the period for repayment of debt for such project is to com-
22 mence, the board of regents shall certify to the director of accounts and
23 reports that principal and interest payments for such project are to com-
24 mence and the dates and amounts of all principal and interest payments
25 for such project. Pursuant to each such certification and commencing on
26 or after July 1, 2004, the director of accounts and reports shall transfer,
27 from the state general fund to the debt service fund or funds at a state
28 educational institution as specified in the certification for such project,
29 the amount certified on or before the respective payment date therefor.
30 Transfers shall be made under this section pursuant to any such certifi-
31 cation on or after July 1, 2004. *Each such transfer during the fiscal years*
32 *ending June 30, 2011, and June 30, 2012, shall be considered to be revenue*
33 *transfers from the state general fund.* The aggregate of all such transfers
34 from the state general fund during any fiscal year shall not exceed
35 \$10,000,000 and the aggregate of all such transfers from the state general
36 fund under this section shall not exceed \$50,000,000. The Kansas devel-
37 opment finance authority and the board of regents shall enter into con-
38 tracts with respect to the scientific research and development facilities
39 financed under this act prescribing the obligation of the board of regents
40 and the state educational institutions to provide for repayment of amounts
41 of bond debt service in addition to those amounts provided for by trans-
42 fers under this section from the state general fund.
43 (b) (1) The bonds shall be authorized by a resolution adopted by the

1 board of directors of the Kansas development finance authority.

2 (2) Except as otherwise provided in this act, bonds issued by the Kansas
3 development finance authority under authority of this act shall be subject
4 to the provisions of K.S.A. 74-8901 et seq., and amendments thereto.

5 (c) Any resolution authorizing the board of regents to incur any obli-
6 gation with respect to bonds issued by the Kansas development finance
7 authority may contain such provisions as deemed appropriate by the
8 board of regents for the purpose of carrying out the purposes of this act
9 and securing such bonds, which shall be a part of the contract with the
10 holders thereof, including, but not limited to, provisions:

11 (1) Pledging all or any part of the revenues of the board of regents
12 derived from scientific research and development facilities to secure the
13 payment of the bonds or of any issue thereof, subject to such agreements
14 with bondholders as may then exist;

15 (2) the setting aside of reserves or sinking funds and the regulation and
16 disposition thereof;

17 (3) limitations on the issuance of additional bonds or other obligations,
18 the terms upon which additional bonds or obligations may be issued and
19 secured, and the refunding of outstanding or other bonds;

20 (4) defining the acts or omissions to act which shall constitute a default
21 in the obligations and duties of the board of regents to the Kansas de-
22 velopment finance authority, the applicable bond trustee or the holders
23 of the bonds, except that such rights and remedies shall not be inconsis-
24 tent with the general laws of this state and the other provisions of this
25 act; and

26 (5) any other matters, of like or different character, which in any way
27 affect the security or protection of the holders of the notes or bonds.

28 (d) Any of the provisions relating to any bonds described in this section
29 may be set forth in a trust indenture, loan agreement, lease agreement
30 or other financing document authorized by a resolution of the board of
31 regents or the board of directors of the Kansas development finance au-
32 thority.

33 (e) The bonds of each issue may, in the discretion of the board of
34 directors of the Kansas development finance authority, be made redeem-
35 able before maturity at such prices and under such terms and conditions
36 as may be determined by the board of directors of the Kansas develop-
37 ment finance authority. Bonds issued on behalf of the board of regents
38 shall mature at such time, not exceeding 30 years from their date of issue,
39 as may be determined by the board of regents and the board of directors
40 of the Kansas development finance authority. The bonds may be issued
41 as serial bonds payable in annual installments or as term bonds or as a
42 combination thereof. The bonds shall bear interest at such rate either
43 fixed or variable, be in such denominations, be in such form, either cou-

1 pon or registered, carry such registration privileges, be executed in such
2 manner, be payable in such medium of payment and at such place, and
3 be subject to such terms of redemption as provided in the resolution of
4 trust indenture. The bonds may be sold by the Kansas development fi-
5 nance authority, at public or private sale, at such price as the board of
6 directors of the Kansas development finance authority shall determine.

7 (f) In case any officer of the Kansas development finance authority
8 whose signature or a facsimile of whose signature appears on any bonds
9 or coupons attached thereto ceases to be such officer before the delivery
10 thereof, such signature or such facsimile shall nevertheless be valid and
11 sufficient for all purposes the same as if such officer had remained in
12 office until such delivery.

13 (g) Any bonds issued by the Kansas development finance authority
14 pursuant to this section, and the income therefrom (including any profit
15 from the sale thereof) shall at all times be free from taxation by the state
16 or any agency, political subdivision or instrumentality of the state, includ-
17 ing income, inheritance and property taxes.

18 (h) Any holder of bonds issued under the provisions of this act, or any
19 coupons appertaining thereto and the trustee under any trust agreement
20 or resolution authorizing the issuance of such bonds, except the rights
21 under this act may be restricted by such trust agreement or resolution,
22 may, either at law or in equity by suit, action, mandamus or other pro-
23 ceeding, protect and enforce any and all rights under the laws of the state
24 or granted under this act or under such agreement or resolution, or under
25 any other contract executed by the board of regents pursuant to this act,
26 and may enforce and compel the performance of all duties required by
27 this act or by such trust agreement or resolution to be performed by the
28 board of regents or by an officer thereof.

29 (i) The bonds shall be special, limited obligations of the Kansas devel-
30 opment finance authority and the state shall not be liable for bonds issued
31 by the Kansas development finance authority on behalf of the board of
32 regents, and such bonds shall not constitute a debt of the state.

33 (j) Neither the board of regents, the board of the Kansas development
34 finance authority nor any authorized employee of the board of regents or
35 the Kansas development finance authority shall be personally liable for
36 such bonds by reason of the issuance thereof.

37 (k) Nothing in this act shall be construed as a restriction or limitation
38 upon any other powers which the board of regents might otherwise have
39 under any other law of this state, and this act is cumulative to any such
40 powers. This act does and shall be construed to provide a complete, ad-
41 ditional and alternative method for the doing of the things authorized
42 thereby and shall be regarded as supplemental and additional to powers
43 conferred by other laws. The issuance of bonds under the provisions of

1 this act need not comply with the requirements of any other state law
2 applicable to the issuance of bonds. No proceedings, notice or approval
3 shall be required for the issuance of any bonds or any instrument as
4 security therefor, except as is provided in this act.

5 (l) Any of the provisions relating to bonds described in this section may
6 be included in any contracts between the board of regents and the Kansas
7 development finance authority relating to obligations of the Kansas de-
8 velopment finance authority issued on behalf of the board of regents.

9 Sec. 116. On July 1, 2010, K.S.A. 2009 Supp. 76-7,107 is hereby
10 amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon
11 thereafter as sufficient moneys are available, \$7,000,000 shall be trans-
12 ferred by the director of accounts and reports from the state general fund
13 to the infrastructure maintenance fund established by K.S.A. 2009 Supp.
14 76-7,104, and amendments thereto.

15 (2) No moneys shall be transferred by the director of accounts and
16 reports from the state general fund to the infrastructure maintenance
17 fund established by K.S.A. 2009 Supp. 76-7,104, and amendments
18 thereto, during the fiscal year ending June 30, 2010, pursuant to this
19 section.

20 (3) ~~On July 1, 2010, or as soon thereafter as sufficient moneys are~~
21 ~~available, \$15,000,000~~ *No moneys* shall be transferred by the director of
22 accounts and reports from the state general fund to the infrastructure
23 maintenance fund established by K.S.A. 2009 Supp. 76-7,104, and
24 amendments thereto, *during the fiscal year ending June 30, 2011, pur-*
25 *suant to this section.*

26 (4) ~~On July 1, 2011, or as soon thereafter as sufficient moneys are~~
27 ~~available, \$10,000,000~~ *No moneys* shall be transferred by the director of
28 accounts and reports from the state general fund to the infrastructure
29 maintenance fund established by K.S.A. 2009 Supp. 76-7,104, and
30 amendments thereto *during the fiscal year ending June 30, 2012, pur-*
31 *suant to this section.*

32 (b) All transfers made in accordance with the provisions of this section
33 shall be considered to be demand transfers from the state general fund.

34 (c) All moneys credited to the infrastructure maintenance fund shall
35 be expended or transferred only for the purpose of paying the cost of
36 projects approved by the state board pursuant to the state educational
37 institution long-term infrastructure maintenance program.

38 Sec. 117. On July 1, 2010, K.S.A. 2009 Supp. 79-2959 is hereby
39 amended to read as follows: 79-2959. (a) There is hereby created the local
40 ad valorem tax reduction fund. All moneys transferred or credited to such
41 fund under the provisions of this act or any other law shall be apportioned
42 and distributed in the manner provided herein.

43 (b) On January 15 and on July 15 of each year, the director of accounts

1 and reports shall make transfers in equal amounts which in the aggregate
2 equal 3.63% of the total retail sales and compensating taxes credited to
3 the state general fund pursuant to articles 36 and 37 of chapter 79 of
4 Kansas Statutes Annotated and acts amendatory thereof and supplement-
5 tal thereto during the preceding calendar year from the state general fund
6 to the local ad valorem tax reduction fund, except that: (1) No moneys
7 shall be transferred from the state general fund to the local ad valorem
8 tax reduction fund during state fiscal years 2009, 2010 ~~and~~, 2011, *and*
9 2012, and (2) the amount of the transfer on each such date shall be
10 \$13,500,000 during fiscal year ~~2012~~ 2013, \$20,250,000 during fiscal year
11 ~~2013~~ 2014, and \$27,000,000 during fiscal year ~~2014~~ 2015 and all fiscal
12 years thereafter. All such transfers are subject to reduction under K.S.A.
13 75-6704, and amendments thereto. All transfers made in accordance with
14 the provisions of this section shall be considered to be demand transfers
15 from the state general fund, except that all such transfers during fiscal
16 year ~~2012~~ 2013 shall be considered to be revenue transfers from the state
17 general fund.

18 (c) The state treasurer shall apportion and pay the amounts transferred
19 under subsection (b) to the several county treasurers on January 15 and
20 on July 15 in each year as follows: (1) Sixty-five percent of the amount to
21 be distributed shall be apportioned on the basis of the population figures
22 of the counties certified to the secretary of state pursuant to K.S.A. 11-
23 201, and amendments thereto, on July 1 of the preceding year; and (2)
24 thirty-five percent of such amount shall be apportioned on the basis of
25 the equalized assessed tangible valuations on the tax rolls of the counties
26 on November 1 of the preceding year as certified by the director of prop-
27 erty valuation.

28 Sec. 118. On July 1, 2010, K.S.A. 2009 Supp. 79-2964 is hereby
29 amended to read as follows: 79-2964. There is hereby created the county
30 and city revenue sharing fund. All moneys transferred or credited to such
31 fund under the provisions of this act or any other law shall be allocated
32 and distributed in the manner provided herein. The director of accounts
33 and reports in each year on July 15 and December 10, shall make transfers
34 in equal amounts which in the aggregate equal 2.823% of the total retail
35 sales and compensating taxes credited to the state general fund pursuant
36 to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated and
37 acts amendatory thereof and supplemental thereto during the preceding
38 calendar year from the state general fund to the county and city revenue
39 sharing fund, except that no moneys shall be transferred from the state
40 general fund to the county and city revenue sharing fund during state
41 fiscal years ~~2010~~ 2011 and ~~2011~~ 2012. All such transfers are subject to
42 reduction under K.S.A. 75-6704, and amendments thereto. All transfers
43 made in accordance with the provisions of this section shall be considered

1 to be demand transfers from the state general fund.

2 Sec. 119. On July 1, 2010, K.S.A. 2009 Supp. 79-2978 is hereby
3 amended to read as follows: 79-2978. (a) There is hereby established in
4 the state treasury the business machinery and equipment tax reduction
5 assistance fund which shall be administered by the state treasurer. All
6 expenditures from the business machinery and equipment tax reduction
7 assistance fund shall be for the payments to counties for distribution to
8 taxing subdivisions levying ad valorem taxes within the county in accord-
9 ance with this section.

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

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

25 (2) On January 31, 2009, the secretary shall calculate for each county
26 an amount equal to the difference in total ad valorem taxes levied by the
27 county on commercial and industrial machinery and equipment for all
28 taxing subdivisions within the county imposing ad valorem taxes on com-
29 mercial and industrial machinery and equipment for tax year 2005, and
30 the total of such ad valorem taxes levied for tax year 2008 not including
31 any such ad valorem taxes on commercial and industrial machinery and
32 equipment that were abated or exempted prior to July 1, 2006, and which
33 such abatement or exemption expired after July 1, 2006. On March 2,
34 2009, subject to the provisions of subsection (d) and subsection (g), the
35 state treasurer shall pay to the county treasurer of each county an amount
36 equal to 70% of such difference for distribution as provided in subsection
37 (e).

38 (3) On January 31, 2010, the secretary shall calculate for each county
39 an amount equal to the difference in total ad valorem taxes levied by the
40 county on commercial and industrial machinery and equipment for all
41 taxing subdivisions within the county imposing ad valorem taxes on com-
42 mercial and industrial machinery and equipment for tax year 2005, and
43 the total of such ad valorem taxes levied for tax year 2009 not including

1 any such ad valorem taxes on commercial and industrial machinery and
2 equipment that were abated or exempted prior to July 1, 2006, and which
3 such abatement or exemption expired after July 1, 2006. On or before
4 February 15, 2010, subject to the provisions of subsection (d), the state
5 treasurer shall pay to the county treasurer of each county an amount equal
6 to 50% of such difference for distribution as provided in subsection (e).

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

19 (5) On January 31, 2012, the secretary shall calculate for each county
20 an amount equal to the difference in total ad valorem taxes levied by the
21 county on commercial and industrial machinery and equipment for all
22 taxing subdivisions within the county imposing ad valorem taxes on com-
23 mercial and industrial machinery and equipment for tax year 2005, and
24 the total of such ad valorem taxes levied for tax year 2011 not including
25 any such ad valorem taxes on commercial and industrial machinery and
26 equipment that were abated or exempted prior to July 1, 2006, and which
27 such abatement or exemption expired after July 1, 2006. On or before
28 February 15, 2012, subject to the provisions of subsection (d), the state
29 treasurer shall pay to the county treasurer of each county an amount equal
30 to 10% of such difference for distribution as provided in subsection (e).

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

34 (c) The calculations required by subsection (b) shall be based upon a
35 certification made by the county clerk on or before November 15 of the
36 tax year and submitted to the director of property valuation. Such certi-
37 fication shall be in a format devised and prescribed by the director of
38 property valuation. Such certification shall report the total ad valorem
39 taxes levied by the county on commercial and industrial machinery and
40 equipment for all taxing subdivisions within the county imposing ad va-
41 lorem taxes on commercial and industrial machinery and equipment. The
42 county clerk shall provide a copy of such certification to the county trea-
43 surer for the purpose of determining the distribution of moneys pursuant

1 to the provisions of subsection (e)(2) paid to the county pursuant to sub-
2 section (b) by the state treasurer.

3 (d) If the amount calculated for the difference in subsections (b)(1)
4 through (b)(5) is negative, the amount calculated for such county for such
5 year shall be deemed to be zero and no amount shall be paid to the county
6 treasurer of such county as otherwise provided in subsection (b). Nothing
7 in this section shall be construed to require the county to make any pay-
8 ments to the state in such event that the amount calculated for the dif-
9 ference is negative for the county for such year.

10 (e) (1) On January 31 of each year specified in this section, the secretary
11 of revenue shall certify to the director of accounts and reports the aggre-
12 gate of all amounts determined for counties pursuant to subsection (b).
13 Upon receipt of such certification, the director of accounts and reports
14 shall transfer the amount certified from the state general fund to the
15 business machinery and equipment tax reduction assistance fund, except
16 that (A) the aggregate amount of moneys transferred from the state gen-
17 eral fund to the business machinery and equipment tax reduction assis-
18 tance fund during the state fiscal year ending June 30, 2009, pursuant to
19 this section shall not exceed the maximum amount determined pursuant
20 to subsection (g), (B) an amount equal to 50% of the maximum amount
21 determined pursuant to subsection (g) shall be transferred from the state
22 general fund to the business machinery and equipment tax reduction
23 assistance fund on March 2, 2009, ~~and~~ (C) no moneys shall be transferred
24 from the state general fund to the business machinery and equipment tax
25 reduction assistance fund during the state fiscal year ending June 30,
26 2010, pursuant to this section, (D) *no moneys shall be transferred from*
27 *the state general fund to the business machinery and equipment tax re-*
28 *duction assistance fund during the state fiscal year ending June 30, 2011,*
29 *pursuant to this section, and (E) no moneys shall be transferred from the*
30 *state general fund to the business machinery and equipment tax reduction*
31 *assistance fund during the state fiscal year ending June 30, 2012, pursuant*
32 *to this section.*

33 (2) The state treasurer shall apportion and distribute the moneys cred-
34 ited to the business machinery and equipment tax reduction assistance
35 fund to the county treasurers in accordance with subsection (b). Upon
36 receipt of each such amount, each county treasurer shall apportion such
37 amount among the ad valorem taxing subdivisions imposing ad valorem
38 taxes on commercial and industrial machinery and equipment in an
39 amount equal to the difference between the total ad valorem taxes on
40 commercial and industrial machinery and equipment levied by each such
41 ad valorem taxing subdivision for the tax year 2005 and the total ad va-
42 lorem taxes on commercial and industrial machinery and equipment lev-
43 ied by each such ad valorem taxing subdivision for the tax year of the

1 apportionment, subject to the percentage reduction set forth in subsec-
2 tion (b) for the tax year of the apportionment of such moneys to that
3 county. The county treasurer shall pay such amounts to the taxing sub-
4 divisions at the same time or times as their regular operating tax rate mill
5 levy is paid to them.

6 (f) Before January 31 of 2007 through 2013, the secretary of revenue
7 shall make a detailed report of amounts calculated as required pursuant
8 to subsection (b) for each individual county and in aggregate for all the
9 counties for the current year along with any projections for future years,
10 amounts distributed to the counties pursuant to this section, the amount
11 of ad valorem taxes on commercial and industrial machinery and equip-
12 ment not included in the total ad valorem taxes for each tax year due to
13 the fact that the tax liability of such machinery and equipment was abated
14 or exempted prior to July 1, 2006, and such abatement or exemption
15 expired after July 1, 2006, for each individual county and in aggregate for
16 all counties and all other relevant information related to the provisions of
17 this section, and shall present such report before such date to the house
18 committee on taxation of the house of representatives and the senate
19 committee on assessment and taxation of the senate for consideration by
20 the legislature in making any appropriate adjustments to the provisions
21 of this section.

22 (g) (1) The maximum amount that may be transferred during the fiscal
23 year ending June 30, 2009, from the state general fund to the business
24 machinery and equipment tax reduction assistance fund pursuant to this
25 section shall be equal to (A) the amount equal to 93.5% of the aggregate
26 amount determined under subsection (b)(2) plus the amount equal to
27 93.5% of the aggregate amount determined under subsection (b)(2) of
28 K.S.A. 2009 Supp. 79-2979, and amendments thereto, multiplied by (B)
29 the result obtained by dividing the amount equal to 93.5% of the aggre-
30 gate amount determined under subsection (b)(2) by the aggregate of the
31 amount equal to 93.5% of the aggregate amount determined under sub-
32 section (b)(2) plus the amount equal to 93.5% of the aggregate amount
33 determined under subsection (b)(2) of K.S.A. 2009 Supp. 79-2979, and
34 amendments thereto.

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

1 Sec. 120. On July 1, 2010, K.S.A. 2009 Supp. 79-2979 is hereby
2 amended to read as follows: 79-2979. (a) There is hereby established in
3 the state treasury the telecommunications and railroad machinery and
4 equipment tax reduction assistance fund which shall be administered by
5 the state treasurer. All expenditures from the telecommunications and
6 railroad machinery and equipment tax reduction assistance fund shall be
7 for the payments to counties for distribution to taxing subdivisions levying
8 ad valorem taxes within the county in accordance with this section.

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

12 (1) On January 31, 2008, the secretary shall calculate for each county
13 an amount equal to the difference in total ad valorem taxes levied by the
14 county on telecommunications machinery and equipment and railroad
15 machinery and equipment for all taxing subdivisions within the county
16 imposing ad valorem taxes on telecommunications machinery and equip-
17 ment and railroad machinery and equipment for tax year 2005, and the
18 total of such ad valorem taxes levied for tax year 2007 not including any
19 such ad valorem taxes on telecommunications machinery and equipment
20 and railroad machinery and equipment that were abated or exempted
21 prior to July 1, 2006, and which such abatement or exemption expired
22 after July 1, 2006. On or before February 15, 2008, subject to the pro-
23 visions of subsection (c), the state treasurer shall pay to the county trea-
24 surer of each county an amount equal to 90% of such difference for
25 distribution as provided in subsection (d).

26 (2) On January 31, 2009, the secretary shall calculate for each county
27 an amount equal to the difference in total ad valorem taxes levied by the
28 county on telecommunications machinery and equipment and railroad
29 machinery and equipment for all taxing subdivisions within the county
30 imposing ad valorem taxes on telecommunications machinery and equip-
31 ment and railroad machinery and equipment for tax year 2005, and the
32 total of such ad valorem taxes levied for tax year 2008 not including any
33 such ad valorem taxes on telecommunications machinery and equipment
34 and railroad machinery and equipment that were abated or exempted
35 prior to July 1, 2006, and which such abatement or exemption expired
36 after July 1, 2006. On March 2, 2009, subject to the provisions of sub-
37 section (c) and subsection (f), the state treasurer shall pay to the county
38 treasurer of each county an amount equal to 70% of such difference for
39 distribution as provided in subsection (d).

40 (3) On January 31, 2010, the secretary shall calculate for each county
41 an amount equal to the difference in total ad valorem taxes levied by the
42 county on telecommunications machinery and equipment and railroad
43 machinery and equipment for all taxing subdivisions within the county

1 imposing ad valorem taxes on telecommunications machinery and equip-
2 ment and railroad machinery and equipment for tax year 2005, and the
3 total of such ad valorem taxes levied for tax year 2009 not including any
4 such ad valorem taxes on telecommunications machinery and equipment
5 and railroad machinery and equipment that were abated or exempted
6 prior to July 1, 2006, and which such abatement or exemption expired
7 after July 1, 2006. On or before February 15, 2010, subject to the pro-
8 visions of subsection (c), the state treasurer shall pay to the county trea-
9 surer of each county an amount equal to 50% of such difference for
10 distribution as provided in subsection (d).

11 (4) On January 31, 2011, the secretary shall calculate for each county
12 an amount equal to the difference in total ad valorem taxes levied by the
13 county on telecommunications machinery and equipment and railroad
14 machinery and equipment for all taxing subdivisions within the county
15 imposing ad valorem taxes on telecommunications machinery and equip-
16 ment and railroad machinery and equipment for tax year 2005, and the
17 total of such ad valorem taxes levied for tax year 2010 not including any
18 such ad valorem taxes on telecommunications machinery and equipment
19 and railroad machinery and equipment that were abated or exempted
20 prior to July 1, 2006, and which such abatement or exemption expired
21 after July 1, 2006. On or before February 15, 2011, subject to the pro-
22 visions of subsection (c), the state treasurer shall pay to the county trea-
23 surer of each county an amount equal to 30% of such difference for
24 distribution as provided in subsection (d).

25 (5) On January 31, 2012, the secretary shall calculate for each county
26 an amount equal to the difference in total ad valorem taxes levied by the
27 county on telecommunications machinery and equipment and railroad
28 machinery and equipment for all taxing subdivisions within the county
29 imposing ad valorem taxes on telecommunications machinery and equip-
30 ment and railroad machinery and equipment for tax year 2005, and the
31 total of such ad valorem taxes levied for tax year 2011 not including any
32 such ad valorem taxes on telecommunications machinery and equipment
33 and railroad machinery and equipment that were abated or exempted
34 prior to July 1, 2006, and which such abatement or exemption expired
35 after July 1, 2006. On or before February 15, 2012, subject to the pro-
36 visions of subsection (c), the state treasurer shall pay to the county trea-
37 surer of each county an amount equal to 10% of such difference for
38 distribution as provided in subsection (d).

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

42 (c) If the amount calculated for the difference in subsections (b)(1)
43 through (b)(5) is negative, the amount calculated for such county for such

1 year shall be deemed to be zero and no amount shall be paid to the county
2 treasurer of such county as otherwise provided in subsection (b). Nothing
3 in this section shall be construed to require the county to make any pay-
4 ments to the state in such event that the amount calculated for the dif-
5 ference is negative for the county for such year.

6 (d) (1) On January 31 of each year specified in this section, the secretary
7 of revenue shall certify to the director of accounts and reports the aggre-
8 gate of all amounts determined for counties pursuant to subsection (b).
9 Upon receipt of such certification, the director of accounts and reports
10 shall transfer the amount certified from the state general fund to the
11 telecommunications and railroad machinery and equipment tax reduction
12 assistance fund, except that (A) the aggregate amount of moneys trans-
13 ferred from the state general fund to the telecommunications and railroad
14 machinery and equipment tax reduction assistance fund during the state
15 fiscal year ending June 30, 2009, pursuant to this section shall not exceed
16 the maximum amount determined pursuant to subsection (f), (B) an
17 amount equal to 50% of the maximum amount determined pursuant to
18 subsection (f) shall be transferred from the state general fund to the
19 telecommunications and railroad machinery and equipment tax reduction
20 assistance fund on March 2, 2009, ~~and~~ (C) no moneys shall be transferred
21 from the state general fund to the telecommunications and railroad ma-
22 chinery and equipment tax reduction assistance fund during the state
23 fiscal year ending June 30, 2010, pursuant to this section, (D) *no moneys*
24 *shall be transferred from the state general fund to the telecommunications*
25 *and railroad machinery and equipment tax reduction assistance fund dur-*
26 *ing the state fiscal year ending June 30, 2011, pursuant to this section,*
27 *and (E) no moneys shall be transferred from the state general fund to the*
28 *telecommunications and railroad machinery and equipment tax reduction*
29 *assistance fund during the state fiscal year ending June 30, 2012, pursuant*
30 *to this section.*

31 (2) The state treasurer shall apportion and distribute the moneys cred-
32 ited to the telecommunications and railroad machinery and equipment
33 tax reduction assistance fund to the county treasurers in accordance with
34 subsection (b). Upon receipt of each such amount, each county treasurer
35 shall apportion such amount among the ad valorem taxing subdivisions
36 imposing ad valorem taxes on telecommunications machinery and equip-
37 ment and railroad machinery and equipment in an amount equal to the
38 difference between the total ad valorem taxes on telecommunications
39 machinery and equipment and railroad machinery and equipment levied
40 by each such ad valorem taxing subdivision for the tax year 2005 and the
41 total ad valorem taxes on telecommunications machinery and equipment
42 and railroad machinery and equipment levied by each such ad valorem
43 taxing subdivision for the tax year of the apportionment, subject to the

1 percentage reduction set forth in subsection (b) for the tax year of the
2 apportionment of such moneys to that county. The county treasurer shall
3 pay such amounts to the taxing subdivisions at the same time or times as
4 their regular operating tax rate mill levy is paid to them.

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

21 (f) (1) The maximum amount that may be transferred during the fiscal
22 year ending June 30, 2009, from the state general fund to the telecom-
23 munications and railroad machinery and equipment tax reduction assis-
24 tance fund pursuant to this section shall be equal to (A) the amount equal
25 to 93.5% of the aggregate amount determined under subsection (b)(2)
26 plus the amount equal to 93.5% of the aggregate amount determined
27 under subsection (b)(2) of K.S.A. 2009 Supp. 79-2978, and amendments
28 thereto, multiplied by (B) the result obtained by dividing the amount
29 equal to 93.5% of the aggregate amount determined under subsection
30 (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate
31 amount determined under subsection (b)(2) plus the amount equal to
32 93.5% of the aggregate amount determined under subsection (b)(2) of
33 K.S.A. 2009 Supp. 79-2978, and amendments thereto.

34 (2) If a maximum amount is imposed under this subsection and the
35 aggregate amount transferred from the state general fund to the telecom-
36 munications and railroad machinery and equipment tax reduction assis-
37 tance fund during state fiscal year 2009 pursuant to this section is re-
38 duced, then the amount allocated to each county by the state treasurer
39 under subsection (b)(2) shall be reduced proportionately with respect to
40 aggregate reduction in the amount of such transfer from the state general
41 fund to the telecommunications and railroad machinery and equipment
42 tax reduction assistance fund during state fiscal year 2009.

43 Sec. 121. On July 1, 2010, K.S.A. 2009 Supp. 79-3425i is hereby

1 amended to read as follows: 79-3425i. (a) On January 15 and July 15 of
2 each year, the director of accounts and reports shall transfer a sum equal
3 to the total taxes collected under the provisions of K.S.A. 79-6a04 and
4 79-6a10, and amendments thereto, and credited to the state general fund
5 during the six months next preceding the date of transfer, from the state
6 general fund to the special city and county highway fund, created by
7 K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers
8 are subject to reduction under K.S.A. 75-6704, and amendments thereto;
9 *and* (2) ~~the amount of moneys transferred from the state general fund to~~
10 ~~the special city and county highway fund during state fiscal year 2009 on~~
11 ~~each such date shall not exceed \$3,330,543.50, and~~ (3) no moneys shall
12 be transferred from the state general fund to the special city and county
13 highway fund during state fiscal year 2010; ~~and~~ (4) ~~notwithstanding the~~
14 ~~provisions of K.S.A. 79-3425e and 79-3425i, and amendments thereto, or~~
15 ~~any other statute, the aggregate amount of \$6,661,097 of the moneys~~
16 ~~credited to the special city and county highway fund shall be paid on or~~
17 ~~before April 14, 2009, by the state treasurer in accordance with the fol-~~
18 ~~lowing to the following counties in the amounts specified respectively~~
19 ~~therefor with the requirement that the moneys received by each such~~
20 ~~county shall be deposited and administered in accordance with K.S.A. 79-~~
21 ~~3425e, and amendments thereto, including any redistributions provided~~
22 ~~for by that statute: Barton county, \$174,544.98; Butler county,~~
23 ~~\$890,898.90; Chautauqua county, \$7,293.76; Clay county, \$15,533.75;~~
24 ~~Comanche county, \$15,525.56; Cowley county, \$151,493.36; Douglas~~
25 ~~county, \$1,152,561.96; Finney county, \$38,376.16; Geary county,~~
26 ~~\$41,101.83; Grant county, \$11,827.23; Lane county, \$6,986.21; Leaven-~~
27 ~~worth county, \$655,874.14; Ness county, \$13,000.51; Rice county,~~
28 ~~\$9,780.91; Russell county, \$18,610.55; Shawnee county, \$3,299,659.69;~~
29 ~~Sherman county, \$29,689.72; Stevens county, \$7,532.41; Trego county,~~
30 ~~\$4,257.37, and Wyandotte county, \$116,537.47, which shall be for the~~
31 ~~purpose of providing such counties, cities and other local governmental~~
32 ~~entities the amounts that were not paid as directed by statute during state~~
33 ~~fiscal years 2006, 2007 and 2008 state fiscal year 2011 or state fiscal year~~
34 ~~2012. All transfers under this section shall be considered to be demand~~
35 ~~transfers from the state general fund except that all such transfers during~~
36 ~~the fiscal years ending June 30, 2010, and June 30, 2011, shall be consid-~~
37 ~~ered to be revenue transfers from the state general fund. Any transfers~~
38 ~~of moneys from the state general fund to the special city and county~~
39 ~~highway fund during the state fiscal year ending June 30, 2009, pursuant~~
40 ~~to the provisions of K.S.A. 79-3425i, and amendments thereto, or any~~
41 ~~other statute, that have been made prior to the effective date of this act~~
42 ~~shall be reversed by the director of accounts and reports and reversing~~
43 ~~entries shall be entered upon the accounting records of the state treasurer~~

1 ~~therefor.~~

2 (b) During the state fiscal year ending June 30, 2010, on July 15, 2009,
3 and January 15, 2010, the director of accounts and reports shall transfer
4 \$2,515,916 from the state highway fund to the special city and county
5 highway fund, created by K.S.A. 79-3425, and amendments thereto.

6 Sec. 122. On July 1, 2010, K.S.A. 2009 Supp. 79-34,156 is hereby
7 amended to read as follows: 79-34,156. On April 1, 2007, the director of
8 accounts and reports shall transfer \$437,500 from the state economic
9 development initiatives fund to the Kansas qualified biodiesel fuel pro-
10 ducer incentive fund. If sufficient moneys are not available in the state
11 economic development initiatives fund for such transfer on April 1, 2007,
12 then the director of accounts and reports shall transfer on such date the
13 amount available in the state economic development initiatives fund in
14 accordance with this section and shall transfer on such date, or as soon
15 thereafter as moneys are available therefor, the amount equal to the in-
16 sufficiency from the state general fund to the Kansas qualified biodiesel
17 fuel producer incentive fund. On July 1, 2007, and quarterly thereafter,
18 the director of accounts and reports shall transfer \$875,000 from the state
19 economic development initiatives fund to the Kansas qualified biodiesel
20 fuel producer incentive fund, except: (a) That, *during the fiscal year end-*
21 *ing June 30, 2011*, on July 1, ~~2008 2010~~, October 1, ~~2008 2010~~, and
22 January 1, ~~2009 2011~~, and April 1, 2011, the director of accounts and
23 reports shall transfer ~~\$100,000~~ \$50,000 from the state economic devel-
24 opment initiatives fund to the Kansas qualified biodiesel fuel producer
25 incentive fund, and (b) that ~~on April 1, 2009~~, *if sufficient moneys are not*
26 *available in the state economic development initiatives fund for any such*
27 *transfer during the fiscal year ending June 30, 2011*, then the director of
28 accounts and reports shall transfer ~~\$74,000 from the amount available in~~
29 the state economic development initiatives fund to the Kansas qualified
30 biodiesel fuel producer incentive fund *on the date specified in the fiscal*
31 *year ending June 30, 2011*. If sufficient moneys are not available in the
32 state economic development initiatives fund for such transfer on July 1,
33 ~~2007 2011~~, and on the first day of any calendar quarter thereafter, in any
34 such fiscal year, then the director of accounts and reports shall transfer
35 on such date the amount available in the state economic development
36 initiatives fund in accordance with this section and shall transfer on such
37 date, or as soon thereafter as moneys are available therefor, the amount
38 equal to the insufficiency from the state general fund to the Kansas qual-
39 ified biodiesel fuel producer incentive fund; *except that no moneys shall*
40 *be transferred from the state general fund to the Kansas biodiesel fuel*
41 *producer fund during the fiscal year ending June 30, 2011.*

42 Sec. 123. On the effective date of this act, K.S.A. 2009 Supp. 79-34,171
43 is hereby amended to read as follows: 79-34,171. (a) On January 1, 2009,

1 and quarterly thereafter, the director of accounts and reports shall trans-
2 fer \$400,000 from the state general fund to the Kansas retail dealer in-
3 centive fund, *except that (1) no moneys shall be transferred pursuant to*
4 *this section from the state general fund to the Kansas retail dealer incen-*
5 *tive fund during the fiscal years ending June 30, 2010, or June 30, 2011,*
6 *or June 30, 2012, and (2) any transfers of moneys from the state general*
7 *fund to the Kansas retail dealer incentive fund during the state fiscal year*
8 *ending June 30, 2010, under this or any other statute that have been made*
9 *prior to the effective date of this act shall be reversed by the director of*
10 *accounts and reports and reversing entries shall be entered upon the ac-*
11 *counting records of the state treasurer therefor.* On and after July 1, 2009,
12 the unobligated balance in the Kansas retail dealer incentive fund shall
13 not exceed \$1.5 million. If the unobligated balance of the fund exceeds
14 \$1.1 million at the time of a quarterly transfer, the transfer shall be limited
15 to the amount necessary for the fund to reach a total of \$1.5 million.

16 (b) There is hereby created in the state treasury the Kansas retail dealer
17 incentive fund. All moneys in the Kansas retail dealer incentive fund shall
18 be expended by the secretary of the department of revenue for the pay-
19 ment of incentives to Kansas retail dealers who sell and dispense renew-
20 able fuels or biodiesel through a motor fuel pump in accordance with the
21 provisions of K.S.A. 2009 Supp. 79-34,170 through 79-34,175 and amend-
22 ments thereto.

23 (c) All moneys remaining in the Kansas retail dealer incentive fund
24 upon the expiration of K.S.A. 2009 Supp. 79-34,170 through 79-34,175,
25 and amendments thereto, shall be credited by the state treasurer to the
26 state general fund.

27 Sec. 124. On the effective date of this act, K.S.A. 2009 Supp. 79-4801
28 is hereby amended to read as follows: 79-4801. There is hereby created
29 the state gaming revenues fund in the state treasury. All moneys credited
30 to such fund shall be expended or transferred only for the purposes and
31 in the manner provided by this act and all expenditures from the state
32 gaming revenues fund shall be made in accordance with appropriation
33 acts. All moneys credited to such fund shall be allocated and credited
34 monthly to the funds and in the amounts specified by this act except that
35 the total of the amounts credited to such funds in any one fiscal year
36 pursuant to this act shall not exceed \$50,000,000, except that the total of
37 the amounts credited to such funds for fiscal years 2009 and 2010, pur-
38 suant to this act shall not exceed \$48,059,846. All amounts credited to
39 such fund in any one fiscal year which are in excess of \$50,000,000 shall
40 be transferred and credited to the state general fund on July 15, 1996,
41 and June 25, 1997, and each year thereafter on June 25, except that: (a)
42 All amounts credited to the state gaming revenues fund in fiscal year 2009
43 which are in excess of \$48,059,846 shall be transferred and credited to

1 the state general fund on July 15, 2009, and shall be recorded and ac-
2 counted for as receipts to the state general fund for fiscal year 2009; (b)
3 all amounts credited to the state gaming revenues fund in fiscal year 2010
4 which are in excess of \$48,059,846 shall be transferred and credited to
5 the state general fund on ~~July 15~~ June 25, 2010, and shall be recorded
6 and accounted for as receipts to the state general fund for fiscal year
7 2010; and (c) all amounts credited to the state gaming revenues fund in
8 fiscal year 2011 which are in excess of \$50,000,000 shall be transferred
9 and credited to the state general fund on ~~July 15~~ June 25, 2011, and shall
10 be recorded and accounted for as receipts to the state general fund for
11 fiscal year 2011.

12 Sec. 125. On July 1, 2010, K.S.A. 2009 Supp. 82a-953a is hereby
13 amended to read as follows: 82a-953a. During each fiscal year, the direc-
14 tor of accounts and reports shall transfer \$6,000,000 from the state gen-
15 eral fund to the state water plan fund created by K.S.A. 82a-951, and
16 amendments thereto, one-half of such amount to be transferred on July
17 15 and one-half to be transferred on January 15, except that (1) such
18 transfers during each fiscal year commencing after June 30, 2008, are
19 subject to reduction under K.S.A. 75-6704, and amendments thereto, (2)
20 the total amount of moneys transferred from the state general fund to
21 the state water plan fund during the fiscal year ending June 30, 2009,
22 shall not exceed \$2,000,000, ~~and~~ (3) the total amount of moneys trans-
23 ferred from the state general fund to the state water plan fund during
24 the fiscal year ending June 30, 2010, shall not exceed \$3,295,432, *and* (4)
25 *the total amount of moneys transferred from the state general fund to the*
26 *state water plan fund during the fiscal year ending June 30, 2011, shall*
27 *not exceed \$1,348,245. On the effective date of this act, the director of*
28 *accounts and reports shall transfer the amount in excess of \$2,000,000*
29 *which was transferred from the state general fund to the state water plan*
30 *fund prior to the effective date of this act during the fiscal year ending*
31 *June 30, 2009, as certified by the director of the budget to the director*
32 *of accounts and reports to the state general fund. All transfers under this*
33 *section shall be considered to be demand transfers from the state general*
34 *fund, except that all such transfers during the fiscal years ending June 30,*
35 *~~2008~~ 2010, and June 30, ~~2009~~ 2011, shall be considered revenue transfers*
36 *from the state general fund.*

37 Sec. 126. On the effective date of this act, K.S.A. 2009 Supp. 2-223,
38 79-34,171 and 79-4801 are hereby repealed.

39 Sec. 127. On July 1, 2010, K.S.A. 2009 Supp. 12-5256, 40-3403, 55-
40 193, 72-8814, 75-2319, 75-6702, 76-775, 76-783, 76-7,107, 79-2959, 79-
41 2964, 79-2978, 79-2979, 79-3425i, 79-34,156 and 82a-953a are hereby
42 repealed.

43 Sec. 128. *Severability.* If any provision or clause of this act or appli-

1 cation thereof to any person or circumstances is held invalid, such in-
2 validity shall not affect other provisions or applications of the act which can
3 be given effect without the invalid provision or application, and to this
4 end the provisions of this act are declared to be severable.

5 Sec. 129. *Appeals to exceed position limitations.* (a) The limitations
6 imposed by this act on the number of full-time and regular part-time
7 positions equated to full-time, excluding seasonal and temporary posi-
8 tions, paid from appropriations for the fiscal years ending June 30, 2010,
9 made in chapter 2, chapter 124 or chapter 144 of the 2009 Session Laws
10 of Kansas or in this act or in any other appropriation act of the 2010
11 regular session of the legislature may be exceeded upon approval of the
12 state finance council.

13 (b) The limitations imposed by this act on the number of full-time and
14 regular part-time positions equated to full-time, excluding seasonal and
15 temporary positions, paid from appropriations for the fiscal year ending
16 June 30, 2011, made in chapter 2, chapter 124 or chapter 144 of the 2009
17 Session Laws of Kansas or in this act or in any other appropriation act of
18 the 2010 regular session of the legislature may be exceeded upon approval
19 of the state finance council.

20 Sec. 130. *Appeals to exceed expenditure limitations.* (a) Upon written
21 application to the governor and approval of the state finance council,
22 expenditures from special revenue funds may exceed the amounts spec-
23 ified in this act.

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

28 Sec. 131. *Savings.* (a) Any unencumbered balance as of June 30, 2010,
29 in any special revenue fund, or account thereof, of any state agency named
30 in this act which is not otherwise specifically appropriated or limited by
31 this or other appropriation act of the 2010 regular session of the legisla-
32 ture, is hereby appropriated for the fiscal year ending June 30, 2011, for
33 the same use and purpose as the same was heretofore appropriated.

34 (b) Any unencumbered balance as of June 30, 2010, in any special
35 revenue fund, or account thereof, of any state agency named in section
36 29 of chapter 124 of the 2009 Session Laws of Kansas which is not oth-
37 erwise specifically appropriated or limited for fiscal year 2011 by chapter
38 2, chapter 124 or chapter 144 of the 2009 Session Laws of Kansas or by
39 this or other appropriation act of the 2010 regular session of the legisla-
40 ture, is hereby appropriated for fiscal year 2011 for the same use and
41 purpose as the same was heretofore appropriated.

42 (c) This section shall not apply to the expanded lottery act revenues
43 fund, the state economic development initiatives fund, the children's in-

1 initiatives fund, the state water plan fund, the Kansas endowment for youth
2 fund, the Kansas educational building fund, the state institutions building
3 fund, or the correctional institutions building fund, or to any account of
4 any of such funds.

5 Sec. 132. During the fiscal year ending June 30, 2011, all moneys which
6 are lawfully credited to and available in any bond special revenue fund,
7 which are not otherwise specifically appropriated or limited by this or
8 other appropriation act of the 2010 regular session of the legislature, are
9 hereby appropriated for the fiscal year ending June 30, 2011, for the state
10 agency for which the bond special revenue fund was established for the
11 purposes authorized by law for expenditures from such bond special rev-
12 enue fund. As used in this section, "bond special revenue fund" means
13 any special revenue fund or account thereof established in the state treas-
14 ury prior to or on or after the effective date of this act for the deposit of
15 the proceeds of bonds issued by the Kansas development finance au-
16 thority, for the payment of debt service for bonds issued by the Kansas
17 development finance authority, or for any related purpose in accordance
18 with applicable bond covenants.

19 Sec. 133. *Federal grants.* (a) During the fiscal year ending June 30,
20 2011, each federal grant or other federal receipt which is received by a
21 state agency named in this act and which is not otherwise appropriated
22 to that state agency by this or other appropriation act of the 2010 regular
23 session of the legislature, is hereby appropriated for the fiscal year ending
24 June 30, 2011, for that state agency for the purpose set forth in such
25 federal grant or receipt, except that no expenditure shall be made from
26 and no obligation shall be incurred against any such federal grant or other
27 federal receipt, which has not been previously appropriated or reappro-
28 priated or approved for expenditure by the governor, until the governor
29 has authorized the state agency to make expenditures therefrom.

30 (b) During the fiscal year ending June 30, 2011, each federal grant or
31 other federal receipt which is received by a state agency named in section
32 29 of chapter 124 of the 2009 Session Laws of Kansas and which is not
33 otherwise appropriated to that state agency for fiscal year 2011 by this or
34 other appropriation act of the 2010 regular session of the legislature, is
35 hereby appropriated for fiscal year 2011 for that state agency for the
36 purpose set forth in such federal grant or receipt, except that no expend-
37 iture shall be made from and no obligation shall be incurred against any
38 such federal grant or other federal receipt, which has not been previously
39 appropriated or reappropriated or approved for expenditure by the gov-
40 ernor, for fiscal year 2011, until the governor has authorized the state
41 agency to make expenditures from such federal grant or other federal
42 receipt for fiscal year 2011.

43 (c) In addition to the other purposes for which expenditures may be

1 made by any state agency which is named in this act and which is not
2 otherwise authorized by law to apply for and receive federal grants, ex-
3 penditures may be made by such state agency from moneys appropriated
4 for fiscal year 2011 by chapter 2, chapter 124 or chapter 144 of the 2009
5 Session Laws of Kansas or by this or other appropriation act of the 2010
6 regular session of the legislature to apply for and receive federal grants
7 during fiscal year 2011, which federal grants are hereby authorized to be
8 applied for and received by such state agencies: *Provided*, That no ex-
9 penditure shall be made from and no obligation shall be incurred against
10 any such federal grant or other federal receipt, which has not been pre-
11 viously appropriated or reappropriated or approved for expenditure by
12 the governor, until the governor has authorized the state agency to make
13 expenditures therefrom.

14 Sec. 134. (a) Any correctional institutions building fund appropriation
15 heretofore appropriated to any state agency named in this or other ap-
16 propriation act of the 2010 regular session of the legislature, and having
17 an unencumbered balance as of June 30, 2010, in excess of \$100 is hereby
18 reappropriated for the fiscal year ending June 30, 2011, for the same uses
19 and purposes as originally appropriated unless specific provision is made
20 for lapsing such appropriation.

21 (b) This section shall not apply to the unencumbered balance in any
22 account of the correctional institutions building fund that was encum-
23 bered for any fiscal year commencing prior to July 1, 2009.

24 Sec. 135. (a) Any Kansas educational building fund appropriation here-
25 tofore appropriated to any institution named in this or other appropriation
26 act of the 2010 regular session of the legislature and having an unencum-
27 bered balance as of June 30, 2010, in excess of \$100 is hereby reappor-
28 priated for the fiscal year ending June 30, 2011, for the same use and
29 purpose as originally appropriated, unless specific provision is made for
30 lapsing such appropriation.

31 (b) This section shall not apply to the unencumbered balance in any
32 account of the Kansas educational building fund that was encumbered
33 for any fiscal year commencing prior to July 1, 2009.

34 Sec. 136. (a) Any state institutions building fund appropriation here-
35 tofore appropriated to any state agency named in this or other appropri-
36 ation act of the 2010 regular session of the legislature and having an
37 unencumbered balance as of June 30, 2010, in excess of \$100 is hereby
38 reappropriated for the fiscal year ending June 30, 2011, for the same use
39 and purpose as originally appropriated, unless specific provision is made
40 for lapsing such appropriation.

41 (b) This section shall not apply to the unencumbered balance in any
42 account of the state institutions building fund that was encumbered for
43 any fiscal year commencing prior to July 1, 2009.

1 Sec. 137. Any transfers of money during the fiscal year ending June 30,
2 2011, from any special revenue fund of any state agency named in this
3 act to the audit services fund of the division of post audit under K.S.A.
4 46-1121, and amendments thereto, shall be in addition to any expenditure
5 limitation imposed on any such fund for the fiscal year ending June 30,
6 2011.

7 Sec. 138. This act shall take effect and be in force from and after its
8 publication in the Kansas register.