

# Journal of the Senate

SIXTIETH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Thursday, April 5, 2001—9:30 a.m.

The Senate was called to order by President Dave Kerr.  
The roll was called with forty senators present.  
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

These are the days when we discover what's going to fly and what's going to crash. And if it's going to fly, will it be a supersonic or a crop duster.

At any rate, if these last days run true to form there will be various degrees of disappointment, frustration, and fatigue. In view of this, O God. . . .

When we watch go down in flames  
A bill that we have prized,  
Don't let our relationships  
Become jeopardized.

When disappointment clouds our brow,  
And our anger starts to rise,  
Remind us it's just not worth  
Having friendships jeopardized.

We ought to know by now, O God,  
That laws can fail or pass;  
And laws can anytime be changed. . . .  
But friends are made to last.

Let it be so in Jesus' Name,

AMEN

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **HB 2574**.

Ways and Means: **HB 2106**.

## REFERRAL OF APPOINTMENTS

The following appointments made by the Governor and submitted to the senate for confirmation, were referred to Committees as indicated:

*Member, State Civil Service Board*, Thomas J. Corcoran, effective upon the date of confirmation by the Senate to serve a four-year term ending March 15, 2005.

(Federal and State Affairs)

*Member, State Civil Service Board*, James E. Lowther, effective upon the date of confirmation by the Senate to serve a four-year term ending March 15, 2005.

(Federal and State Affairs)

**COMMUNICATIONS FROM STATE OFFICERS**

DEPARTMENT OF REVENUE  
Office of the Secretary  
April 1, 2001

Stephen S. Richards, Secretary of Revenue, pursuant to K.S.A. 74-50,118(c), submitted the annual report to the Governor and Legislature estimating the state tax expenditures from income tax credits claimed and sales tax exemptions allowed under the Kansas Enterprise Zone Act.

KANSAS SENTENCING COMMISSION  
April 4, 2001

Barbara Tombs, Executive Director, Kansas Sentencing Commission, submitted the 2000 Annual Report to the Legislature.

The President announced the above reports are on file in the office of the Secretary of the Senate and are available for review at any time.

**CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR**

Senator Donovan moved the Senate concur in house amendments to **SB 53**.

**SB 53**, An act concerning apportioned fleet registration; relating to interstate reciprocity permits; amending K.S.A. 2000 Supp. 8-1,100 and repealing the existing section; also repealing K.S.A. 2000 Supp. 8-1,112.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelkamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Donovan moved the Senate concur in house amendments to **SB 56**.

**SB 56**, An act relating to motor vehicles; concerning the operation and registration thereof; amending K.S.A. 8-258 and 8-285 and K.S.A. 2000 Supp. 8-262 and repealing the existing sections.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelkamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Donovan moved the Senate concur in house amendments to **SB 280**.

**SB 280**, An act relating to highways.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelkamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Morris moved the Senate concur in house amendments to **SB 309**.

**SB 309**, An act authorizing the state historical society to accept conveyance of certain real property on behalf of the state.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelkamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The Senate concurred.

On motion of Senator Vratil, Senate Rule 28 was suspended for the purpose of reconsideration of **SB 205**.

Having voted on the prevailing side, Senator Vratil moved the Senate reconsider its action of Tuesday, March 27, 2001 on **SB 205**.

The motion carried.

On motion of Senator Vratil the Senate nonconcurred in the House amendments to **SB 205** and requested a conference committee be appointed.

The President appointed Senators Vratil, Schmidt and Goodwin as a conference committee on the part of the Senate.

#### INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Jackson, Hensley and Jenkins introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1841—

A RESOLUTION congratulating and commending the 2000-01 Washburn Ichabods men's basketball team.

WHEREAS, The Washburn Ichabods finished the season with 29 wins and five losses; and

WHEREAS, The Washburn Ichabods won the Mid-America Intercollegiate Athletics Association regular and postseason championships; and

WHEREAS, The Washburn Ichabods advanced to the NCAA Elite Eight after winning the South Central Regional Tournament; and

WHEREAS, The Washburn Ichabods proudly exhibited teamwork and poise in the national championship game falling after a valiant fight; and

WHEREAS, The Washburn Ichabods are true examples of the term "student-athlete" working hard in the classroom as on the basketball court; and

WHEREAS, The Washburn Ichabods represented Washburn University, Topeka and the state of Kansas with class and dignity; and

WHEREAS, The Washburn Ichabods have acted as role models for those around them in the community; Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That the Washburn Ichabods men's basketball team be congratulated and commended for their outstanding record and dedicated service to Washburn University; and

*Be it further resolved:* That the Secretary of the Senate be directed to send 25 enrolled copies of this resolution to Dr. Jerry B. Farley, President, Washburn University of Topeka, 1700 SW College Avenue, Topeka, Kansas 66621.

On emergency motion of Senator Jackson **SR 1841** was adopted unanimously.

Guests introduced and welcomed with a standing ovation were Bob Chipman, Head Coach; Kerry Dickerson, Assistant Coach; team members: Ewan Auguste, B. J. Ross, Shannon Kruger, Randolph Williams, Ryan Tomlins, Matt Tinsley, Troy Douglas, Matt Hundley, D. J. Walker, Jay Miller, Eric Carter, Melvin Ware and Ryan Murphy; Dr. Jerry B. Farley, President, Washburn University; Loren Ferre', Athletic Director; Jordan Canfield, Director of Development; Gene Cassell, Sports Information Director and Peggy Clark, photographer.

Senators Jackson, Hensley and Jenkins introduced the following Senate resolution, which was read:

## SENATE RESOLUTION No. 1842—

A RESOLUTION congratulating and commending Bob Chipman.

WHEREAS, Bob Chipman, head coach of the Washburn University men's basketball team in Topeka is the all-time winningest coach in the university's history; and

WHEREAS, On February 3, 2001, Bob Chipman collected his 500th career victory and became only the 25th coach in NCAA Division II history to reach that milestone; and

WHEREAS, Bob Chipman has compiled a record of 513 victories and 178 losses for a winning ratio of .742; and

WHEREAS, Bob Chipman has 18 seasons of 20 or more victories, has averaged 23 wins per season and has never had a losing season in his 22 seasons as the Ichabods' head coach; and

WHEREAS, Bob Chipman coached teams have eight conference championships, 11 national tournament appearances and the 1987 NAIA National Championship; and

WHEREAS, Bob Chipman was the MIAA Coach of the Year in 1992 and 1993, NABC Kodak District Coach of the Year in 1993 and KBCA Men's Four-year Coach of the Year in 1994; Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That Bob Chipman be congratulated and commended for his outstanding coaching record and dedicated service to Washburn University; and

*Be it further resolved:* That the Secretary of the Senate be directed to send 15 enrolled copies of this resolution to Coach Bob Chipman, Athletic Department, Washburn University of Topeka, 1700 SW College Avenue, Topeka, Kansas 66621.

On emergency motion of Senator Jackson **SR 1842** was adopted unanimously.

Senator Jackson and members of the Senate congratulated Coach Chipman with a standing ovation.

Senators Taddiken introduced the following Senate resolution, which was read:

## SENATE RESOLUTION No. 1843—

A RESOLUTION congratulating and commending the Cloud County Community College women's basketball team and Coach Brett Erkenbrack for winning the 2001 National Junior College Athletic Association Women's basketball championship.

WHEREAS, The Cloud County Community College women's basketball team won the 2001 National Junior College Athletic Association women's basketball championship with a thrilling 71-56 victory over Midland College in the championship game at Salina on March 24, 2001; and

WHEREAS, The Cloud County "Thunderbirds" basketball team finished the season with a 31-7 record and their first national championship; and

WHEREAS, To get to the national tournament the team defeated previously unbeaten Seward County 77-73 in an overtime victory at the Region 6 tournament. At the national tournament they played and defeated East Central Community College, from Decatur, Mississippi, 74-73, then Cincinnati State College 58-39 in the quarterfinals and Tallahassee Community College 105-96 in the semifinals before beating Midland College 71-56 in the championship game; and

WHEREAS, The players and coaches of this championship team are:

Brandi Brinegar  
 Adraina Castaneda  
 Heidi Fuchser  
 Laura Herman  
 Jenny Beamon  
 Martina Mihailovic  
 Milena Ninkovic  
 N'Kiesha Richardson  
 Arenda Jackson  
 Kristi Stritt  
 Miklannet Tennal  
 Paulette Valentine

Theresa Smith  
 Rita Walker  
 Athletic Director, Walt Bechard  
 Asst. Athletic Director, Janet Eubanks  
 Head Coach, Brett Erkenbrack  
 Asst. Coach, Lorin Miller  
 Athletic Trainer, Steve Schroeder  
 Bus Driver, Rick Breault; and

WHEREAS, The members of this outstanding basketball team have received national recognition for their fine sportsmanship and athletic abilities; and

WHEREAS, The success of this team is due to its excellent teamwork, strong competitive spirit and determination to win plus the enthusiastic support of the school's administrators, the faculty, the students, the players' parents and many community supporters: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That the Cloud County Community College women's basketball team and Coach Erkenbrack be congratulated and commended for winning the 2001 National Junior College Athletic Association women's basketball championship; and

*Be it further resolved:* That the Secretary of the Senate be directed to send 25 enrolled copies of this resolution to Dr. George Knox, President, Cloud County Community College, P.O. Box 1002, Concordia, Kansas 66901-1002.

On emergency motion of Senator Taddiken **SR 1843** was adopted unanimously.

Senator Taddiken introduced and congratulated the Cloud County Community College women's basketball team, their coaches and those accompanying them for the resolution.

On motion of Senator Oleen, the Senate recessed until 2:00 p.m.

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## AFTERNOON SESSION

The Senate met pursuant to recess with President Kerr in the chair.

### MESSAGE FROM THE HOUSE

Announcing passage of **SB 39**, as amended.

The House concurs in Senate amendments to **HCR 5009**.

The House concurs in Senate amendments to **Substitute HB 2005** and requests the Senate to return the bill.

The House concurs in Senate amendments to **HB 2098** and requests the Senate to return the bill.

The House concurs in Senate amendments to **HB 2127** and requests the Senate to return the bill.

The House concurs in Senate amendments to **HB 2301** and requests the Senate to return the bill.

The House accedes to the request of the Senate for a conference on **SB 19** and has appointed Representatives Tomlinson, Dreher and Kirk as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 35** and has appointed Representatives Edmonds, Huff and Larkin as conferees on the part of the House.

Announcing, the House nonconcurs in Senate amendments to **HB 2296**, requests a conference and has appointed Representatives O'Neal, Loyd and Pauls as conferees on the part of the House.

The House nonconcurs in Senate amendments to **Substitute HB 2532**, requests a conference and has appointed Representatives Wilk, Neufeld and Nichols as conferees on the part of the House.

**CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR**

On motion of Senator Brownlee the Senate nonconcurrent in the House amendments to **SB 146** and requested a conference committee be appointed.

The President appointed Senators Brownlee, Jordan and Barone as a conference committee on the part of the Senate.

**ORIGINAL MOTION**

On motion of Senator Brownlee, the Senate acceded to the request of the House for a conference on **S Sub for HB 2034**.

The President appointed Senators Brownlee, Emler and Barone as conferees on the part of the Senate.

On motion of Senator Corbin, the Senate acceded to the request of the House for a conference on **HB 2221**.

The President appointed Senators Corbin, Jenkins and Lee as conferees on the part of the Senate.

On motion of Senator Vratil, the Senate acceded to the request of the House for a conference on **HB 2296**.

The President appointed Senators Vratil, Pugh and Goodwin as conferees on the part of the Senate.

On motion of Senator Morris, the Senate acceded to the request of the House for a conference on **Sub HB 2532**.

The President appointed Senators Morris, Adkins and Feleciano as conferees on the part of the Senate.

**CONFERENCE COMMITTEE REPORT**

Senator Morris moved to suspend Joint Rule 3(f) to dispense with the distribution of copies of the Conference Committee Report on **SB 57**. The motion carried.

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 57**, submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 18 through 21 and inserting new material to read as follows:

“Section 1. (a) For the fiscal years ending June 30, 2002, and June 30, 2003, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

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

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

By renumbering the remaining sections accordingly;

On page 7, in line 25, by striking all following “(a)”; by striking all in lines 26 through 32; in line 33, by striking “(b)”;

On page 8, following line 30, by inserting new material to read as follows:

“Sec. 13.

**STATE BANK COMMISSIONER**

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 33(a) of chapter 183 of the 2000 Session Laws of Kansas on the bank commissioner fee fund, as adjusted by the division of accounts and reports pursuant to K.S.A. 2000 Supp. 75-1318, and amendments thereto, is hereby decreased from \$4,576,982 to \$4,516,656.

Sec. 14.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 14(a) of chapter 132 of the 1999 Session Laws of Kansas on the board of nursing fee fund is hereby increased from \$1,087,944 to \$1,206,194: *Provided*, That, of the amount of additional expenditure authorized by the expenditure limitation increase prescribed by this subsection, no portion of such increased expenditure authority for fiscal year 2001 shall be the basis for any amount being transferred into a Kansas savings incentive program account or KSIP account under the Kansas savings incentive program pursuant to section 23 of chapter 132 of the 1999 Session Laws of Kansas or any other Kansas savings incentive program section in this or other appropriation act of the 2001 regular session of the legislature.

(b) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2001, by section 22 of chapter 132 of the 1999 Session Laws of Kansas for the board of nursing is hereby increased from 16.5 to 22.0.

Sec. 15.

STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established by section 38(b) of chapter 160 of the 1999 Session Laws of Kansas on the state board of pharmacy fee fund is hereby decreased from \$525,228 to \$511,658.

Sec. 16.

REAL ESTATE APPRAISAL BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 17(a) of chapter 132 of the 1999 Session Laws of Kansas on the appraiser fee fund is hereby increased from \$197,953 to \$236,177.

Sec. 17.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2001, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund..... No limit  
*Provided*, That expenditures may be made from the special programs fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences and all fees received by the governor's department under the open records act for providing access to or furnishing copies of public records, shall be credited to this fund.

Sec. 18.

LIEUTENANT GOVERNOR

(a) On the effective date of this act, of the \$125,537 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 6(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the operations account, the sum of \$13,507 is hereby lapsed.

Sec. 19.

STATE TREASURER

(a) On the effective date of this act, of the \$175,000 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 9(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the postsecondary education savings program account, the sum of \$59,505 is hereby lapsed.

Sec. 20.

INSURANCE DEPARTMENT

(a) On the effective date of this act, the expenditure limitation established by section

30(b) of chapter 183 of the 2000 Session Laws of Kansas on the insurance department service regulation fund is hereby decreased from \$6,951,327 to \$6,782,199.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 10(a) of chapter 130 of the 2000 Session Laws of Kansas on expenditures for official hospitality from the insurance department service regulation fund is hereby increased from \$1,000 to \$2,000.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 10(a) of chapter 130 of the 2000 Session Laws of Kansas on expenditures for official hospitality from the senior health insurance counseling for Kansans fund is hereby increased from \$1,000 to \$2,000.

Sec. 21.

#### STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

Operating expenditures .....	\$750,000
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Sec. 22.

#### DEPARTMENT OF ADMINISTRATION

(a) On the effective date of this act, of the \$127,973 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 20(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the policy analysis initiatives account, the sum of \$100,000 is hereby lapsed.

(b) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2001 or for fiscal year 2002 as authorized by chapter 130 or chapter 183 of the 2000 Session Laws of Kansas or by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2001 or fiscal year 2002 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto to finance grants for capital improvement projects and equipment acquisition for the conversion of public television stations to digital broadcasting: *Provided*, That such grants for capital improvement projects and equipment acquisition are hereby approved for the department of administration for the purposes of subsection (b) of K.S.A. 74- 8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the department of administration may make expenditures from the moneys received from the issuance of any such bonds for grants for capital improvement projects and equipment acquisition for the conversion of public television stations to digital broadcasting: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement projects and equipment acquisition shall not exceed \$6,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement projects and equipment acquisition during the construction of such projects and acquisitions and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for grants for capital improvement projects and equipment acquisition for the conversion of public television stations to digital broadcasting shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds.

Sec. 23.

#### DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

Operating expenditures .....	\$50,000
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(b) On the effective date of this act, the expenditure limitation established by section 4(c) of chapter 183 of the 2000 Session Laws of Kansas on the division of vehicles operating fund is hereby decreased from \$30,613,887 to \$30,456,224.



(c) On the effective date of this act, the expenditure limitation established by section 22(b) of chapter 130 of the 2000 Session Laws of Kansas on the electronic databases fee fund is hereby increased from \$3,484,500 to \$3,654,500.

(d) On the effective date of this act, the expenditure limitation established by section 22(b) of chapter 130 of the 2000 Session Laws of Kansas on the state bingo regulation fund is hereby decreased from \$342,964 to \$316,622.

Sec. 24.

KANSAS RACING AND GAMING COMMISSION

(a) On the effective date of this act, the expenditure limitation established by section 15(d) of chapter 183 of the 2000 Session Laws of Kansas on the state racing fund is hereby decreased from \$3,813,653 to \$3,430,729.

Sec. 25.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

(a) On the effective date of this act, the expenditure limitation established by section 11(a) of chapter 183 of the 2000 Session Laws of Kansas on the economic development research and development fund is hereby decreased from \$13,088,590 to \$13,086,065.

(b) On the effective date of this act, the expenditure limitation established by section 11(b) of chapter 183 of the 2000 Session Laws of Kansas on the operations, assistance and grants (including official hospitality) account of the economic development research and development fund is hereby decreased from \$13,088,590 to \$13,086,065.

Sec. 26.

DEPARTMENT OF HUMAN RESOURCES

(a) On the effective date of this act, the expenditure limitation established by section 29(b) of chapter 130 of the 2000 Session Laws of Kansas on the occupational health and safety—federal fund is hereby increased from \$462,064 to \$581,421.

Sec. 27.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

Operations—state veterans cemeteries .....	\$5,225
Operating expenditures—Kansas soldiers' home .....	\$624,528

(b) On the effective date of this act, the expenditure limitation established by section 30(b) of chapter 130 of the 2000 Session Laws of Kansas on the soldiers' home fee fund is hereby decreased from \$4,323,386 to \$3,544,000.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2001, by section 69(a) of chapter 130 of the 2000 Session Laws of Kansas for the Kansas commission on veterans affairs is hereby increased from 454.8 to 457.8.

Sec. 28.

DEPARTMENT OF HEALTH AND ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

AIDS medications .....	\$400,000
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*Provided*, That expenditures made from the AIDS medications account shall be used to maximize federal dollars for AIDS drug purchases.

(b) On the effective date of this act, of the \$674,898 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 31(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the vaccine purchases account, the sum of \$1,618 is hereby lapsed.

(c) On the effective date of this act, of the \$350,000 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 31(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the immunization programs account, the sum of \$2,470 is hereby lapsed.

(d) On the effective date of this act, of the \$890,955 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 31(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the match for title XIX for nursing home inspections account, the sum of \$98,745 is hereby lapsed.

(e) On the effective date of this act, of the \$5,026,596 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 31(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the aid to local units account, the sum of \$4,754 is hereby lapsed.

(f) On the effective date of this act, of the \$1,520,840 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 31(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the aid to local units—primary health projects account, the sum of \$178 is hereby lapsed.

(g) On the effective date of this act, of the \$19,936,321 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 31(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$140,206 is hereby lapsed.

(h) On the effective date of this act, the expenditure limitation established by section 63(c) of chapter 183 of the 2000 Session Laws of Kansas on the water plan special revenue fund is hereby decreased from \$4,137,270 to \$4,136,452.

(i) In addition to the other purposes for which expenditures may be made by the department of health and environment from the trauma fund for fiscal year 2001 as authorized by section 31(b) of chapter 130 of the 2000 Session Laws of Kansas, expenditures may be made by the above agency from the trauma fund for fiscal year 2001 pursuant to contracts, subject to the provisions of the following provisos, for programs that provide services for women which enable them to carry their pregnancies to term, which are hereby authorized and directed to be entered into by the secretary of health and environment with the same not-for-profit organizations that the secretary of health and environment entered into contracts with pursuant to section 30(h) of chapter 160 of the 1999 Session Laws of Kansas for fiscal year 2000: *Provided*, That such contracted services may include an array of social services relating to pregnancy maintenance and that no individuals who are unable to pay shall be denied the delivery or provision of pregnancy maintenance services: *Provided further*, That no contract or contracts under pregnancy maintenance programs shall be entered into with any group performing, promoting, referring for or educating in favor of abortion: *And provided further*, That a not-for-profit organization awarded a contract under this proviso shall match state moneys under this contract on the basis of a 50% match from a not-for-profit organization and a 50% match from the department of health and environment: *And provided further*, That the secretary of health and environment shall submit a report to the legislature at the beginning of the regular session of the legislature in 2002 on the results and outcomes of such pregnancy maintenance programs: *And provided further*, That no part of the grant moneys shall be used for any political purposes: *And provided further*, That expenditures for such purpose from the trauma fund for fiscal year 2001 shall not exceed \$168,750.

(j) On the effective date of this act, the expenditure limitation established by section 31(a) of chapter 130 of the 2000 Session Laws of Kansas on expenditures for programs that provide services for women which enable them to carry their pregnancies to term from the operating expenditures (including official hospitality) account of the state general fund is hereby decreased from \$225,000 to \$56,250.

Sec. 29.

#### DEPARTMENT ON AGING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 21(b) of chapter 183 of the 2000 Session Laws of Kansas on the long-term care loan and grant fund is hereby decreased from \$11,000,000 to \$9,000,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2001, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

HCBS programs fund—department on aging ..... \$0

(c) On and after the effective date of this act during fiscal year ending June 30, 2001, at the point during fiscal year 2001 that an aggregate amount of \$15,300,000 has been transferred from the intergovernmental transfer fund to the state medicaid match fund—SRS

pursuant to subsection (f)(1) of K.S.A. 2000 Supp. 75-4265 and amendments thereto, then the director of accounts and reports shall not transfer any more moneys from the intergovernmental transfer fund to the state medicaid match fund—SRS of the department of social and rehabilitation services during fiscal year 2001 and all additional moneys that otherwise would have been transferred from the intergovernmental transfer fund to the state medicaid match fund—SRS during fiscal year 2001 shall be transferred from the intergovernmental transfer fund to the state medicaid match fund—department on aging.

(d) On and after the effective date of this act during fiscal year ending June 30, 2001, at the point during fiscal year 2001 that an aggregate amount of \$5,000,000 has been transferred from the intergovernmental transfer fund to the HCBS programs fund of the department of social and rehabilitation services pursuant to subsection (f)(1) of K.S.A. 2000 Supp. 75-4265 and amendments thereto, then the director of accounts and reports shall not transfer any more moneys from the intergovernmental transfer fund to the HCBS programs fund of the department of social and rehabilitation services during fiscal year 2001 and all additional moneys that otherwise would have been transferred from the intergovernmental transfer fund to the HCBS programs fund of the department of social and rehabilitation services during fiscal year 2001 shall be transferred from the intergovernmental transfer fund to the HCBS programs fund—department on aging, which is hereby created in the state treasury.

Sec. 30.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

Community based services .....	\$4,384,242
Other medical assistance .....	\$7,221,115
Youth services aid and assistance.....	\$16,536,630
Cash assistance.....	\$618,033
Osawatomie state hospital—operating expenditures .....	\$781,120

(b) On the effective date of this act, of the \$91,704,036 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 33(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the state operations account, the sum of \$6,419,303 is hereby lapsed.

(c) On the effective date of this act, of the \$1,446,973 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 33(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the sex predator program account, the sum of \$215,051 is hereby lapsed.

(d) On the effective date of this act, of the \$2,867,559 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 20(a) of chapter 183 of the 2000 Session Laws of Kansas from the state general fund in the mental health and retardation services aid and assistance account, the sum of \$157,710 is hereby lapsed.

(e) On the effective date of this act, of the \$3,692,346 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 33(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the vocational rehabilitation aid and assistance account, the sum of \$338,180 is hereby lapsed.

(f) On the effective date of this act, of the \$10,100,000 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 33(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the children’s health insurance account, the sum of \$719,721 is hereby lapsed.

(g) On the effective date of this act, of the \$3,732,885 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 33(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the alcohol and drug abuse services grants account, the sum of \$197,497 is hereby lapsed.

(h) On the effective date of this act, the expenditure limitation established by section 33(b) of chapter 130 of the 2000 Session Laws of Kansas on the title XIX fund is hereby decreased from \$59,538,641 to \$59,064,824.

(i) On the effective date of this act, the expenditure limitation established by section 20(i) of chapter 183 of the 2000 Session Laws of Kansas on the social welfare fund is hereby increased from \$55,353,137 to \$61,448,082.

(j) On the effective date of this act, the expenditure limitation established by section 20(h) of chapter 183 of the 2000 Session Laws of Kansas on the HCBS programs fund is hereby decreased from \$6,000,000 to \$5,000,000.

(k) On the effective date of this act, of the \$10,565,622 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 33(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the Larned state hospital—operating expenditures account, the sum of \$345,048 is hereby lapsed.

(l) On the effective date of this act, of the \$6,558,547 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 33(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the Parsons state hospital and training center—operating expenditures account, the sum of \$215,559 is hereby lapsed.

(m) On the effective date of this act, of the \$8,517,075 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 33(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the Kansas neurological institute—operating expenditures account, the sum of \$2,030 is hereby lapsed.

(n) On the effective date of this act, of the \$1,333,972 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 33(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the Rainbow mental health facility—operating expenditures account, the sum of \$218,333 is hereby lapsed.

(o) On the effective date of this act, the expenditure limitation established by section 33(b) of chapter 130 of the 2000 Session Laws of Kansas on the Kansas neurological institute fee fund is hereby increased from \$900,063 to \$1,039,837.

(p) On the effective date of this act, the expenditure limitation established by section 20(y) of chapter 183 of the 2000 Session Laws of Kansas on the Larned state hospital fee fund is hereby increased from \$3,224,006 to \$4,115,744.

(q) On the effective date of this act, the expenditure limitation established by section 20(z) of chapter 183 of the 2000 Session Laws of Kansas on the Osawatomie state hospital fee fund is hereby decreased from \$5,534,639 to \$4,836,124.

(r) On the effective date of this act, the expenditure limitation established by section 20(aa) of chapter 183 of the 2000 Session Laws of Kansas on the Parsons state hospital and training center fee fund is hereby increased from \$734,711 to \$1,061,799.

(s) On the effective date of this act, the expenditure limitation established by section 33(b) of chapter 130 of the 2000 Session Laws of Kansas on the Rainbow mental health facility fee fund is hereby increased from \$879,700 to \$1,069,080.

(t) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 33(b) of chapter 130 of the 2000 Session Laws of Kansas on the alcohol and drug abuse block grant federal fund is hereby increased from \$10,978,786 to \$11,186,173.

(u) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 33(b) of chapter 130 of the 2000 Session Laws of Kansas on the child welfare services block grant federal fund is hereby decreased from \$6,496,560 to \$6,313,397.

(v) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 33(b) of chapter 130 of the 2000 Session Laws of Kansas on the social services block grant—federal fund is hereby decreased from \$28,351,705 to \$26,745,582.

(w) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 33(b) of chapter 130 of the 2000 Session Laws of Kansas on the mental health block grant federal fund is hereby increased from \$2,370,291 to \$2,762,568.

(x) During the fiscal year ending June 30, 2001, of the amounts budgeted but not expended for the regular medical program from the other medical assistance account of the state general fund, the amounts budgeted but not expended for the mental health and retardation services aid account of the state general fund, and assistance program from the

mental health and retardation services aid and assistance and the amounts budgeted for the regular medical program but not expended from the social welfare fund, an aggregate of \$870,000 from such accounts and such fund shall not be expended for other programs or purposes during fiscal year 2001 and shall be expended by the above agency during fiscal year 2002 for implementation of the medicaid buy-in program for individuals with disabilities.

Sec. 31.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

Operating expenditures (including official hospitality) .....	\$35,000
Supplemental general state aid.....	\$2,438,893
Grant to Kansas cultural heritage and arts center, Dodge City, Kansas ..	\$30,000

Sec. 32.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

Operating expenditures.....	\$14,116
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Sec. 33.

KANSAS ARTS COMMISSION

(a) On the effective date of this act, of the \$1,199,340 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 37(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the arts programming grants and challenge grants account, the sum of \$16,615 is hereby lapsed.

Sec. 34.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

Operating expenditures (including official hospitality) .....	\$99,860
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(b) On the effective date of this act, the expenditure limitation established by section 41(b) of chapter 130 of the 2000 Session Laws of Kansas on the general fees fund is hereby decreased from \$8,760,045 to \$8,660,185.

Sec. 35.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

Cooperative extension service (including official hospitality) .....	\$103,931
Agricultural experiment stations (including official hospitality).....	\$225,784

(b) On the effective date of this act, the expenditure limitation established by section 43(b) of chapter 130 of the 2000 Session Laws of Kansas on the federal extension fund is hereby decreased from \$4,703,061 to \$4,599,130.

(c) On the effective date of this act, the expenditure limitation established by section 43(b) of chapter 130 of the 2000 Session Laws of Kansas on the federal experimental station fund is hereby decreased from \$3,611,930 to \$3,386,146.

Sec. 36.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) On the effective date of this act, the expenditure limitation established by section 44(b) of chapter 130 of the 2000 Session Laws of Kansas on the hospital and diagnostic laboratory revenue fund is hereby increased from \$1,862,905 to \$1,999,634.

Sec. 37.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures (including official hospitality) .....	\$5,214
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(b) On the effective date of this act, the expenditure limitation established by section 6(c) of chapter 183 of the 2000 Session Laws of Kansas on the general fees fund is hereby decreased from \$8,888,734 to \$8,883,520.

## Sec. 38.

## PITTSBURG STATE UNIVERSITY

(a) On the effective date of this act, the expenditure limitation established by section 8(c) of chapter 183 of the 2000 Session Laws of Kansas on the general fees fund is hereby increased from \$11,048,357 to \$11,064,313.

(b) On the effective date of this act, of the \$31,750,938 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 46(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$15,956 is hereby lapsed.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2001, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Energy conservation projects fund.....	No limit
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## Sec. 39.

## STATE BOARD OF REGENTS

(a) On the effective date of this act, of the \$500,000 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 50(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the vocational educational capital outlay aid account, the sum of \$500,000 is hereby lapsed.

(b) In addition to the other purposes for which expenditures may be made by the state board of regents from the financial aid services fee fund for fiscal year 2001 as authorized by section 50(b) of chapter 130 of the 2000 Session Laws of Kansas, expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: *Provided further*, That the executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications for student financial assistance under programs administered by the state board of regents: *And provided further*, That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury and credited to this fund.

## Sec. 40.

## DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

Local jail payments .....	\$1,000,000
Hutchinson correctional facility—facilities operations .....	\$123,484
Lansing correctional facility—facilities operations .....	\$123,483
El Dorado correctional facility—facilities operations .....	\$123,483
Larned correctional mental health facility—facilities operations .....	\$7,689

(b) On the effective date of this act, the \$253,086 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 13(a) of chapter 182 of the 2000 Session Laws of Kansas from the state general fund in the El Dorado correctional facility—RDU housing account, is hereby lapsed.

(c) On the effective date of this act, of the \$190,000 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 13(a) of chapter 182 of the 2000 Session Laws of Kansas from the state general fund in the day reporting center state match account, the sum of \$94,691 is hereby lapsed.

## Sec. 41.

## JUVENILE JUSTICE AUTHORITY

(a) On the effective date of this act, the expenditure limitation established by section 52(b) of chapter 130 of the 2000 Session Laws of Kansas on the juvenile detention facilities fund is hereby decreased from \$3,985,258 to \$3,385,258.

(b) On the effective date of this act, the position limitation established by section 69(a) of chapter 130 of the 2000 Session Laws of Kansas for the juvenile justice authority is hereby increased from 612.0 to 614.0.

(c) In addition to the other purposes for which expenditures may be made by the juvenile justice authority from the juvenile detention facilities fund for fiscal year 2001, notwithstanding the provisions of K.S.A. 79-4803 and amendments thereto, the juvenile justice authority is hereby authorized and directed to make expenditures from the juvenile detention facilities fund for fiscal year 2001 for juvenile intake and assessment: *Provided*, That expenditures from the juvenile detention facilities fund for fiscal year 2001 for juvenile intake and assessment shall not exceed \$1,000,000: *Provided further*, That all expenditures for such purpose shall be in addition to any expenditure limitation imposed on the juvenile detention facilities fund for fiscal year 2001.

(d) On the effective date of this act, of the \$34,385,360 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 52(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$1,300 is hereby lapsed.

(e) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

Atchison juvenile correctional facility operations ..... \$1,300  
Sec. 42.

STATE FIRE MARSHAL

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 27(a) of chapter 183 of the 2000 Session Laws of Kansas on the fire marshal fee fund is hereby increased from \$2,736,071 to \$2,837,262.

Sec. 43.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

Operating expenditures ..... \$8,598

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2001, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sentencing commission forfeiture fund ..... No limit

Sec. 44.

KANSAS DEPARTMENT OF AGRICULTURE

(a) On the effective date of this act, the expenditure limitation established by section 38(f) of chapter 183 of the 2000 Session Laws of Kansas on the warehouse fee fund is hereby decreased from \$618,169 to \$555,407.

(b) On the effective date of this act, the expenditure limitation established by section 38(d) of chapter 183 of the 2000 Session Laws of Kansas on the fertilizer fee fund is hereby increased from \$427,765 to \$543,830.

(c) On the effective date of this act, the expenditure limitation established by section 61(b) of chapter 130 of the 2000 Session Laws of Kansas on the water appropriation certification fund is hereby increased from \$266,282 to \$330,018.

(d) On the effective date of this act, the expenditure limitation established by section 61(b) of chapter 130 of the 2000 Session Laws of Kansas on the egg fee fund is hereby increased from \$62,419 to \$83,325.

(e) On the effective date of this act, the expenditure limitation established by section 61(b) of chapter 130 of the 2000 Session Laws of Kansas on the water plan special revenue fund is hereby increased from \$1,031,935 to \$1,033,789.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 61(b) of chapter 130 of the 2000 Session Laws of Kansas on the feeding stuffs fee fund is hereby increased from \$491,867 to \$541,867.

Sec. 45.

STATE CONSERVATION COMMISSION

(a) On the effective date of this act, of the \$1,714 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 42(a) of chapter 183 of the 2000 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$521 is hereby lapsed.

## Sec. 46.

## KANSAS WATER OFFICE

(a) On the effective date of this act, the expenditure limitation established by section 66(b) of chapter 130 of the 2000 Session Laws of Kansas on the water supply storage assurance fund is hereby increased from \$0 to No limit: *Provided*, That any moneys deposited to the credit of the water supply storage assurance fund which are received from a water assurance district shall be credited to a separate subaccount: *Provided further*, That moneys in such subaccounts may be transferred to the water marketing fund for (1) payment to the federal government of annual capital costs of water supply storage in federal reservoirs under the water assurance program act, (2) payment and reimbursement to the water marketing fund for water supply storage space previously paid for with revenue from the water marketing fund, if such storage space has been transferred to the water assurance program, (3) payment to the federal government of annual operation, maintenance and repair costs associated with the water supply storage space dedicated for the use of water assurance districts, and (4) payment and reimbursement to the water marketing fund and the state general fund for costs incurred by the state for the administration and enforcement of applicable state laws governing the operations and management of the water assurance program as provided in contracts with water assurance districts.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 66(b) of chapter 130 of the 2000 Session Laws of Kansas on the state water plan fund is hereby increased from \$2,826,474 to \$2,834,974.

## Sec. 47.

## DEPARTMENT OF WILDLIFE AND PARKS

(a) On the effective date of this act, the position limitation established by section 69(a) of chapter 130 of the 2000 Session Laws of Kansas for the department of wildlife and parks is hereby increased from 394.5 to 397.5.

(b) On the effective date of this act, the expenditure limitation established by section 68(b) of chapter 183 of the 2000 Session Laws of Kansas on the wildlife fee fund is hereby increased from \$21,801,503 to \$22,048,056.

## Sec. 48.

## ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

Additional operating expenditures .....	\$25,000
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*Provided*, That expenditures may be made from the additional operating expenditures account only upon approval by the state finance council acting after receiving certification from the adjutant general that moneys have been received from the federal government to match such expenditures and acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except that such approval also may be given while the legislature is in session.

## Sec. 49.

## BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 74(a) of chapter 130 of the 2000 Session Laws of Kansas on the behavioral sciences regulatory board fee fund is hereby increased from \$425,141 to \$425,791.

## Sec. 50.

## CITIZENS' UTILITY RATEPAYER BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 28(a) of chapter 183 of the 2000 Session Laws of Kansas on the utility regulatory fee fund is hereby increased from \$471,003 to \$546,469: *Provided*, That, of the amount of additional expenditures authorized by the expenditure limitation increase prescribed by this subsection, no portion of such increased expenditure authority for fiscal year 2001 shall be the basis for any amount being transferred into a Kansas savings incentive program account or KSIP account under the Kansas savings incentive program pursuant to section 70 of chapter 130 of the 2000 Session Laws of Kansas



or any other Kansas savings incentive program section in this or other appropriation act of the 2001 regular session of the legislature: *Provided, however*, That, if the total amount of additional expenditures authorized by the expenditure limitation increase prescribed by this section are not expended or encumbered for fiscal year 2001, then an amount equal to the amount of such increased expenditure authority for fiscal year 2001 remaining may be expended from the utility regulatory fee fund for fiscal year 2002 pursuant to contracts for professional services and any such expenditures for fiscal year 2002 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for the fiscal year ending June 30, 2002.

Sec. 51.

DEPARTMENT OF COMMERCE AND HOUSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 12(a) of chapter 183 of the 2000 Session Laws of Kansas on the Kansas economic development endowment account of the state economic development initiatives fund is hereby decreased from \$16,578,179 to \$16,552,337.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 12(d) of chapter 183 of the 2000 Session Laws of Kansas on the state operations (including official hospitality) subaccount of the Kansas economic development endowment account of the state economic development initiatives fund is hereby decreased from \$9,184,779 to \$9,158,937.

Sec. 52.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

Operating expenditures ..... \$5,000

Sec. 53.

KANSAS LOTTERY

(a) The executive director of the Kansas lottery is hereby directed to provide written notification to the chairpersons of the house appropriations committee and senate ways and means committee, the president of the senate, the speaker of the house of representatives, the minority leaders of the house of representatives and the senate and to the director of the Kansas legislative research department whenever there is a change in the state or corporate management staff of the vendor with which the lottery contracts for online games and services.

Sec. 54.

KANSAS HUMAN RIGHTS COMMISSION

(a) During the fiscal year ending June 30, 2001, of the moneys appropriated from the state general fund by section 17(a) of chapter 130 of the 2000 Session Laws of Kansas in the operating expenditures account an amount equal to \$15,595 shall remain unexpended, unencumbered and available for reappropriation in the operating expenditures account for the Kansas human rights commission for fiscal year 2002, in addition to any other moneys that remain unexpended, unencumbered and available for reappropriation in the operating expenditures account, and such amount of \$15,595 shall not be transferred into a Kansas savings incentive program account or KSIP account under the Kansas savings incentive program pursuant to section 70 of chapter 130 of the 2000 Session Laws of Kansas or any other Kansas savings incentive program section in this or other appropriation act of the 2001 regular session of the legislature.

Sec. 55.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital improvements fund ..... No limit  
SBSF—encampment building renovation fund ..... No limit

(b) On or before the 10th of each month during the fiscal year ending June 30, 2002, the director of accounts and reports shall transfer from the state general fund to the state fair

capital improvements fund interest earnings based on: (1) The average daily balance of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the EDIF—capital improvements fund of the state fair board, to the state economic development initiatives fund. On July 1, 2001, all liabilities of the EDIF—capital improvements fund of the state fair board, including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the EDIF—capital improvements fund of the state fair board is hereby abolished.

Sec. 56.

#### DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2002, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects.....	\$3,996,950
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*Provided*, That the secretary of social and rehabilitation services is hereby authorized to transfer moneys during fiscal year 2002 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01 or 76-12a18 and amendments thereto, for projects approved by the secretary of social and rehabilitation services: *Provided further*, That expenditures also may be made from this account during fiscal year 2002 for the purposes of rehabilitation and repair for facilities of the department of social and rehabilitation services other than any institution, as defined by K.S.A. 76-12a01 or 76-12a18 and amendments thereto.

Sex predator capacity expansion.....	\$1,100,000
State security hospital.....	\$2,600,000

(b) In addition to the purposes for which expenditures may be made by the above agency from the other state fees fund for fiscal year 2002, expenditures may be made by the above agency from the other state fees fund for fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Area office rehabilitation and repair .....	\$166,000
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*Provided*, That expenditures from the area office rehabilitation and repair account shall be in addition to any expenditure limitation imposed on the other state fees fund for fiscal year 2002.

(c) On the effective date of this act, any unencumbered balance in each of the following accounts of the state institutions building fund is hereby lapsed: Sex predator contingency fund.

Sec. 57.

#### KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2002, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects.....	\$59,435
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Sec. 58.

#### KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year or years specified, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects	
For the fiscal year ending June 30, 2001.....	\$35,500
For the fiscal year ending June 30, 2002.....	\$146,532
Roof replacement, Foltz gymnasium	
For the fiscal year ending June 30, 2002.....	\$75,705
Air conditioning, auditorium	
For the fiscal year ending June 30, 2002.....	\$55,942
Pool repair	
For the fiscal year ending June 30, 2002.....	\$58,718
Dorm renovation	

For the fiscal year ending June 30, 2002..... \$384,686  
Sec. 59.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, for the capital improvement project or projects specified as follows:

Debt service payment for the revenue refunding bond issue.....	\$4,443,000
Debt service payment for the Wichita work release facility bond issue...	\$166,000
Debt service payment for the Ellsworth correctional facility at Ellsworth, Kansas .....	\$1,070,000
Debt service payment for the reception and diagnostic unit relocation bond issue .....	\$1,329,000
Debt service payment for the Topeka and Lansing correctional facility bond issue .....	\$934,000

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2002, for the capital improvement project or projects specified as follows:

Debt service payment for the revenue refunding bond issues.....	\$1,542,472
Capital improvements—rehabilitation, remodeling, renovation and repair of correctional institutions.....	\$4,001,809

*Provided*, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2002 from the capital improvements—rehabilitation, remodeling, renovation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2002 by the institution or facility for capital improvement projects.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lease revenue bond issue—principal and interest fund—H bonds .....	No limit
Lease revenue bond issue—principal and interest fund—J bonds .....	No limit
Revenue refunding bond issue—principal and interest fund—L bonds ..	No limit
Reception and diagnostic unit replacement project revenue fund .....	No limit

(d) On the effective date of this act, any unencumbered balance in each of the following accounts of the correctional institutions building fund is hereby lapsed: Construction of 32-bed unit at Hutchinson correctional facility south unit; partial construction of Norton correctional facility 200-bed unit.

(e) On July 1, 2001, the director of accounts and reports shall transfer \$1,285,000 from the construction defects recovery fund of the department of administration to the lease revenue bond issue—principal and interest fund—J bonds fund of the department of corrections.

(f) On July 1, 2001, the director of accounts and reports shall transfer \$500,000 from the construction defects recovery fund of the department of administration to the revenue refunding bond issue—principal and interest fund—L bonds fund of the department of corrections.

(g) In addition to the other purposes for which expenditures may be made by the department of corrections from the correctional industries fund for fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures may be made by the department of corrections for the construction of an industries building and warehouse at Topeka correctional facility: *Provided*, That expenditures for such purpose from the correctional industries fund for fiscal year 2002 shall not exceed \$527,000: *Provided, however*, That no expenditures shall be made from the correctional industries fund for the construction of an industries building and warehouse at Topeka correctional facility except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guide-

lines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto and acting after receiving the recommendations of the joint committee on state building construction.

Sec. 60.

#### STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Rehabilitation and repair projects.....	\$75,000
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*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

Any unencumbered balance in excess of \$100 as of June 30, 2001, in each of the following capital improvement accounts of the state general fund is hereby reappropriated for fiscal year 2002: Construct storage bay #3.

(b) There is hereby appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Historical society capital improvements fund .....	No limit
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Sec. 61.

#### INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Insurance building principal and interest payment fund.....	No limit
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Insurance department rehabilitation and repair fund.....	No limit
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Sec. 62.

#### DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, for the capital improvement project or projects specified, the following:

Judicial center improvements

For the fiscal year ending June 30, 2001.....	\$124,730
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*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2001, in the judicial center improvements account is hereby reappropriated for fiscal year 2002.

Judicial center rehabilitation and repair

For the fiscal year ending June 30, 2002.....	\$100,000
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Rehabilitation and repair for state facilities

For the fiscal year ending June 30, 2001.....	\$72,063
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*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2001, in the rehabilitation and repair for state facilities account is hereby reappropriated for fiscal year 2002.

Judicial center improvements—debt service

For the fiscal year ending June 30, 2002.....	\$103,362
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Statehouse improvements—debt service

For the fiscal year ending June 30, 2002.....	\$1,249,742
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Energy conservation improvements—debt service

For the fiscal year ending June 30, 2002.....	\$2,485,322
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Any unencumbered balance in excess of \$100 as of June 30, 2001, in each of the following capital improvement accounts is hereby reappropriated for fiscal year 2002: Fire and safety alarms—statehouse; judicial center renovation planning; statehouse grounds and facility improvements; statehouse committee room planning, remodel and relocation.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Master lease program fund.....	No limit
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State buildings depreciation fund .....	\$0
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(c) In addition to the other purposes for which expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 2001, expenditures may be made by the above agency from the following capital improvement account or accounts of the state budget stabilization fund during fiscal year 2001 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Judicial center improvements ..... \$77,970

(d) In addition to the other purposes for which expenditures may be made from the state budget stabilization fund for fiscal year 2002, expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 2002 from any unencumbered balance as of June 30, 2001, in each of the following capital improvement accounts of the state budget stabilization fund: Statehouse elevators renovation; statehouse grounds & facility improvements; statehouse fire and safety alarms; judicial center improvements: *Provided*, That the expenditures for fiscal year 2002 from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2001; *Provided further*, That all expenditures from the state budget stabilization fund for the fiscal year 2002 from the unencumbered balance in any such account shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for the fiscal year 2002.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2001, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund during fiscal year 2001 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Memorial Hall parking improvements ..... \$52,000

(f) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2002, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund for fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Docking 9th street right-of-way ..... \$70,000  
Paint and grounds shop—debt service ..... No limit  
Parking improvements and repair ..... \$95,000

(g) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2001, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2001 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Capitol complex steam distribution ..... \$500,000

(h) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2002, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair ..... \$75,000  
Docking fire suppression system installation ..... \$350,000  
Landon fire suppression system installation ..... \$300,000  
Landon electrical system failure mode study ..... \$50,000  
Docking heating, ventilation and air-conditioning system renovations .... \$20,000  
Landon security improvements ..... \$30,000  
Capitol complex steam distribution ..... \$500,000  
Docking 11th floor re-roofing ..... \$106,000  
Landon fail safe power supply ..... \$135,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 2002.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2002, expenditures may be

made by the above agency from the state buildings depreciation fund for fiscal year 2002 from the unencumbered balance as of June 30, 2001, in each capital improvement account of the state buildings depreciation fund for one or more projects approved for prior fiscal years: *Provided*, That expenditures from the unencumbered balance in any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2001: *Provided further*, That all expenditures from any such account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 2002.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund for fiscal year 2002, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Landon state office building—debt service.....	No limit
Memorial hall—debt service .....	No limit
Energy conservation projects.....	No limit

(k) In addition to the other purposes for which expenditures may be made by the above agency from the motor pool service fund for fiscal year 2002, expenditures may be made by the above agency from the following capital improvement account or accounts of the motor pool service fund for fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Motor pool shop—debt service .....	No limit
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(l) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service fund for fiscal year 2002, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service fund for fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Printing plant—debt service.....	No limit
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(m) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2002 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto to finance capital improvement projects for judicial center improvements: *Provided*, That such capital improvement projects for judicial center improvements are hereby approved for the department of administration for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the department of administration may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement projects for judicial center improvements: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement projects for judicial center improvements shall not exceed \$1,063,900, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement projects for judicial center improvements during the construction of such projects and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for capital improvement projects for judicial center improvements shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds.

(n) On the effective date of this act, any unencumbered balance in each of the following accounts of the state general fund is hereby lapsed: Judicial center carpet replacement.

Sec. 63.

DEPARTMENT OF COMMERCE AND HOUSING

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2002, for the following capital improvement project or projects, the following:

Rehabilitation and repair—travel information centers ..... \$15,000

Sec. 64.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation—bond and interest sinking fund..... No limit  
 Lewis field renovation—revenue fund..... No limit  
 Center for networked learning fund ..... No limit

Sec. 65.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, for the capital improvement project or projects specified as follows:

Lease payment—Salina aeronautical center (including aeronautical laboratory center) ..... \$189,446

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Federal construction funds fund ..... No limit  
 Bond construction funds fund..... No limit  
 Coliseum repair, equipment and improvement fund..... No limit  
 Housing system refunding revenue bond fund,  
 K DFA F bonds, 1999 fund ..... No limit  
 Parking system refunding revenue bond fund, K DFA G bonds, 1995 .... No limit  
 Housing system bond fund, K DFA H bonds, 1993 ..... No limit  
 Farrell library renovation/expansion-gifts/donations fund..... No limit  
 Plan/construct/equip Farrell library renovation/expansion fund ..... No limit  
 Farrell library expansion revenue bond fund, K DFA K bonds, 1995 ..... No limit  
 Recreation complex revenue bond fund, K DFA D bonds, 1993 ..... No limit  
 Plant science building phase II—special revenue fund ..... No limit  
 Site improvements fund ..... No limit  
 College center construction fund ..... No limit  
 Bluemont hall defects repair fund ..... No limit  
 Engineering complex phase II private gift fund..... No limit  
 Student recreation building repair, equipment &  
 improvement fund ..... No limit  
 Coliseum/stadium parking repair & improvement fund ..... No limit  
 Energy conservation projects fund..... No limit  
 Student union renovation and expansion revenue bond fund,  
 K DFA B bonds, 1998..... No limit

*Provided*, That Kansas state university may make expenditures from the student union renovation and expansion revenue bond fund, K DFA B bonds, 1998 for the capital improvement project to renovate and expand the student union in an amount of not more than \$11,500,000, plus all amounts required for cost of bond issuance, cost of interest on the bonds during the construction of the project and required reserves for the payment of principal and interest on the bonds: *Provided further*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*,

That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.

Ackert hall addition—federal fund .....	No limit
Ackert hall addition—gifts and grants fund .....	No limit
Ackert hall addition—special revenue fund .....	No limit

*Provided*, That Kansas state university may make expenditures from the Ackert hall addition—special revenue fund for the project to construct an addition to Ackert hall in addition to the expenditure of other moneys appropriated therefor: *Provided, however*, That expenditures from this fund for such capital improvement project shall not exceed \$1,500,000 plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any bond: *Provided further*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.

Football stadium expansion—special revenue fund .....	No limit
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*Provided*, That Kansas state university may make expenditures from the football stadium expansion—special revenue fund for the capital improvement project to expand the football stadium in addition to the expenditure of other moneys appropriated therefor: *Provided, however*, That expenditures from this fund for such capital improvement project shall not exceed \$16,000,000 plus all amounts required for costs of any such bond issuance, costs of interest on any bonds issued or obtained for such capital improvement projects and any required reserves for payment of principal and interest on any bond: *Provided further*, That such capital improvement is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 2002, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Biological and agricultural engineering research storage building .....	No limit
Konza prairie preserve storage building .....	No limit
Improvements to grain science value added laboratory .....	No limit
Construct a materials acoustics laboratory .....	No limit

(d) In addition to the other purposes for which expenditures may be made by the above agency from the student union renovation and expansion fund for fiscal year 2002, expenditures may be made by the above agency from the student union renovation and expansion fund for fiscal year 2002 for costs associated with roof repair on an existing portion of the student union building.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the sponsored research overhead fund for fiscal year 2002, expenditures may be made by the above agency from the sponsored research overhead fund for the fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Accelerated testing laboratory garage addition .....	No limit
Accelerated testing laboratory storage/equipment shed .....	No limit
Salina national gas machinery laboratory .....	No limit

(f) During the fiscal year ending June 30, 2002, Kansas state university is hereby authorized to make expenditures to raze Dennison hall and to raze portions of building no. 025 (Seaton hall).

(g) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the housing system project revenue fund of Kansas state university to the housing



system refunding revenue bond fund, K DFA F bonds, 1999. On the effective date of this act, all liabilities of the housing system project revenue fund are hereby transferred to and imposed on the housing system refunding revenue bond fund, K DFA F bonds, 1999 and the housing system project revenue fund is hereby abolished.

(h) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the student union renovation and expansion fund of Kansas state university to the student union renovation and expansion revenue bond fund, K DFA B bonds. On the effective date of this act, all liabilities of the student union renovation and expansion fund are hereby transferred to and imposed on the student union renovation and expansion revenue bond fund, K DFA B bonds and the student union renovation and expansion fund is hereby abolished.

Sec. 66.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 2002, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2002 for the following capital improvement project or projects:

Validation/fresh meats processing laboratory .....	No limit
Renovate laboratories in Throckmorton hall .....	No limit
Warehouse expansion—department of agronomy building .....	No limit
Scandia experiment field office facility .....	No limit
Equipment/pesticide storage buildings .....	No limit
Southwest research extension center office/administrative facility .....	No limit
Equine education and research center .....	No limit
Southeast agriculture research center buildings .....	No limit
South central agronomy experiment field office and storage building ....	No limit
Grain science center .....	No limit
Agricultural shop buildings—east central Kansas experiment field .....	No limit
Animal science swine facility .....	No limit
Construct east Kansas horticulture research center .....	No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the sponsored overhead research fund for fiscal year 2002, expenditures may be made by the above agency from the sponsored research overhead fund for the fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Southeast agriculture research center buildings .....	No limit
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(c) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2002, for the capital improvement project or projects specified as follows:

Grain science center biological and industrial value-added program—	
EBF .....	\$3,000,000

(d) During the fiscal years ending June 30, 2002, and June 30, 2003, upon approval of the state board of regents, the president of Kansas state university may request and the pooled money investment board is hereby authorized and directed to provide loans to Kansas state university for the grain science center biological and industrial value-added program in accordance with this subsection. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loans. As requested by the president of Kansas state university, the loan amounts shall be provided in multiple disbursements during fiscal year 2002 and fiscal year 2003 and each such amount shall bear interest from the date of disbursement based on the net earnings rate for the pooled money investment portfolio for the prior fiscal year. Interest-only payments shall be made on or before August 1, 2001, and on or before each August 1 thereafter until the principal amounts have been repaid. Loan principal amounts may be repaid at any time and all outstanding principal amounts shall be repaid in full on or before August 1, 2005. The aggregate of such loan amounts shall not exceed \$4,000,000.

## Sec. 67.

## EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union refurbishing fund .....	No limit
Bond construction funds fund .....	No limit
Student union addition bond and interest sinking fund .....	No limit
Twin towers project revenue fund .....	No limit
Twin towers bond and interest sinking fund .....	No limit
Twin towers maintenance and equipment reserve fund .....	No limit
Student recreational building fund .....	No limit

*Provided*, That Emporia state university may make expenditures from the student recreational building fund for the capital improvement project to plan and construct a student recreational center in an amount of not more than \$3,000,000, plus all amounts required for the cost of bond issuance, cost of interest on the bond during planning and construction of the project and required reserves for the payment of principal and interest on the bonds: *Provided further*, That such capital improvement project is hereby approved for Emporia state university for the purpose of subsection (b) of K.S.A. 74-8905 and amendments thereto and authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited into the state treasury to the credit of this fund.

## Sec. 68.

## PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Horace Mann construction fund .....	No limit
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*Provided*, That Pittsburg state university may make expenditures from the Horace Mann construction fund for the renovation of the Horace Mann building: *Provided further*, That the capital improvement project to renovate the Horace Mann building is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That all moneys received from the issuance of any such project bonds shall be deposited to the credit of this fund.

Willard hall construction fund .....	No limit
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*Provided*, That Pittsburg state university may make expenditures from the Willard hall construction fund for the renovation of Willard hall: *Provided further*, That the capital improvement project to renovate Willard hall is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That all moneys received from the issuance of any such project bonds shall be deposited to the credit of this fund.

Suspense fund .....	No limit
Energy conservation projects fund .....	No limit

## Sec. 69.

## UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union renovation revenue fund .....	No limit
Student health facility maintenance, repair, and equipment fee fund .....	No limit

Parking facilities surplus fund—KDFA G bonds, 1993 .....	No limit
<i>Provided</i> , That the university of Kansas may make expenditures from the parking facilities surplus fund—KDFA G bonds, 1993 for capital improvements to parking lots in addition to the expenditure of other moneys appropriated therefor.	
Regents center revenue fund—KDFA D bonds, 1990 .....	No limit
Regents center bond reserve fund—KDFA D bonds, 1990 .....	No limit
Regents center surplus fund.....	No limit
Regents center rebate fund.....	No limit
Regents center revenue refund project principal and interest—KDFA C bonds, 1997 .....	No limit
Student union renovation rebate fund (phase I) .....	No limit
Student union renovation surplus fund—KDFA C bonds, 1992 .....	No limit
Student union renovation rebate fund—KDFA C bonds, 1992 .....	No limit
Student union addition—special revenue fund.....	No limit
<i>Provided</i> , That the university of Kansas may make expenditures from the student union addition—special revenue fund for the capital improvement project to construct an addition to the student union in addition to the expenditure of other moneys appropriated therefor: <i>Provided, however</i> , That expenditures from this fund for such capital improvement project shall not exceed \$5,600,000 plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any bond: <i>Provided further</i> , That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: <i>And provided further</i> , That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.	
Bioscience research center rebate fund—KDFA series Q bonds, 1992...	No limit
Bioscience research center principal and interest payment account—KDFA A bonds, 1994 fund.....	No limit
Bioscience research center reserve account—KDFA A bonds, 1994 fund.....	No limit
Bioscience research center rebate account—KDFA A bonds, 1994 fund.....	No limit
Parking facilities refunding bonds principal and interest fund—KDFA G bonds, 1993 .....	No limit
Parking facilities refunding bonds reserve fund—KDFA G bonds, 1993.....	No limit
Parking facilities refunding bonds rebate fund—KDFA G bonds 1993...	No limit
Student health facility addition revenue fund .....	No limit
Biosciences research center—special revenue fund.....	No limit
<i>Provided</i> , That all gifts and grants received for the capital improvement project to construct and equip a biosciences research center, other than those received from the federal government for such capital improvement project, shall be deposited in the state treasury to the credit of the biosciences research center—special revenue fund: <i>Provided further</i> , That the above agency may transfer moneys during fiscal year 2002 from the sponsored research overhead fund and from appropriate accounts of the restricted fees fund to this fund for such capital improvement project or for debt service for such capital improvement project: <i>And provided further</i> , That all transfers of moneys for fiscal year 2002 from the sponsored research overhead fund to this fund shall be in addition to any expenditure limitation imposed on the sponsored research overhead fund for fiscal year 2002: <i>And provided further</i> , That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: <i>And provided further</i> , That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.	
Law enforcement training center improvements special revenue fund ...	No limit
<i>Provided</i> , That the university of Kansas may make expenditures from the law enforcement	

training center improvements special revenue fund for a capital improvement project for parking lot improvements at the law enforcement training center: *Provided, however*, That expenditures from this fund for such capital improvement project shall not exceed \$450,000: *Provided further*, That the above agency may transfer moneys for fiscal year 2002 from the law enforcement training center fund to this fund for such capital improvement project: *And provided further*, That all transfers of moneys for fiscal year 2002 from the law enforcement training center fund to this fund shall be in addition to any expenditure limitation imposed on the law enforcement training center fund for fiscal year 2002.

Renovate Lewis hall—special revenue fund.....	No limit
Lewis hall renovation principal and interest payment account K DFA D bonds, 1998 fund.....	No limit
Lewis hall renovation bond proceeds project account K DFA D bonds, 1998 fund.....	No limit
Lewis hall renovation university proceeds project account K DFA D bonds, 1998 fund.....	No limit
Lewis hall renovation rebate fund K DFA D bonds, 1998 fund.....	No limit
Lewis hall renovation bond reserve fund K DFA D bonds, 1998 fund....	No limit
Continuing education revenue bonds principal and interest K DFA H bonds, 1998 fund.....	No limit
Continuing education revenue bonds reserve fund K DFA H bonds, 1998 fund.....	No limit
Continuing education revenue bonds surplus account K DFA H bonds, 1998 fund.....	No limit
Athletic facilities enhancements special revenue fund K DFA A university proceeds .....	No limit
Renovate Ellsworth hall—special revenue fund.....	No limit
<i>Provided</i> , That the university of Kansas may make expenditures from the renovate Ellsworth hall—special revenue fund for the project to renovate Ellsworth hall in addition to the expenditure of other moneys appropriated therefor: <i>Provided, however</i> , That expenditures from this fund for such capital improvement project shall not exceed \$12,467,450 plus all amounts required for costs of any bond issuance, cost of interest on bonds issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any bond: <i>And provided further</i> , That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: <i>And provided further</i> , That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund: <i>And provided further</i> , That the above agency may transfer moneys for fiscal year 2002 from appropriate accounts of the house system repairs, equipment and improvement fund to renovate Ellsworth hall—special revenue fund for such capital improvement project.	
Regents center principal and interest payment account K DFA D bonds, 1990 fund.....	No limit
Templin hall renovation principal and interest payment account K DFA E bonds, 1996 fund .....	No limit
Templin hall renovation bond reserve K DFA E bonds, 1996 fund .....	No limit
Watkins health center addition principal and interest payment account K DFA D bonds, 1995 fund .....	No limit
Watkins health center addition university proceeds project account K DFA D bonds, 1995 fund .....	No limit
Watkins health center addition bond reserve K DFA D bonds, 1995 fund.....	No limit
Watkins health center addition surplus fund K DFA D bonds, 1995 fund.....	No limit
Watkins health center addition rebate fund K DFA D bonds, 1995 fund.....	No limit
Regents R&R project K DFA K bonds, 1996 fund .....	No limit

Regents rehabilitation and repair phase II—project series K DFA G bonds, 1997 fund.....	No limit
Construct parking garage no. 2—special revenue fund.....	No limit
Parking garage no. 2 construction project principal and interest account K DFA D bonds, 1999 fund.....	No limit
Parking garage no. 2 construction project bond reserve fund—K DFA D bonds 1999.....	No limit
Parking garage no. 2 construction project bond proceeds account—K DFA D bonds, 1999 fund.....	No limit
Edwards campus facility expansion—special revenue fund.....	No limit
<i>Provided</i> , That the university of Kansas may make expenditures from the Edwards campus facility expansion—special revenue fund for the capital improvement project to expand facilities on the Edwards campus in addition to the expenditure of other moneys appropriated therefor: <i>Provided, however</i> , That expenditures from this fund for such capital improvement project shall not exceed \$13,230,000 plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any bond: <i>Provided further</i> , That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: <i>And provided further</i> , That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund: <i>And provided further</i> , That all gifts and grants received for the capital improvement project to expand facilities on the Edwards campus, other than those received from the federal government for such capital improvement project, shall be deposited in the state treasury to the credit of the Edwards campus facility expansion—special revenue fund.	
Construct child care facility—special revenue fund.....	No limit
Child care facility bond proceeds fund.....	No limit
Child care facility university proceeds fund.....	No limit
Child care facility principal and interest fund.....	No limit
Child care facility bond reserve fund.....	No limit
Child care facility surplus fund.....	No limit
Child care facility operations account.....	No limit
Child care facility student fee account.....	No limit
Athletic facilities enhancements—special revenue fund.....	No limit
<i>Provided</i> , That the university of Kansas may make expenditures from the athletic facilities enhancements—special revenue fund for the capital improvement project to renovate athletic facilities in addition to the expenditure of other moneys appropriated therefor: <i>Provided, however</i> , That expenditures from this fund for such capital improvement project shall not exceed \$32,391,210 plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any bond: <i>Provided further</i> , That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: <i>And provided further</i> , That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.	
Budig hall completion fund.....	No limit
<i>Provided</i> , That during the fiscal year ending June 30, 2002, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas from moneys available to the above agency in special revenue funds for fiscal year 2002, including the general fees fund, tuition accountability fund, sponsored research overhead fund and various moneys within the restricted fees fund, including grants, gifts, contracts and fees to the Budig hall completion fund: <i>Provided, however</i> , That no expenditures shall be made from this fund until the preliminary plans and program statement for the Budig hall completion project have been reviewed by the joint committee on state building construction: <i>Provided further</i> , That upon request by the chancellor to the director of accounts and	

reports, any unencumbered balance in this fund shall be transferred from this fund to the tuition accountability fund of the university of Kansas.

Continuing education program building acquisition—special revenue fund.....	No limit
Dole institute gift or grant fund.....	No limit
Construct student recreation & fitness center—special revenue fund ....	No limit

*Provided*, That the university of Kansas may make expenditures from the construct student recreation & fitness center—special revenue fund for the capital improvement project to construct student recreation center in addition to the expenditure of other moneys appropriated therefor: *Provided, however*, That expenditures from this fund for such capital improvement project shall not exceed \$17,000,000 plus all amounts required for costs of any bond issuance, cost of interest on bonds issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any bond: *Provided further*, That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund: *And provided further*, That the above agency may transfer moneys for fiscal year 2002 from appropriate accounts of the restricted fees fund to this fund for such capital improvement project.

Student recreation and fitness center fund—principal and interest account K DFA 2000Q .....	No limit
Student recreation and fitness center fund—project account K DFA 2000Q .....	No limit
Student recreation and fitness center fund—cost of issuance account K DFA 2000Q .....	No limit
Student recreation and fitness center fund—reserve account K DFA 2000Q.....	No limit

(b) During the fiscal year ending June 30, 2002, the university of Kansas is hereby authorized to make expenditures to raze building no. 27—facilities operations storage facility.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the sponsored overhead research fund for fiscal year 2002, expenditures may be made by the above agency from the sponsored research overhead fund for fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Remodel energy balance laboratory.....	No limit
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(d) In addition to the other purposes for which expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 2002, expenditures may be made by the above agency for fiscal year 2002 from the unencumbered balance as of June 30, 2001, in the Dole institute of public service and public policy account of the above agency in the state budget stabilization fund: *Provided*, That expenditures from the unencumbered balance in such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2001: *Provided further*, That all expenditures from the unencumbered balance in such account shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for fiscal year 2002.

(e) In addition to the other purposes for which expenditures may be made by the university of Kansas from the restricted fees fund for the fiscal year ending June 30, 2002, expenditures may be made by the university of Kansas from the restricted fees fund for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Remodel of 2nd floor west wing of Strong hall .....	No limit
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Sec. 70.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully

credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Construct and equip Nursing Education Facility—gift and grant fund ...	No limit
Parking facility KDFA principal and interest fund 1988.....	No limit
Parking facility KDFA bond reserve fund 1988.....	No limit
Parking facility KDFA surplus fund 1988.....	No limit
Parking facility revenue fund.....	No limit
Parking facility rebate fund—KDFA F bonds—1988.....	No limit
Rehabilitation and repair projects for institutions of higher education fund.....	No limit
Regents R&R project KDFA K bonds, 1996 fund.....	No limit
Construct and equip research building fund.....	No limit
Construct and equip center for health in aging fund.....	No limit

*Provided*, That the university of Kansas medical center may make expenditures from the construct and equip center for health in aging fund for the capital improvement project to construct the center for health in aging in addition to the expenditure of other moneys appropriated therefor: *Provided, however*, That expenditures from this fund for such capital improvement project shall not exceed \$8,000,000 plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any bond: *Provided further*, That the above agency may transfer moneys for fiscal year 2002 from appropriate accounts of the sponsored research overhead fund to this fund for such capital improvement project or for debt service for such capital improvement project: *And provided further*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.

Construct and equip center for health in aging principal and interest—KDFA B bonds, 1999.....	No limit
Construct and equip center for health in aging bond reserve fund—KDFA B bonds, 1999.....	No limit
Construct and equip center for health in aging bond reserve fund.....	No limit
Construct and equip center for health in aging—gift and grant fund.....	No limit
Construct and equip research support facility fund.....	No limit

*Provided*, That the university of Kansas medical center may make expenditures from the construct and equip research support facility fund for the capital improvement project to construct an addition to the research support facility in addition to the expenditure of other moneys appropriated therefor: *Provided, however*, That expenditures from this fund for such capital improvement project shall not exceed \$5,240,000 plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any bond: *Provided further*, That the above agency may transfer moneys for fiscal year 2002 from appropriate accounts of the sponsored research overhead fund to this fund for such capital improvement project or for debt service for such capital improvement project: *And provided further*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.

Construct and equip addition to research support facility—gift and grant fund.....	No limit
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(b) During the fiscal year ending June 30, 2002, the director of accounts and reports shall transfer amounts certified by the chancellor of the university of Kansas from the sponsored

research overhead fund to the construct and equip center for health in aging bond reserve fund.

(c) On the effective date of this act, the expenditure limitation established by section 93(a) of chapter 130 of the 2000 Session Laws of Kansas on expenditures to construct and equip a research support facility from the construct and equip research support facility fund is hereby increased from \$4,740,000 plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any bond to \$5,240,000 plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any bond.

Sec. 71.

#### WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

On-campus parking construction and maintenance fund .....	No limit
On-campus parking expansion—special revenue fund .....	No limit

*Provided*, That Wichita state university may make expenditures from the on-campus parking expansion—special revenue fund for the capital improvement project to construct additional on-campus parking spaces in addition to the expenditure of other moneys appropriated therefor: *Provided, however*, That expenditures from this fund for such capital improvement project shall not exceed \$7,500,000 plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any bond: *Provided further*, That such capital improvement project is hereby approved for Wichita state university for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.

On campus parking principal and interest account—KDFA bonds, 2000 fund.....	No limit
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On campus parking bonds issuance account—KDFA bonds, 2000 fund.....	No limit
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On campus parking bond reserve account—KDFA bonds, 2000 fund....	No limit
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WSU housing system surplus fund.....	No limit
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Bond reserve fund—KDFA—WSU housing system renovation.....	No limit
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Cessna stadium repair and rehabilitation gifts fund.....	No limit
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Regents rehabilitation and repair phase II—KDFA G bonds, 1997 fund.....	No limit
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Athletic facilities enhancements—special revenue fund .....	No limit
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*Provided*, That Wichita state university may renovate and expand athletic facilities at such university and make expenditures from the athletic facilities enhancements—special revenue fund for such capital improvement project, in addition to the expenditure of other moneys appropriated therefor or obtained by such university from other sources: *Provided, however*, That expenditures from this fund for such capital improvements project shall not exceed \$15,000,000 plus all amounts required for costs of any bond issuance, cost of interest on any bond issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any such bond: *Provided further*, That such capital improvement project is hereby approved for Wichita state university for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That all moneys received from the issuance of any bonds issued pursuant to subsection (b) of K.S.A. 74-8905 and amendments thereto shall be deposited in the state treasury to the credit of this fund.



Sec. 72.

DEPARTMENT OF HUMAN RESOURCES

(a) In addition to the other purposes for which expenditures may be made by the above agency from the employment security administration fund for fiscal year 2002, expenditures may be made by the above agency from the employment security administration fund for fiscal year 2002 from moneys made available to the state under section 903 of the federal social security act, as amended: *Provided*, That expenditures from this fund during fiscal year 2002 of moneys made available to the state under section 903 of the federal social security act, as amended, shall be made only for the following capital improvement purposes: (1) For major maintenance of existing buildings used by the department of human resources for employment security purposes; (2) for paving, landscaping and acquiring fixed equipment as may be required for the use and operation of such buildings; or (3) for any combination of these purposes: *Provided further*, That expenditures from this fund for fiscal year 2002 of moneys made available to the state under section 903 of the federal social security act, as amended, for such capital improvement purposes shall not exceed \$50,000 plus the amounts of unencumbered balances as of June 30, 2001, for capital improvement projects approved for fiscal years prior to fiscal year 2002: *And provided further*, That all expenditures from this fund for any such capital improvement purposes or projects shall be in addition to any expenditure limitation imposed on the employment security administration fund for fiscal year 2002.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Complete remodeling of agency headquarters fund ..... No limit

*Provided*, That the department of human resources may make expenditures from the complete remodeling of agency headquarters fund for the capital improvement project to remodel the agency headquarters: *Provided, however*, That expenditures from this fund for such capital improvement project including necessary furniture and equipment shall not exceed \$3,800,000, plus all amounts required for cost of bond issuance, cost of interest on the bonds issued for such capital improvement project and any required reserves for the payment of principal and interest on the bonds: *Provided further*, That such capital improvement project is hereby approved for the department of human resources for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.

Purchase of building and parking lot at 1430 SW Topeka Blvd., Topeka, KS fund..... No limit

*Provided*, That the department of human resources may make expenditures from the purchase of building and parking lot at 1430 SW Topeka Blvd., Topeka, KS fund for the capital improvement project to purchase the building and parking lot at 1430 SW Topeka Blvd.: *Provided, however*, That expenditures from this fund for such capital improvement project shall not exceed \$1,690,000, plus all amounts required for cost of bond issuance, cost of interest on the bonds issued for such capital improvement project and any required reserves for the payment of principal and interest on the bonds: *Provided further*, That such capital improvement project is hereby approved for the department of human resources for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.

Employment security administration property sale fund..... No limit

*Provided*, That the secretary of human resources, in consultation with the secretary of administration, is hereby authorized to make expenditures for fiscal year 2002 from the employment security administration property sale fund to purchase or acquire by exchange additional real estate to provide space for the job service and unemployment insurance programs of the department of human resources, including the initiation and completion of

capital improvements on such real estate for such purposes: *Provided, however,* That no expenditures shall be made from this fund for a proposed purchase or other acquisition of additional real estate to provide space for the job service and unemployment insurance programs of the department of human resources until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of human resources on such real estate for such purposes, have been reviewed by the joint committee on state building construction: *Provided further,* That no expenditures shall be made from the employment security administration property sale fund except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto and acting after receiving the recommendations of the joint committee on state building construction.

(c) For the fiscal years ending June 30, 2001, and June 30, 2002, the above agency may make expenditures for the purpose of selling the following described property: (1) The North forty-six and two-thirds (46 $\frac{2}{3}$ ) feet of Lot numbered sixty-three (63) and the South twenty-three and one-third (23 $\frac{1}{3}$ ) feet of Lot numbered sixty-one (61), and the North ten (10) feet of the South thirty-three and one-third (33 $\frac{1}{3}$ ) feet of Lot numbered sixty-one (61), all on Kentucky Street in the City of Lawrence, Douglas County, Kansas; and (2) Beginning at the Northeast corner of Lot 436, in Ward 2, City of Manhattan, Riley County, Kansas; thence South 150 feet, more or less, to the Southeast corner of Lot 434, Ward 2; thence West along the South line of said Lot 434 a distance of 30 feet; thence North and parallel with the East line of Lots 434 and 435, a distance of 85 feet; thence West and parallel with the North line of Lot 435 a distance of 20 feet; thence North 65 feet, more or less, to the North line of Lot 436; thence East along the North line of Lot 436 to the place of beginning, and, the West Twenty Five (25) feet of Lot 433, in Ward 2, City of Manhattan, Riley County, Kansas: *Provided,* That no expenditures shall be made by the department of human resources for the sale of any such property, and no such sale shall be executed or otherwise effectuated, except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75- 3711c and amendments thereto and acting after receiving the recommendations of the joint committee on state building construction.

Sec. 73.

#### KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2002, for the capital improvement project or projects specified as follows:

Soldiers' home repair and rehabilitation projects .....	\$100,000
Veterans' home repair and rehabilitation projects.....	\$86,115

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Winfield veterans home acquisition and construction.....	No limit
Veterans' home federal construction grant fund .....	No limit

*Provided,* That all moneys received by the above agency as federal grants for the purposes of construction and remodeling at the Kansas veterans' home, which grants are hereby authorized to be applied for and received by the above agency, shall be deposited in the state treasury to the credit of the Veterans' home federal construction grant fund.

Veterans' cemeteries federal construction grant fund.....	No limit
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(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2001, for the capital improvement project or projects specified as follows:

State veterans cemeteries planning .....	\$305,000
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(d) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2001, by section 115 of chapter 130 of the 2000 Session

Laws of Kansas in the Halsey Hall remodeling account of the state institutions building fund, the sum of \$660 is hereby lapsed.

(e) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2001, by section 115 of chapter 130 of the 2000 Session Laws of Kansas in the repair and rehabilitation project account of the state institutions building fund, the sum of \$295 is hereby lapsed.

Sec. 74.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, for the capital improvement project or projects specified as follows:

Rehabilitation and repair—headquarters building .....	\$30,000
Debt service principal payment—headquarters building .....	\$190,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Remodel Great Bend facility fund .....	\$239,329
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(c) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$239,329 from the state general fund to the remodel Great Bend facility fund.

(d) On July 1, 2001, or as soon thereafter are moneys are available, the director of accounts and reports shall make one or more transfers from the Kansas bureau of investigation state forfeiture fund to the state general fund for the purpose of reimbursing the state general fund for moneys advanced to the remodel Great Bend facility fund: *Provided*, That the aggregate of such transfer or transfers during the fiscal year ending June 30, 2002, shall not exceed \$239,329.

Sec. 75.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2002, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2002 to make debt service payments for the Kansas highway patrol training center at Salina for the bonds issued for such project pursuant to subsection (b) of section 6 of chapter 326 of the 1992 Session Laws of Kansas.

(b) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2002, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Training center—remodeling, rehabilitation and repair projects.....	\$50,000
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*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the highway patrol training center fund for fiscal year 2002.

(c) In addition to other purposes for which expenditures may be made by the above agency from the motor carrier inspection fund for fiscal year 2002, expenditures may be made by the above agency from the motor carrier inspection fund for fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Remodeling, rehabilitation and repair projects.....	\$50,000
Replacement of scales .....	\$163,701

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the motor carrier inspection fund for fiscal year 2002.

Sec. 76.

DEPARTMENT OF WILDLIFE AND PARKS

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

year ending June 30, 2002, for the capital improvement project or projects specified as follows:

Crawford state fishing lake sewer repair..... \$70,000

Any unencumbered balance in excess of \$100 as of June 30, 2001, in each of the following capital improvement accounts of the state general fund is hereby reappropriated for fiscal year 2002: Rehabilitation and repair.

Any unencumbered balance in excess of \$100 as of June 30, 2001, in each of the following capital improvement accounts of the state general fund is hereby reappropriated for fiscal year 2002: Matching grant for development of wetlands project at Milford reservoir: *Provided*, That expenditures for fiscal year 2002 may be made from the matching grant for development of wetlands project at Milford reservoir account by the secretary of wildlife and parks only upon verification by the chairperson of WILDSCAPE that federal funds are available from the U.S. army corps of engineers for development of the Milford wetlands: *Provided, however*, That funds provided by the Kansas department of wildlife and parks to WILDSCAPE shall not be used to finance the administrative costs of WILDSCAPE.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund..... No limit

Bridge maintenance fund..... No limit

Federal grants fund..... No limit

(c) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,500,000 from the state highway fund of the department of transportation to the department access road fund of the department of wildlife and parks.

(d) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the department of wildlife and parks.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2002, expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2002 from the unencumbered balance as of June 30, 2001, in each existing capital improvement account of the migratory waterfowl propagation and protection fund: *Provided*, That all expenditures from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2001: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2002.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2002, expenditures may be made by the above agency from the boating fee fund for fiscal year 2002 from the unencumbered balance as of June 30, 2001, in each existing capital improvement account of the boating fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2001: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 2002 and shall be in addition to any other expenditure limitation imposed on any such account of the boating fee fund for fiscal year 2002.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 2002, expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 2002 from the unencumbered balance as of June 30, 2001, in each existing capital improvement account of the above agency in the state budget stabilization fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2001: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be

in addition to any expenditure limitation imposed on the state budget stabilization fund for fiscal year 2002.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2002, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wildlife fee fund federally mandated boating access .....	\$1,285,500
Wildlife fee fund rehabilitation and repair .....	\$692,500

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 2002.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2002, expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2002 from the unencumbered balance as of June 30, 2001, in each existing capital improvement account of the wildlife fee fund:

*Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2001: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 2002.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2002, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife conservation fund for fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wildlife conservation fund—capital improvement projects .....	\$1,940,000
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(k) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2002, expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2002 from the unencumbered balance as of June 30, 2001, in each existing capital improvement account of the wildlife conservation fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2001: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife conservation fund for fiscal year 2002 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife conservation fund for fiscal year 2002.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2002, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks fee fund—rehabilitation and repair .....	\$0
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(m) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2002, expenditures may be made by the above agency from the parks fee fund for fiscal year 2002 from the unencumbered balance as of June 30, 2001, in each existing capital improvement account of the parks fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2001: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the parks fee fund for fiscal year 2002.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2002, expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2002 from the unencumbered balance as of June 30, 2001, in each existing capital improvement account of the nongame wildlife improvement fund: *Provided*, That expenditures from

the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2001: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the nongame wildlife improvement fund for fiscal year 2002 and shall be in addition to any other expenditure limitation imposed on any such account of the nongame wildlife improvement fund for fiscal year 2002.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2002, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2002 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Migratory waterfowl propagation and protection fund—wetlands acquisition .....	\$100,000
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*Provided*, That all expenditures from each such capital improvement account of the migratory waterfowl propagation and protection fund shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2002.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2002, expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2002 from the unencumbered balance as of June 30, 2001, in each existing capital improvement account of the migratory waterfowl propagation and protection fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2001: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2002.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2002, expenditures may be made by the above agency for fiscal year 2002 from the boating fee fund for the capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Kansas and Missouri River access .....	\$200,000
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*Provided*, That all expenditures from the unencumbered balance in the Kansas and Missouri River access account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 2002.

(r) For the fiscal year ending June 30, 2002, any expenditures by the above agency from any moneys appropriated from the state general fund or any special revenue fund for fiscal year 2002, for wetland acquisition shall be for the acquisition of existing wetlands that are located within 1.1 miles of state-owned wetlands.

(s) For the fiscal year ending June 30, 2002, any expenditures by the above agency from any moneys appropriated for fiscal year 2002, for land acquisition related to the playa lakes project shall be for lands which are adjacent to playa lakes properties that are already owned by the state: *Provided*, That no expenditures shall be made by the above agency from any moneys appropriated from the state general fund or any special revenue fund for fiscal year 2002 for pumping of groundwater on any such newly-acquired properties.

(t) During the fiscal year ending June 30, 2002, no expenditures shall be made from any moneys appropriated for the department of wildlife and parks from the state general fund or any special revenue fund for fiscal year 2002 for construction of any new river access on the Kansas River or Missouri River unless the secretary of wildlife and parks has submitted the proposal for the new river access project (1) to each owner and lessee of any real property on the river immediately adjacent to the real property upon which the new river access project is to be constructed, and (2) to the drainage district, if the proposed river access project is within an established drainage district, at least 60 days in advance of submission of the new river access project proposal to the division of water resources of the Kansas department of agriculture: *Provided*, That this sixty-day time period shall constitute a public

comment period and, if requested, the department of wildlife and parks shall conduct a public hearing on the proposal within the sixty-day period: *Provided further*, That no such proposed river access project, nor any access road to such project, located within an established drainage district shall cross a levee without the written consent of that drainage district: *And provided further*, That any such proposed project shall include signs and other appropriate means to indicate the area of real property open to public access.

Sec. 77.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year or years specified, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education

For the fiscal year ending June 30, 2002.....	\$10,000,000
For the fiscal year ending June 30, 2003.....	\$10,000,000

*Provided*, That the state board of regents is hereby authorized to transfer moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects approved by the state board of regents:

*Provided, however*, That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction. Debt service—revenue bonds issued for major remodeling and new construction projects at state educational institutions

For the fiscal year ending June 30, 2002.....	\$15,000,000
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Sec. 78.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2002, for the capital improvement project or projects specified as follows:

Capital improvements—rehabilitation, remodeling, renovation and repair of juvenile correctional facilities.....	\$712,612
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*Provided*, That the commissioner of juvenile justice is hereby authorized to transfer moneys during the fiscal year ending June 30, 2002, from the capital improvements—rehabilitation, remodeling, renovation and repair of juvenile correctional facilities account of the state institutions building fund to an account or accounts of the state institutions building fund of any institution or facility under the jurisdiction of the commissioner of juvenile justice to be expended during fiscal year 2002 by the institution or facility for capital improvement projects approved by the commissioner of juvenile justice.

Debt service—Topeka complex and Larned juvenile correctional facility.....	\$2,159,427
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Construction of juvenile correctional facilities fund—VOI/TIS .....	No limit
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*Provided*, That the juvenile justice authority may make expenditures from the construction of juvenile correctional facilities fund—VOI/TIS to construct new maximum security buildings at the Topeka juvenile correctional facility: *Provided, however*, That expenditures from this fund to construct new maximum security buildings at the Topeka juvenile correctional facility shall not exceed \$5,500,000.

(c) In addition to the other purposes for which expenditures may be made by the juvenile justice authority from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the juvenile justice

authority from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2002 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto to finance grants for capital improvement projects to remodel a living unit at Beloit juvenile correctional facility, construct a new medium security juvenile correctional facility on the Larned state hospital grounds, raze and reconstruct medium security living units at the Topeka juvenile correctional facility, and construct new maximum security buildings at the Topeka juvenile correctional facility: *Provided*, That the capital improvement project to construct a new medium security juvenile correctional facility on the Larned state hospital grounds shall include an additional 32 beds within the approved budget for such capital improvement project: *Provided further*, That the juvenile justice authority is hereby authorized to make expenditures for fiscal year 2002 to utilize the Meyer building on the Larned state hospital grounds for relief of overcrowding: *And provided further*, That the capital improvement project to construct new maximum security buildings at the Topeka juvenile correctional facility shall include (1) a secured commons area which shall be constructed on the east end of the campus for institutional services which shall include, but not be limited to, food and medical services, and a visitors center, and (2) on the east side of the commons area of the campus, facilities for (A) up to 150 maximum security beds, (B) up to 60 beds for system-wide and facility classification and diagnostic purposes, and (C) up to 15 medical beds: *And provided further*, That one superintendent shall be the chief administrative officer over all existing, renovated, or new buildings and facilities of the Topeka juvenile correctional facility: *And provided further*, That such capital improvement projects are hereby approved for the juvenile justice authority for the purposes of subsection (b) of K.S.A. 74- 8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That the juvenile justice authority may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement projects: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement projects shall not exceed \$50,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement projects during the construction of such projects and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds.

Sec. 79.

ABSTRACTERS' BOARD OF EXAMINERS

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

Abstracters' fee fund

For the fiscal year ending June 30, 2002.....	\$20,169
For the fiscal year ending June 30, 2003.....	\$20,285

Sec. 80.

BOARD OF ACCOUNTANCY

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

Board of accountancy fee fund

For the fiscal year ending June 30, 2002.....	\$179,693
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*Provided*, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2002, for official hospitality shall not exceed \$300.



For the fiscal year ending June 30, 2003..... \$187,915  
*Provided*, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2003, for official hospitality shall not exceed \$300.  
 Sec. 81.

STATE BANK COMMISSIONER

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

Bank commissioner fee fund  
 For the fiscal year ending June 30, 2002..... \$5,284,716

*Provided*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2002, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2003..... \$5,499,938

*Provided*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2003, for official hospitality shall not exceed \$500.

Bank examination and investigation fund  
 For the fiscal year ending June 30, 2002..... No limit  
 For the fiscal year ending June 30, 2003..... No limit

Sec. 82.

KANSAS BOARD OF BARBERING

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

Board of barbering fee fund  
 For the fiscal year ending June 30, 2002..... \$127,066

For the fiscal year ending June 30, 2003..... \$131,177

Sec. 83.

BEHAVIORAL SCIENCES REGULATORY BOARD

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

Behavioral sciences regulatory board fee fund  
 For the fiscal year ending June 30, 2002..... \$485,656

*Provided*, That expenditures from the behavioral sciences fee fund for the fiscal year ending June 30, 2002, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2003..... \$512,945

*Provided*, That expenditures from the behavioral sciences fee fund for the fiscal year ending June 30, 2003, for official hospitality shall not exceed \$500.

Sec. 84.

STATE BOARD OF HEALING ARTS

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

Healing arts fee fund  
 For the fiscal year ending June 30, 2002..... \$1,921,536

*Provided*, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2002, for official hospitality shall not exceed \$500; *Provided further*, That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2002, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2002.

For the fiscal year ending June 30, 2003..... \$1,954,895

*Provided*, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2003, for official hospitality shall not exceed \$500; *Provided further*, That all expenditures

from the healing arts fee fund for the fiscal year ending June 30, 2003, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2003.

Sec. 85.

#### KANSAS STATE BOARD OF COSMETOLOGY

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

Cosmetology fee fund

For the fiscal year ending June 30, 2002.....	\$698,184
For the fiscal year ending June 30, 2003.....	\$726,378

(b) On July 1, 2001, the director of accounts and reports shall transfer \$87,000 from the KSIP cosmetology fee fund to the cosmetology fee fund.

Sec. 86.

#### STATE DEPARTMENT OF CREDIT UNIONS

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

Credit union fee fund

For the fiscal year ending June 30, 2002.....	\$861,352
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*Provided*, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2002, for official hospitality shall not exceed \$300.

For the fiscal year ending June 30, 2003.....	\$888,217
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*Provided*, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2003, for official hospitality shall not exceed \$300.

Sec. 87.

#### KANSAS DENTAL BOARD

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

Dental board fee fund

For the fiscal year ending June 30, 2002.....	\$322,135
For the fiscal year ending June 30, 2003.....	\$327,208

Sec. 88.

#### STATE BOARD OF MORTUARY ARTS

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

Mortuary arts fee fund

For the fiscal year ending June 30, 2002.....	\$206,283
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For the fiscal year ending June 30, 2003.....	\$214,222
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Sec. 89.

#### KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING AIDS

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

Hearing aid board fee fund

For the fiscal year ending June 30, 2002.....	\$21,258
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For the fiscal year ending June 30, 2003.....	\$21,937
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Sec. 90.

BOARD OF NURSING

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

Board of nursing fee fund	
For the fiscal year ending June 30, 2002.....	\$1,426,346
<i>Provided</i> , That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2002, for official hospitality shall not exceed \$500.	
For the fiscal year ending June 30, 2003.....	\$1,383,705
<i>Provided</i> , That expenditures from the board of nursing fee fund for the fiscal year ending June 30,2003, for official hospitality shall not exceed \$500.	
Gifts and grants fund	
For the fiscal year ending June 30, 2002.....	No limit
For the fiscal year ending June 30, 2003.....	No limit
Education conference fund	
For the fiscal year ending June 30, 2002.....	No limit
For the fiscal year ending June 30, 2003.....	No limit

Sec. 91.

BOARD OF EXAMINERS IN OPTOMETRY

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

Optometry fee fund	
For the fiscal year ending June 30, 2002.....	\$83,855
<i>Provided</i> , That expenditures from the optometry fee fund for the fiscal year ending June 30, 2002, for official hospitality shall not exceed \$300.	
For the fiscal year ending June 30, 2003.....	\$84,630
<i>Provided</i> , That expenditures from the optometry fee fund for the fiscal year ending June 30, 2003, for official hospitality shall not exceed \$300.	

Sec. 92.

STATE BOARD OF PHARMACY

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

State board of pharmacy fee fund	
For the fiscal year ending June 30, 2002.....	\$554,053
For the fiscal year ending June 30, 2003.....	\$566,462

Sec. 93.

REAL ESTATE APPRAISAL BOARD

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

Appraiser fee fund	
For the fiscal year ending June 30, 2002.....	\$246,154
For the fiscal year ending June 30, 2003.....	\$254,104
Federal registry clearing fund	
For the fiscal year ending June 30, 2002.....	No limit
For the fiscal year ending June 30, 2003.....	No limit

Sec. 94.

KANSAS REAL ESTATE COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited

to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Real estate fee fund	
For the fiscal year ending June 30, 2002.....	\$648,459
For the fiscal year ending June 30, 2003.....	\$668,570
Real estate recovery revolving fund	
For the fiscal year ending June 30, 2002.....	No limit
For the fiscal year ending June 30, 2003.....	No limit

Sec. 95.

#### OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

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

Securities act fee fund

For the fiscal year ending June 30, 2002..... \$2,021,086

*Provided*, That, in addition to any aggregate expenditure limitation imposed on the securities act fee fund for the fiscal year ending June 30, 2002, but subject to the following expenditure limitation imposed thereon, expenditures may be made from the securities act fee fund for hearing and litigation costs: *Provided, however*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2002, for hearing and litigation costs shall not exceed \$25,000: *Provided further*, That one or more transfers of money may be made from the securities act fee fund for the fiscal year ending June 30, 2002, to the appropriate account of the restricted fees fund of Wichita state university pursuant to a contract which is hereby authorized to be entered into by the securities commissioner and the Kansas council on economic education of Wichita state university to conduct a securities and investment education program: *And provided further*, That such transfer of money from this fund for the fiscal year ending June 30, 2002, to the appropriate account of the restricted fees fund of Wichita state university pursuant to such contract shall be in addition to any expenditure limitation imposed on this fund for the fiscal year ending June 30, 2002: *And provided further*, That the total amount of such transfers for the fiscal year ending June 30, 2002, shall not exceed \$20,000: *And provided further*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2002, for official hospitality shall not exceed \$1,000.

For the fiscal year ending June 30, 2003..... \$2,067,598

*Provided*, That, in addition to any aggregate expenditure limitation imposed on the securities act fee fund for the fiscal year ending June 30, 2003, but subject to the following expenditure limitation imposed thereon, expenditures may be made from the securities act fee fund for hearing and litigation costs: *Provided, however*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2003, for hearing and litigation costs shall not exceed \$25,000: *Provided further*, That one or more transfers of money may be made from the securities act fee fund for the fiscal year ending June 30, 2003, to the appropriate account of the restricted fees fund of Wichita state university pursuant to a contract which is hereby authorized to be entered into by the securities commissioner and the Kansas council on economic education of Wichita state university to conduct a securities and investment education program: *And provided further*, That such transfer of money from this fund for the fiscal year ending June 30, 2003, to the appropriate account of the restricted fees fund of Wichita state university pursuant to such contract shall be in addition to any expenditure limitation imposed on this fund for the fiscal year ending June 30, 2003: *And provided further*, That the total amount of such transfers for the fiscal year ending June 30, 2003, shall not exceed \$20,000: *And provided further*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2003, for official hospitality shall not exceed \$1,000.

Sec. 96.

#### STATE BOARD OF TECHNICAL PROFESSIONS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited

to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Technical professions fee fund	
For the fiscal year ending June 30, 2002.....	\$535,753
For the fiscal year ending June 30, 2003.....	\$550,711

Special litigation reserve fund	
For the fiscal year ending June 30, 2002.....	No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund except upon the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

For the fiscal year ending June 30, 2003.....	No limit
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*Provided*, That no expenditures shall be made from the special litigation reserve fund except upon the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

(b) On July 1, 2001, the director of accounts and reports shall transfer \$300,000 from the technical professions fee fund of the state board of technical professions to the special litigation reserve fund of the state board of technical professions.

Sec. 97.

STATE BOARD OF VETERINARY EXAMINERS

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

Veterinary examiners fee fund	
For the fiscal year ending June 30, 2002.....	\$283,202
For the fiscal year ending June 30, 2003.....	\$268,889

Sec. 98.

GOVERNMENTAL ETHICS COMMISSION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2002.....	\$428,409

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

For the fiscal year ending June 30, 2003.....	\$458,165
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2002, is hereby reappropriated for fiscal year 2003.

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

Governmental ethics commission fee fund	
For the fiscal year ending June 30, 2002.....	\$143,457
For the fiscal year ending June 30, 2003.....	\$116,326

Sec. 99.

BOARD OF NURSING

*Position limitations.* The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal years specified made in this or other appropriation act of the 2001 or 2002 regular session of the legislature for the following agencies shall not exceed the following, except upon approval of the state finance council:

Abstracters' Board of Examiners	
For the fiscal year ending June 30, 2002.....	0
For the fiscal year ending June 30, 2003.....	0

Board of Accountancy

For the fiscal year ending June 30, 2002.....	3.0
For the fiscal year ending June 30, 2003.....	3.0
State Bank Commissioner	
For the fiscal year ending June 30, 2002.....	85.0
For the fiscal year ending June 30, 2003.....	85.0
Kansas Board of Barbering	
For the fiscal year ending June 30, 2002.....	1.5
For the fiscal year ending June 30, 2003.....	1.5
Behavioral Sciences Regulatory Board	
For the fiscal year ending June 30, 2002.....	8.0
For the fiscal year ending June 30, 2003.....	8.0
State Board of Healing Arts	
For the fiscal year ending June 30, 2002.....	29.0
For the fiscal year ending June 30, 2003.....	29.0
Kansas State Board of Cosmetology	
For the fiscal year ending June 30, 2002.....	12.0
For the fiscal year ending June 30, 2003.....	12.0
State Department of Credit Unions	
For the fiscal year ending June 30, 2002.....	13.0
For the fiscal year ending June 30, 2003.....	13.0
Kansas Dental Board	
For the fiscal year ending June 30, 2002.....	2.5
For the fiscal year ending June 30, 2003.....	2.5
State Board of Mortuary Arts	
For the fiscal year ending June 30, 2002.....	3.0
For the fiscal year ending June 30, 2003.....	3.0
Kansas Board of Examiners in Fitting and Dispensing of Hearing Aids	
For the fiscal year ending June 30, 2002.....	0.4
For the fiscal year ending June 30, 2003.....	0.4
Board of Nursing	
For the fiscal year ending June 30, 2002.....	22.0
For the fiscal year ending June 30, 2003.....	22.0
Board of Examiners in Optometry	
For the fiscal year ending June 30, 2002.....	1.0
For the fiscal year ending June 30, 2003.....	1.0
State Board of Pharmacy	
For the fiscal year ending June 30, 2002.....	6.0
For the fiscal year ending June 30, 2003.....	6.0
Real Estate Appraisal Board	
For the fiscal year ending June 30, 2002.....	3.0
For the fiscal year ending June 30, 2003.....	3.0
Kansas Real Estate Commission	
For the fiscal year ending June 30, 2002.....	13.0
For the fiscal year ending June 30, 2003.....	13.0
Office of the Securities Commissioner of Kansas	
For the fiscal year ending June 30, 2002.....	27.8
For the fiscal year ending June 30, 2003.....	27.8
State Board of Technical Professions	
For the fiscal year ending June 30, 2002.....	6.0
For the fiscal year ending June 30, 2003.....	6.0
State Board of Veterinary Examiners	
For the fiscal year ending June 30, 2002.....	3.0
For the fiscal year ending June 30, 2003.....	3.0
Governmental Ethics Commission	
For the fiscal year ending June 30, 2002.....	9.0
For the fiscal year ending June 30, 2003.....	9.0

Sec. 100. *Kansas savings incentive program.* (a) In addition to other expenditures authorized by law, expenditures may be made for fiscal year 2002 or fiscal year 2003, as the case may be, from any account of the state general fund reappropriated by this act for such fiscal year for any state agency named in section 99 of this act for the following purposes: (1) Salary bonus payments to permanent full-time or regular part-time employees of the state agency at the discretion of the agency head, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for such fiscal year submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (3) professional development training including official hospitality: *Provided, however,* That the total of all such expenditures from such account of the state general fund for such fiscal year shall not exceed the amount equal to 50% of the amount of the unencumbered balance as of the June 30 immediately preceding such fiscal year, in such account of the state general fund that is reappropriated for such fiscal year and that is in excess of the amount authorized to be expended for such fiscal year from such reappropriated balance, as determined by the director of accounts and reports: *Provided further,* That the total net amount of any such salary bonus payments to any individual employee during such fiscal year that are paid under subsection (b) or this subsection shall not exceed \$1,000: *And provided further,* That the provisions of this subsection shall apply only to that portion of any such account from which expenditures may be made for state operations: *And provided further,* That all such expenditures from the reappropriated balance in any such account for such fiscal year shall be in addition to any expenditure limitation imposed on expenditures from the reappropriated balance in any such account for such fiscal year.

(b) In addition to other expenditures authorized by law, expenditures may be made for fiscal year 2002 or fiscal year 2003, as the case may be, from any special revenue fund appropriated by this act for such fiscal year for a state agency named in section 99 of this act for the following purposes: (1) Salary bonus payments to permanent full-time or regular part-time employees of the state agency at the discretion of the agency head, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for such fiscal year submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (3) professional development training including official hospitality: *Provided,* That all such expenditures from such fund for such fiscal year shall be in addition to any expenditure limitation imposed on such fund or any account thereof for such fiscal year: *Provided, however,* That the total amount of such expenditures from such fund for such fiscal year shall not exceed the amount equal to 50% of the unexpended portion of the amount authorized to be expended from such fund for the fiscal year preceding such fiscal year for state operations, as determined by the director of accounts and reports, or, in the case of no limit appropriations, as determined by the director of the budget: *Provided further,* That the total net amount of any such salary bonus payments to any individual employee during such fiscal year that are paid under subsection (a) or this subsection shall not exceed \$1,000: *And provided further,* That the provisions of this subsection shall apply only to: (1) That portion of the moneys in each account of a special revenue fund from which portion expenditures may be made for state operations, and (2) that portion of the moneys in a special revenue fund, that does not have any such accounts specified in this or other appropriation act, from which portion expenditures may be made for state operations.

(c) Any unencumbered balance in excess of \$100 as of June 30, 2001, in any Kansas savings incentive account or KSIP account of any special revenue fund of any state agency named in section 99 of this act, which was appropriated by section 23 of chapter 132 of the 1999 Session Laws of Kansas or section 70 of chapter 130 of the 2000 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2001 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2002, and any unencumbered balance in excess of \$100 as of June 30, 2002, in any such account of any such special revenue fund is hereby appropriated for the fiscal year ending June 30, 2003, and may be expended for fiscal year 2002 or fiscal year 2003, as the case may be, for the purposes authorized in subsections (a) and (b). All expenditures from any such account of any such special revenue fund shall be in addition to any expenditure limitation imposed on such special revenue fund for such fiscal year.

(d) No salary bonus payment paid pursuant to this section during fiscal year 2002 or fiscal year 2003 shall be compensation, within the meaning of K.S.A. 74-4901 et seq., and amendments thereto, for any purpose under the Kansas public employees retirement system and shall not be subject to deductions for employee contributions thereunder. Each salary bonus payment paid under this section shall be a bonus, as defined by 29 C.F.R. 778, and shall be in addition to the regular earnings which that employee may be entitled or for which the employee may become eligible.

Sec. 101.

#### LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Legislative coordinating council—operations..... \$578,388

*Provided*, That any unencumbered balance in the legislative coordinating council—operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

Legislative coordinating council—KPERs actuarial  
audit ..... \$50,000

Legislative research department—operations ..... \$2,545,621

*Provided*, That any unencumbered balance in the legislative research department—operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

Office of revisor of statutes—operations..... \$2,477,666

*Provided*, That any unencumbered balance in the office of revisor of statutes—operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

(b) Any unencumbered balance in the legislative coordinating council—KPERs actuarial audit account in excess of \$100 as of June 30, 2002, is hereby reappropriated for fiscal year 2003.

Sec. 102.

#### LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operations (including official hospitality)..... \$12,267,664

*Provided*, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002:

*Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212 and amendments thereto for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a and amendments thereto for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that (1) the legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee, and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That expenditures shall be made from this account in the amount of \$42,500 to digitize the state library's collection of newspaper articles on legislative and public policy issues.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully



credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special revenue fund ..... No limit

*Provided*, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212 and amendments thereto for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a and amendments thereto for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that (1) the legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee, and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*, That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury to the credit of the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund.

Sec. 103.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operations (including legislative post audit committee) ..... \$1,738,732

*Provided*, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Audit services fund..... No limit

*Provided*, That the division of post audit is hereby authorized to fix, charge and collect fees for copies of public records of the division, including distribution of such copies: *Provided further*, That such fees shall be fixed to recover all or part of the expenses incurred for reproducing and distributing such copies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a and amendments thereto: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury to the credit of the audit services fund: *And provided further*, That all moneys received by the division of post audit during fiscal year 2002 from the department of social and rehabilitation services under the contract entered into by the post auditor and the secretary of social and rehabilitation services pursuant to section 71(a) of chapter 292 of the 1993 Session Laws of Kansas to reimburse all or part of the operating services incurred by the division of post audit for the performance audit related to a settlement agreement regarding *Sheila A., et*

*al. v. Joan Finney, et al.*, Case No. 89-CV-33, Shawnee County District Court, shall be credited to the audit services fund.

Conversion of materials and equipment fund .....	No limit
State agency audits fund.....	No limit

Sec. 104.

#### GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Governor's department .....	\$1,854,878
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*Provided*, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That expenditures may be made from this account for contingencies without limitation at the discretion of the governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2002, by subsection (a) from the state general fund in the governor's department account.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund .....	No limit
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*Provided*, That expenditures may be made from the special programs fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences and all fees received by the governor's department under the open records act for providing access to or furnishing copies of public records, shall be credited to this fund.

Conversion of materials and equipment fund .....	No limit
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Sec. 105.

#### LIEUTENANT GOVERNOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operations.....	\$128,104
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*Provided*, That any unencumbered balance in the operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

(b) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor on official state business and for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor on official state business from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2002, in the operations account.

(c) Expenditures may be made by the above agency for official hospitality from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2002, in the operations account, except that such expenditures shall not exceed \$2,000.

Sec. 106.

#### ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures .....	\$3,993,100
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,200.

Litigation costs ..... \$95,534

Provided, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

Additional operating expenditures for investigation and litigation regarding interstate water rights ..... \$970,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2001, in the additional operating expenditures for investigation and litigation regarding interstate water rights account is hereby reappropriated for fiscal year 2002.

Operating expenditures relating to interstate water rights regarding the Republican river and its tributaries ..... \$1,115,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2001, in the operating expenditures relating to interstate water rights regarding the Republican river and its tributaries account is hereby reappropriated for fiscal year 2002.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Court cost fund ..... No limit
- Bond transcript review fee fund..... No limit
- Conversion of materials and equipment fund ..... No limit
- Attorney general's antitrust special revenue fund ..... No limit
- Private gifts fund..... No limit
- Medicaid fraud reimbursement fund ..... No limit
- Attorney general's antitrust suspense fund ..... No limit
- Attorney general's consumer protection clearing fund..... No limit
- Attorney general's committee on crime prevention fee fund ..... No limit

Provided, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*, That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*, That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*, That all fees received for conducting such seminars shall be deposited in the state treasury and credited to this fund.

- Tort claims fund ..... No limit
- Crime victims compensation fund ..... No limit

Provided, That expenditures from the crime victims compensation fund for state operations shall not exceed \$280,242: *Provided further*, That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

- Child exchange and visitation fund..... No limit
- Federal preventive health and health services block grant fund..... No limit
- Crime victims assistance fund..... No limit
- Protection from abuse fund ..... No limit
- Drug free schools and communities fund..... No limit
- Victims of crime act—federal fund ..... No limit
- Victims of crime assistance act—federal fund..... No limit
- Family violence prevention and services fund—federal ..... No limit
- Violence against women grant fund..... No limit
- Crime victims grants and gifts fund..... No limit

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

- Attorney general's medicaid fraud control fund..... No limit
- Other federal grants and reimbursement fund ..... No limit
- Debt collection administration cost recovery fund..... No limit

*Provided*, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719 and amendments thereto: *Provided further*, That the attorney general shall authorize the director of accounts and reports to transfer \$30,000 from this fund to the state general fund at such time as receipts to this fund are sufficient to sustain expenditures for administering and monitoring such contracts as well as to repay the state general fund for money advanced for such purpose: *And provided further*, That, upon receipt of such authorization, the director of accounts and reports shall transfer \$30,000 from the debt collection administration cost recovery fund to the state general fund.

Medicaid fraud prosecution revolving fund..... No limit

*Provided*, That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund.

Interstate water litigation fund..... No limit

Suspense fund..... No limit

Sec. 107.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures..... \$1,802,863

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated to the operating expenditures account for fiscal year 2002: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$2,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Cemetery and funeral audit fee fund..... No limit

Conversion of materials and equipment fund..... No limit

Information and copy service fee fund..... No limit

State register fee fund..... No limit

Uniform commercial code fee fund..... No limit

State flag and banner fund..... No limit

Secretary of state fee refund fund..... No limit

Electronic voting machine examination fund..... No limit

Suspense fund..... No limit

Prepaid services fund..... No limit

Athlete agent registration fee fund..... No limit

Franchise fee recovery fund..... No limit

(c) During each month of the fiscal year ending June 30, 2002, the secretary of state shall certify to the director of accounts and reports the amount equal to the product of \$1 multiplied by the number of annual reports received by the secretary of state during the preceding month from professional corporations, domestic or foreign corporations, corporations organized not for profit, domestic or foreign limited liability companies, domestic or foreign limited partnerships or any other entities pursuant to statute, which include the receipt of an annual franchise tax or privilege fee. Upon receipt of each such certification, the director of accounts and reports shall transfer an amount equal to the amount certified from the state general fund to the franchise fee recovery fund of the secretary of state.

Sec. 108.

STATE TREASURER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures ..... \$1,023,563

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: Provided further, That expenditures from this account for official hospitality shall not exceed \$750.

Banking services ..... \$315,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Fiscal agency fund ..... No limit
- Bond services fee fund ..... No limit
- City bond finance fund ..... No limit
- Taylor grazing fees—federal fund..... No limit
- Local ad valorem tax reduction fund..... No limit
- County and city revenue sharing fund ..... No limit
- Suspense fund..... No limit
- County and city retailers' sales tax fund ..... No limit
- County and city compensating use tax fund..... No limit
- Local alcoholic liquor fund ..... No limit
- Local alcoholic liquor equalization fund..... No limit
- Unclaimed property claims fund ..... No limit
- Unclaimed property expense fund ..... No limit

Provided, That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.

- Unclaimed mineral proceeds trust fund ..... No limit
- Road and schools—10 U.S.C. 2655 federal fund..... No limit
- Racing admissions tax fund..... No limit
- Rental motor vehicle excise tax fund..... No limit
- Services reimbursement fund ..... No limit
- Municipal investment pool fund ..... No limit
- Municipal investment pool reserve fund..... No limit
- Municipal investment pool fund fee fund ..... No limit
- Pooled money investment portfolio fee fund..... No limit

Provided, That on or before the fifth day of each month of the fiscal year ending June 30, 2002, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: Provided further, That prior to the 10th day of each month during the fiscal year ending June 30, 2002, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board.

- Kansas postsecondary education savings program trust fund..... No limit
- Conversion of materials and equipment fund ..... No limit
- Tax increment financing revenue replacement fund..... No limit

(c) On July 1, 2001, the director of accounts and reports shall transfer \$90,000 from the state highway fund of the department of transportation to the services reimbursement fund of the state treasurer for the purpose of financing a portion of the costs associated with the investment of the bond proceeds of the comprehensive transportation program and related operations of the state treasurer.

Sec. 109.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully

credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Insurance department service regulation fund ..... \$7,416,497

*Provided*, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,000; *Provided further*, That any transfers from this fund to the insurance building principal and interest payment fund or the insurance department rehabilitation and repair fund of the department of insurance shall be in addition to any expenditure limitation imposed on this fund.

Insurance company examination fund ..... No limit

Insurance company annual statement examination fund..... No limit

Insurance company examiner training fund ..... No limit

Conversion of materials and equipment fund ..... No limit

Commissioner's travel reimbursement fund ..... No limit

*Provided*, That expenditures may be made from the commissioner's travel reimbursement fund only to reimburse the commissioner of insurance, or any designated employee, for expenses incurred for in-state or out-of-state travel for official purposes, including travel to meetings of public or private associations: *Provided further*, That all moneys received by the commissioner of insurance for such travel from any non-state agency source shall be deposited in the state treasury to the credit of this fund.

Workers compensation fund..... No limit

*Provided*, That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made.

State firefighters relief fund ..... No limit

Insurance company tax and fee refund fund ..... No limit

Group-funded workers' compensation pools fee fund ..... No limit

Municipal group-funded pools fee fund ..... No limit

Uninsurable health insurance plan fund ..... No limit

Senior health insurance counseling for Kansans fund..... No limit

*Provided*, That expenditures from the senior health insurance counseling for Kansans fund for official hospitality shall not exceed \$2,000.

Insurance education and training fund ..... No limit

*Provided*, That expenditures may be made from the insurance education and training fund for training programs and official hospitality: *Provided further*, That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such training programs shall be deposited in the state treasury and credited to this fund.

Federal grants fund..... No limit

*Provided*, That the above agency is authorized to make expenditures from the federal grants fund of any moneys credited to this fund from any individual grant if the grant is: (1) Equal to or less than \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year: *Provided, however*, That no grant that is greater than \$250,000 in the aggregate or that requires the matching expenditure of any other moneys in the state treasury during the current or ensuing fiscal year, shall be deposited to the credit of this fund.

Sec. 110.

HEALTH CARE STABILIZATION  
FUND BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Health care stabilization fund ..... No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June

30, 2002, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures ..... \$934,022

*Provided*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$300.

Fees—legal and professional services ..... No limit

*Provided*, That expenditures from the fees—legal and professional services account for attorney fees and other professional service fees may be made regardless of when services were rendered or when the judgment or settlement was made.

Claims and benefits ..... No limit

*Provided*, That expenditures from the claims and benefits account for claim and benefit payments may be made regardless of when services were rendered or when the judgment or settlement was made.

Sec. 111.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures ..... \$230,718

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$2,890 except upon approval of the state finance council: *Provided further*, That no expenditures shall be made from this account for any study requested by one or more members of the legislature unless the study request was submitted in writing to the legislative coordinating council and the study request was approved by the legislative coordinating council prior to the study request being submitted to the judicial council: *And provided further*, That such limitation shall not apply to any study requested by a standing committee of either house of the legislature or any legislative committee established by statute.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Grants and gifts fund ..... No limit

*Provided*, That all private grants and gifts and federal grants received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

Publications fee fund ..... No limit

*Provided*, That the judicial council is hereby authorized to fix, charge and collect fees for sale and distribution of legal publications in order to recover direct and indirect costs incurred for preparation, publication and distribution of legal publications: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury and credited to the publications fee fund: *And provided further*, That all moneys received as gifts, grants or donations for the preparation, publication or distribution of legal publications shall be deposited in the state treasury to the credit of the publications fee fund.

(c) On June 30, 2002, the director of accounts and reports shall transfer the amount of any unencumbered balance in the publications fee fund as of June 30, 2002, in excess of \$175,000 from the publications fee fund to the state general fund.

Sec. 112.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures ..... \$13,044,016

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2001, in the

operating expenditures account is hereby reappropriated to the operating expenditures account for fiscal year 2002: *Provided further*, That any expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *And provided further*, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111 and amendments thereto and shall not be subject to the provisions of K.S.A. 75-3739 and amendments thereto.

Capital defense operations..... \$1,373,690  
*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2001, in the capital defense operations account is hereby reappropriated for fiscal year 2002.  
 Legal services for prisoners..... \$497,218

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Indigents' defense services fund ..... No limit  
*Provided*, That expenditures may be made from the indigents' defense services fund for the purpose of assigned counsel and other professional services related to contract cases.  
 Inservice education workshop fee fund..... No limit

*Provided*, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury and credited to the inservice education workshop fee fund.

Sec. 113.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Judiciary operations..... \$79,623,104

*Provided*, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$7,683 except upon approval by the state finance council: *Provided further*, That contracts for computer input of judicial opinions under this appropriation shall be executed in the name of the supreme court by the chief justice and may be interrelated with contracts for the comprehensive legislative information system: *And provided further*, That all such contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739 and amendments thereto: *And provided further*, That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: *And provided further*, That expenditures from the judicial operations account for such contingencies shall not exceed \$25,000: *And provided further*, That expenditures from the judicial operations account for official hospitality shall not exceed \$4,000: *And provided further*, That expenditures shall be made from the judicial operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:



Library report fee fund .....	No limit
Judiciary technology fund .....	No limit
Judicial branch gifts fund .....	No limit
Dispute resolution fund .....	No limit
Judicial branch education fund .....	No limit
Conversion of materials and equipment fund .....	No limit
Child welfare federal grant fund .....	No limit
Child support enforcement contractual agreement fund .....	No limit
Bar admission fee fund .....	No limit
Permanent families account—family and children investment fund .....	No limit
Duplicate law book fund .....	No limit
Court reporter fund .....	No limit
Access to justice fund .....	No limit
Judicial technology and building and grounds fund .....	No limit
Judicial branch nonjudicial salary initiative fund .....	No limit

Sec. 114.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund .....	No limit
<i>Provided</i> , That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.	
Group insurance reserve fund .....	No limit
Optional death benefit plan reserve fund .....	No limit
Kansas endowment for youth fund .....	No limit
Senior services trust fund .....	No limit
Family and children endowment account—family and children investment fund .....	No limit
Non-retirement administration fund .....	No limit

*Provided*, That the executive officer of the Kansas public employees retirement system shall certify to the director of accounts and reports the amount of moneys to transfer from the Kansas endowment for youth fund, the senior services trust fund, the family and children endowment account—family and children investment fund, and the unclaimed property account of the state general fund for the purpose of reimbursing the costs of non-retirement related administrative activities and investment- related expenses for managing such funds in accordance with K.S.A. 2000 Supp. 74-4909b, and amendments thereto.

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund for the fiscal year ending June 30, 2002, for the following specified purposes:

Agency operations .....	\$6,327,726
<i>Provided</i> , That expenditures from the agency operations account may be made for official hospitality.	
Investment-related expenses .....	No limit
KPERS technology project .....	No limit

(c) Expenditures may be made from the non-retirement administration fund for the fiscal year ending June 30, 2002, for the following specified purposes:

Agency operations .....	\$255,000
Investment-related expenses .....	No limit

Sec. 115.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures .....	\$1,471,235
<i>Provided</i> , That any unencumbered balance in the operating expenditures account and in	

the contract investigative services account in excess of \$100 as of June 30, 2001, is hereby reappropriated to the operating expenditures account for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$22,257 except upon approval of the state finance council: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$150: *And provided further*, That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal fund .....	No limit
Conversion of materials and equipment fund .....	No limit
Annual banquet fund .....	No limit

*Provided*, That expenditures may be made from the annual banquet fund for operating expenditures for the commission's annual banquet, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such banquet: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such banquet, including official hospitality: *And provided further*, That all fees received for such banquet shall be credited to this fund.

Education and training fund.....	No limit
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*Provided*, That expenditures may be made from the education and training fund for operating expenditures for the commission's education and training programs for the general public: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, 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: *And provided further*, That all fees received for such programs shall be credited to this fund.

Sec. 116.

#### STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service regulation fund.....	No limit
Motor carrier license fees fund .....	No limit
Conservation fee fund .....	No limit

*Provided*, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further*, That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*, That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the department of administration accounting services recovery fund for services rendered in collection efforts: *And provided further*, That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*, That the state corporation commission shall include as part of the fiscal year 2003 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717 and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2003, 2004 and 2005.

Gas pipeline inspection fee fund.....	No limit
Abandoned oil and gas well fund.....	No limit
Gas pipeline safety program—federal fund.....	No limit
Energy related grants fund .....	No limit
Energy grants management fund.....	No limit

Alternative fuels and transportation initiatives grant—federal fund.....	No limit
Energy conservation plan—federal fund.....	No limit
Underground injection control class II—federal fund.....	No limit
Inservice education workshop fee fund.....	No limit
<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 conducted by the state corporation commission for staff and members of the state corporation commission: <i>Provided further</i> , That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: <i>And provided further</i> , That all moneys received for such fees shall be deposited in the state treasury and credited to this fund.	
Base state registration clearing fund.....	No limit
Suspense fund.....	No limit
Data management system fund.....	No limit

(b) Expenditures for the fiscal year ending June 30, 2002, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund shall not exceed, in the aggregate, \$13,368,898: *Provided*, That, within such limitation on the aggregate of expenditures, expenditures made for fiscal year 2002 from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund for official hospitality shall not exceed, in the aggregate, \$600.

(c) Expenditures for the fiscal year ending June 30, 2002, by the state corporation commission from the conservation fee fund or the abandoned oil and gas well fund may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

Sec. 117.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund.....	\$555,019
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*Provided*, That expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund pursuant to contracts for professional services, which are hereby authorized to be entered into by the board: *Provided further*, That such professional services shall include but are not limited to the services of engineers, accountants, attorneys and economists, to assist in carrying out the duties of the board, which assistance may include preparation and presentation of expert testimony, when the expenses of such professional services are required to be assessed under K.S.A. 66-1502 and amendments thereto against the public utilities involved: *And provided further*, That such contracts shall be negotiated by a negotiating committee composed of the following persons: The consumer counsel of the citizens' utility ratepayer board or the consumer counsel's designee, the director of the budget or that director's designee, the director of accounts and reports or that director's designee, and the chairperson of the citizens' utility ratepayer board or the chairperson's designee: *And provided further*, That the consumer counsel of the citizens' utility ratepayer board or the consumer counsel's designee shall convene the negotiating committee for each such contract and the negotiating committee shall consider all proposals by persons applying to perform such contract and shall award the contract: *And provided further*, That such contracts shall not be subject to the provisions of K.S.A. 75-3739 and amendments thereto or to the provisions of the acts contained in article 58 of chapter 75 of the Kansas Statutes Annotated.

(b) On July 1, 2001, October 1, 2001, January 1, 2002, and April 1, 2002, or as soon after each such date as moneys are available, and upon receipt of certification by the state corporation commission of the amount to be transferred, the director of accounts and reports shall transfer from the public service regulation fund of the state corporation commission to the utility regulatory fee fund of the citizens' utility ratepayer board all moneys assessed by the state corporation commission for the citizens' utility ratepayer board under K.S.A. 66-1502 or 66-1503 and amendments thereto and deposited in the state treasury to the credit of the public service regulation fund.

Sec. 118.

#### DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Department of administration operations..... \$16,546,132

*Provided*, That any unencumbered balance in the department of administration operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$143,336 except upon approval of the state finance council: *Provided further*, That in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the department of administration operations account for three employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Budget analysis..... \$1,388,585

*Provided*, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Public broadcasting council grants..... \$2,078,009

*Provided*, That any unencumbered balance in the public broadcasting council grants account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That all expenditures from the public broadcasting council grants account for capital equipment shall be made to provide matching funds for federal capital equipment grants awarded to eligible public broadcasting stations: *And provided further*, That expenditures from this account may be made to provide matching funds for capital equipment projects funded from any nonstate source in the event federal capital equipment grants are not awarded: *And provided further*, That in the event the federal facility programs cease to exist or fail to conduct grant solicitations, expenditures may be made from this account to provide matching funds for capital equipment projects funded from any nonstate source without first applying for federal capital equipment grants.

Public TV digital conversion debt service..... \$500,000

Policy analysis initiatives..... \$129,253

*Provided*, That any unencumbered balance in the policy analysis initiatives account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$3,000.

Long-term care ombudsman..... \$141,230

*Provided*, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures for such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$400.

Signature building relocation costs..... \$637,476

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Federal cash management fund..... No limit

State leave payment reserve fund..... No limit

State budget stabilization fund..... \$0

Building and ground fund ..... No limit  
 General fees fund ..... No limit  
*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including human resources programs and official hospitality: *Provided further*, That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*, That fees shall be fixed in order to recover all or part of the operating expenses incurred, including official hospitality: *And provided further*, That all fees received, including fees received under the open records act for providing access to or furnishing copies of public records, shall be credited to this fund.

Human resource information systems cost recovery fund ..... No limit  
 Budget fees fund ..... No limit  
*Provided*, That expenditures may be made from the budget fees fund for operating expenditures for the division of the budget, including training programs and official hospitality: *Provided further*, That the director of the budget is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such training programs and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records, shall be credited to this fund.

Purchasing fees fund ..... No limit  
*Provided*, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*, That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*, That all moneys received for such fees and all moneys received pursuant to the state travel services contract shall be deposited in the state treasury to the credit of this fund.

Architectural services fee fund ..... No limit  
*Provided*, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: *Provided further*, That the director of architectural services is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for reproducing and distributing architectural information: *And provided further*, That all fees received for such reproduction and distribution of architectural information shall be credited to this fund.

Budget equipment conversion fund ..... No limit  
 Conversion of materials and equipment fund ..... No limit  
 Architectural services equipment conversion fund ..... No limit  
 Property contingency fund ..... No limit  
 Flood control emergency—federal fund ..... No limit  
 Information technology fund ..... No limit  
 Information technology reserve fund ..... No limit  
 Computer services recovery fund ..... No limit  
*Provided*, That expenditures may be made from the computer services recovery fund to provide central computer system development services, which shall be in addition to data processing services provided under K.S.A. 75-4704 and amendments thereto to other state agencies: *Provided further*, That the secretary of administration is hereby authorized, in accordance with the procedures and guidelines prescribed by K.S.A. 75-4703 and amendments thereto, to fix, charge and collect fees for such central computer system development services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be credited to this fund: *And*

*provided further*, That all expenditures for the personnel/payroll project shall be made from the personnel/payroll project program account of this fund: *And provided further*, That amounts may be transferred into this account from any state general fund account or any special revenue fund of the department of administration or any other state agency.

State buildings operating fund ..... No limit

*Provided*, That expenditures may be made from the state buildings operating fund for operating and other expenses for the Hiram Price Dillon House: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for use of the rooms and other facilities of the Hiram Price Dillon House in accordance with policies adopted by the legislative coordinating council under K.S.A. 75-3682 and amendments thereto for approving the use of such property: *And provided further*, That fees for approved use of such property shall be reasonable and directly related to the costs of such use and shall be fixed in order to recover all or part of the operating expenses incurred for such use: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury and credited to the state buildings operating fund: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3739 and amendments thereto to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *And provided further*, That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3739 and amendments thereto shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*, That all moneys received for real estate property leasing services fees shall be deposited in the state treasury and credited to the state buildings operating fund: *And provided further*, That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by subsection (a) of K.S.A. 2000 Supp. 75-37,123 and amendments thereto shall be deposited in the state treasury and credited to the state buildings operating fund.

Accounting services recovery fund ..... No limit

*Provided*, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration which are not specifically authorized by any other statute: *And provided further*, That all fees received for such services or sales shall be credited to this fund.

Architectural services recovery fund ..... No limit

*Provided*, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of architectural services: *Provided further*, That notwithstanding the provisions of subsection (b) of K.S.A. 75-4403 and amendments thereto, the director of architectural services may exchange an employee with the attorney general's office to assist in the enforcement of K.S.A. 58-1301 *et seq.*: *And provided further*, That the director of architectural services is hereby authorized to charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further*, That the director of architectural services is hereby authorized to charge and collect (1) a fee equal to 1% of the estimated cost of each capital improvement project for a state agency which is not financed, in whole or in part, by gifts, bequests, or donations made by one or more private individuals or other private entities and for which the division provides architectural, engineering or management services or, in the case of any capital improvement project for a state agency which is partially financed by gifts, bequests or donations made by one or more private individuals or other private entities, a fee equal to 1% of the proportional amount of the estimated cost of such capital improvement project which is not financed by gifts, bequests or donations made by one or more private individuals or other private entities and for which the division provides architectural, engineering or management services, and (2) an additional fee equal to 6% of the construction cost of each capital improvement project for which the division provides in-house architectural and engineering design services: *And provided further*, That such services shall

be subject to the limitations of K.S.A. 75-1253 and amendments thereto: *And provided further*, That all fees received for such services shall be credited to this fund.

Motor pool service fund .....	No limit
Motor pool service depreciation reserve fund .....	No limit
Kansas public employees retirement clearing fund .....	No limit
Intragovernmental printing service fund .....	No limit
Intragovernmental printing service depreciation reserve fund .....	No limit
Central aircraft fund .....	No limit

*Provided*, That expenditures may be made from the central aircraft fund to provide central aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for central aircraft services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be credited to this fund.

Municipal accounting and training services recovery fund .....	No limit
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*Provided*, That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: *Provided further*, That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees shall be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be credited to this fund.

Canceled warrants payment fund .....	No limit
Executive mansion gifts fund .....	No limit
State facilities gift fund .....	No limit
Veterans memorial fund .....	No limit
State emergency fund .....	No limit
Bid and contract deposit fund .....	No limit
State workers compensation self-insurance fund .....	No limit

*Provided*, That expenditures shall be made from the state workers compensation self-insurance fund for a contract with the secretary of human resources to implement and administer the state workplace health and safety program for state employees in accordance with K.S.A. 44-575 and amendments thereto, which contract is hereby authorized and directed to be entered into between the secretary of administration and the secretary of human resources: *Provided further*, That, pursuant to policies and procedures prescribed by the secretary of administration, the director of accounts and reports shall transfer an amount certified pursuant to such contract by the secretary of administration from the state workers compensation self-insurance fund of the department of administration to the state workplace health and safety program fund of the department of human resources.

Health and hospitalization insurance clearing fund .....	No limit
Federal withholding tax clearing fund .....	No limit
State gaming revenues fund .....	No limit
Health insurance premium reserve fund .....	No limit
Excise tax refund clearing fund .....	No limit
State withholding tax clearing fund .....	No limit
Unemployment compensation tax clearing fund .....	No limit
Construction defects recovery fund .....	No limit

*Provided*, That, during the fiscal year ending June 30, 2002, upon certification by the secretary of administration to the director of accounts and reports that the unencumbered balance in the construction defects recovery fund is insufficient to pay an amount that is necessary to finance expenses related to efforts by the state of Kansas to recover damages incidental to construction defects on capital projects involving state facilities, the director of accounts and reports shall transfer an amount equal to the insufficient amount from the architectural services recovery fund to the construction defects recovery fund: *Provided*,

*however*, That the total of all such amounts transferred from the architectural services recovery fund to the construction defects recovery fund during fiscal year 2002 shall not exceed \$300,000.

Preventive health care program fund .....	No limit
Facilities conservation improvement fund .....	No limit
State revolving fund services fee fund .....	No limit
Cafeteria benefits fund .....	No limit

*Provided*, That expenditures from the cafeteria benefits fund for salaries and wages and other operating expenditures shall not exceed \$2,592,693.

Dependent care assistance program fund .....	No limit
Conversion of materials and equipment—recycling program fund .....	No limit
Employees faithful performance bond clearing fund .....	No limit
Deferred compensation clearing fund .....	No limit
Equipment lease purchase program administration clearing fund .....	No limit
Suspense fund .....	No limit
Series E savings bond clearing fund .....	No limit
Optional life insurance clearing fund .....	No limit
Employee organization dues clearing fund .....	No limit
United Way contributions clearing fund .....	No limit
Setoff clearing fund .....	No limit
Parking fees clearing fund .....	No limit
Electronic funds transfer suspense fund .....	No limit
State employee contribution clearing fund for OASDHI .....	No limit
Intergovernmental cooperation agreement for development of statewide cost allocation plan clearing fund .....	No limit
Medicare fund clearing account .....	No limit
Ad Astra sculpture fund .....	No limit
State capitol dome sculpture fund .....	No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 75-2249 and amendments thereto, all expenditures from the state capitol dome sculpture fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of administration, or the secretary's designee:

*Provided further*, That all moneys received by the department of administration in the form of grants, gifts, contributions or bequests made for the purpose of financing the cost of acquiring and placing atop the capitol the work of sculpture selected pursuant to statute shall be deposited in the state treasury and credited to this fund and all such grants, gifts, contributions or bequests are hereby authorized to be received by the department of administration.

Statewide training enterprise fund .....	No limit
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*Provided*, That expenditures may be made from the statewide training enterprise fund for operating expenditures for the division of personnel services, including training programs and official hospitality: *Provided further*, That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*, That fees shall be fixed in order to recover all or part of the operating expenses incurred, including official hospitality.

Public school districts benefit fund .....	No limit
Administrative hearings office fund .....	No limit
Older Americans act long term care ombudsman federal fund .....	No limit
Long term care ombudsman gift and grant fund .....	No limit

(c) On July 1, 2001, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(d) During the fiscal year ending June 30, 2002, the secretary of administration is authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such project is approved for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto.



(e) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer energy conservation savings of \$156,392 from the state buildings operating fund to the state general fund.

(f) In addition to the purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or in any capital improvement account of the state general fund for the above agency for fiscal year 2002 by this or other appropriation act of the 2001 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or any such capital improvement account of the state general fund for fiscal year 2002 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of the legislative research department.

(g) During the fiscal year ending June 30, 2002, the director of the office of administrative hearings of the department of administration shall prepare and submit to the secretary of social and rehabilitation services a billing invoice each month in the amount equal to 1/12 of \$784,634, for administrative hearing services performed by the department of administration for the department of social and rehabilitation services: *Provided*, That the amount to be billed may be adjusted as provided in writing by mutual agreement between the secretary of social and rehabilitation services and the secretary of administration: *Provided further*, That the amount specified in the monthly invoice shall be paid from the appropriate fund or funds of the department of social and rehabilitation services into the administrative hearings office fund of the department of administration.

(h) During the fiscal year ending June 30, 2002, the state long-term care ombudsman shall prepare and submit to the secretary of aging a billing invoice each month in the amount equal to 1/12 of \$306,722 for long-term care ombudsman services performed by the state long-term care ombudsman and the office of the state long-term care ombudsman within the department of administration for the department on aging: *Provided*, That the amount to be billed may be adjusted as provided in writing by mutual agreement between the state long-term care ombudsman and the secretary of aging: *Provided further*, That the amount specified in the monthly invoice shall be paid from the appropriate fund or funds of the department on aging into the older Americans act long term care ombudsman federal fund of the department of administration.

(i) On July 1, 2001, any unencumbered balance as of June 30, 2001, in each of the following accounts of the state general fund is hereby lapsed: Performance review board; ksip—performance review board.

(j) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the Kansas performance review board fund to the state general fund. On July 1, 2001, all liabilities of the Kansas performance review board fund, including any outstanding encumbrances, are hereby transferred to and imposed upon the state general fund and the Kansas performance review board fund is hereby abolished.

(k) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the retirement salary recapture fund to the state general fund. On July 1, 2001, all liabilities of the retirement salary recapture fund, including any outstanding encumbrances, are hereby transferred to and imposed on the state general fund and the retirement salary recapture fund is hereby abolished.

(l) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the EDIF—Smoky Hills public tv equipment fund to the state economic development initiatives fund. On July 1, 2001, all liabilities of the EDIF—Smoky Hills public tv equipment fund, including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the EDIF—Smoky Hills public tv equipment fund is hereby abolished.

(m) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the flexible spending fund to the state general fund. On July 1, 2001, all liabilities of the flexible spending fund, including any outstanding encumbrances, are hereby transferred to and imposed on the state general fund and the flexible spending fund is hereby abolished.

(n) On July 1, 2001, the director of accounts and reports shall transfer \$1,000,000 from the state workers compensation self-insurance fund of the department of administration to the state general fund.

(o) (1) On July 1, 2001, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to children's initiatives fund in an amount certified by the director of the budget which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2002, except that such amount shall be proportionally adjusted during fiscal year 2002 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2002. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2001 and fiscal year 2002 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2002 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2002, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2002.

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

Sec. 119.

#### STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures .....	\$2,060,014
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$55,768 except upon approval of the state finance council.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund .....	\$14,500
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Sec. 120.

#### DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures .....	\$32,604,204
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$63,922 except upon approval of the state finance council: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund .....	No limit
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Division of vehicles operating fund .....	\$31,229,721
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*Provided*, That all receipts collected under authority of K.S.A. 74-2012 and amendments

thereto shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2002: *And provided further*, That the department of revenue shall make expenditures from this fund for printing and mailing vehicle renewal notices.

Vehicle dealers and manufacturers fee fund.....	No limit
Kansas qualified agricultural ethyl alcohol producer incentive fund .....	No limit
Local report fee fund.....	No limit
Military retirees income tax refund fund .....	No limit
Conversion of materials and equipment fund .....	No limit
Forfeited property fee fund .....	No limit
Setoff services revenue fund .....	No limit
Publications fee fund .....	No limit
State bingo regulation fund.....	\$341,541
Child support enforcement contractual agreement fund .....	No limit
County treasurers' vehicle licensing fee fund.....	No limit
Reappraisal reimbursement fund .....	No limit

*Provided*, That all moneys received for the costs incurred for conducting appraisals for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: *Provided further*, That expenditures may be made from this fund for the purpose of conducting appraisals pursuant to orders of the board of tax appeals under K.S.A. 79-1479 and amendments thereto.

Special training fund.....	No limit
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*Provided*, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*, That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*, That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury and credited to the special training fund.

Recovery fund for enforcement actions and attorney fees.....	No limit
Federal commercial motor vehicle safety fund.....	No limit
Central stores fund.....	No limit

*Provided*, That expenditures may be made from the central stores fund to operate and maintain a central stores activity to sell supplies to other state agencies: *Provided further*, That all moneys received for such supplies shall be deposited in the state treasury and credited to this fund.

Microfilming fund.....	No limit
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*Provided*, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: *Provided further*, That all moneys received for such services shall be deposited in the state treasury and credited to this fund.

Miscellaneous trust bonds fund .....	No limit
Liquor excise tax guarantee bond fund .....	No limit
Non-resident contractors cash bond fund .....	No limit
Bond guaranty fund.....	No limit
Interstate motor fuel user cash bond fund .....	No limit
Motor fuel distributor cash bond fund.....	No limit
County and city bingo tax fund.....	No limit
Special county mineral production tax fund.....	No limit
County drug tax fund.....	No limit
Escheat proceeds suspense fund.....	No limit

Privilege tax refund fund .....	No limit
Suspense fund .....	No limit
Cigarette tax refund fund .....	No limit
Motor-vehicle fuel tax refund fund .....	No limit
Cereal malt beverage tax refund fund .....	No limit
Income tax refund fund .....	No limit
Sales tax refund fund .....	No limit
Compensating tax refund fund .....	No limit
Alcoholic liquor tax refund fund .....	No limit
Cigarette/tobacco products regulation fund .....	No limit
Motor carrier tax refund fund .....	No limit
Car company tax fund .....	No limit
Protested motor carrier taxes fund .....	No limit
Tobacco products refund fund .....	No limit
Transient guest tax refund fund established by K.S.A. 12-1694a .....	No limit
Interstate motor fuel taxes clearing fund .....	No limit
Bingo refund fund .....	No limit
Transient guest tax refund fund established by K.S.A. 12-16,100 .....	No limit
Inheritance tax abatement refund fund .....	No limit
Interstate motor fuel taxes refund fund .....	No limit
Interfund clearing fund .....	No limit
Local alcoholic liquor clearing fund .....	No limit
International registration plan distribution clearing fund .....	No limit
Rental motor vehicle excise tax refund fund .....	No limit
International fuel tax agreement clearing fund .....	No limit
Mineral production tax refund fund .....	No limit
Special fuels tax refund fund .....	No limit
LP-gas motor fuels refund fund .....	No limit
Local alcoholic liquor refund fund .....	No limit
Sales tax clearing fund .....	No limit
Rental motor vehicle excise tax clearing fund .....	No limit
VIPS/CAMA technology hardware fund .....	No limit
<i>Provided</i> , That expenditures may be made from the VIPS/CAMA technology hardware fund for CAMA software and VIPS software.	
County and city retailers sales tax clearing fund—county and city sales tax .....	No limit
City and county compensating use tax clearing fund .....	No limit
County and city transient guest tax clearing fund .....	No limit
Automated tax systems fund .....	No limit
Dyed diesel fuel fee fund .....	No limit
Electronic databases fee fund .....	\$4,655,772

(c) On July 1, 2001, October 1, 2001, January 1, 2002, and April 1, 2002, the director of accounts and reports shall transfer \$7,350,000 from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2001, the director of accounts and reports shall transfer \$75,000 from the accounting services recovery fund of the department of administration to the setoff services revenue fund of the department of revenue for reimbursing costs of recovering amounts owed state agencies under K.S.A. 75-6201 *et seq.*, and amendments thereto.

(e) On August 1, 2001, the director of accounts and reports shall transfer \$50,000 from the social welfare fund of the department of social and rehabilitation services to the child support enforcement contractual agreement fund of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the agreement.

(f) On August 1, 2001, and on the first day of each month thereafter during fiscal year 2002, the secretary of revenue shall report to the director of the budget and the director of

the legislative research department (1) the amount of any increase in the amount of taxes, interest and penalties collected in the immediately preceding month that is attributable to the implementation of the automated tax systems authorized by K.S.A. 75-5147 and amendments thereto, and (2) that portion of such monthly increase in the amount of taxes, interest and penalties which is currently required to pay one or more vendors pursuant to contracts entered into under K.S.A. 75-5147 and amendments thereto for the acquisition or implementation of such automated tax systems. Upon receipt of each such report from the secretary of revenue, the director of the budget and the director of the legislative research department shall jointly certify to the director of accounts and reports the amount reported that is required to be paid to such vendors and the director of accounts and reports shall transfer the amount certified from the state general fund to the automated tax systems fund of the department of revenue. On or before October 10, 2001, January 10, 2002, and April 10, 2002, the secretary of revenue shall submit a report accounting for all amounts credited to and expended from the automated tax systems fund of the department of revenue to the director of the budget, the director of the legislative research department, the chairperson of the house committee on appropriations and the chairperson of the senate committee on ways and means and shall submit a report on the implementation of the automated tax systems to the joint committee on information technology.

(g) In addition to the purposes for which moneys may be expended by the above agency for the fiscal year ending June 30, 2002, expenditures shall be made by the above agency for claiming moneys due and owing the department of revenue which are held by the state treasurer under the unclaimed property program.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the income tax refund fund for fiscal year ending 2002 as provided in K.S.A. 79-32,105 and amendments thereto, and in this or other appropriation act of the 2001 regular session of the legislature, expenditures may be made by the above agency from the income tax refund fund during fiscal year 2002 for homestead property tax refunds under the homestead property tax refund act.

Sec. 121.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund .....	No limit
Lottery operating fund.....	\$9,257,161

*Provided*, That all expenditures from the lottery operating fund for on-line terminal communication charges, for on-line vendor commission payments, for instant ticket printing charges, or for refunds and transfers shall be in addition to any expenditure limitation imposed on this fund: *Provided further*, That expenditures from this fund for official hospitality shall not exceed \$5,000; *And provided further*, That any expenditure from the lottery operating fund to reimburse the audit services fund of the division of legislative post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the lottery operating fund for the fiscal year ending June 30, 2002.

(b) Notwithstanding the provisions of K.S.A. 74-8711 and amendments thereto, monthly transfers credited for the fiscal year ending June 30, 2002, from the lottery operating fund to the state gaming revenue fund pursuant to subsection (d) of K.S.A. 74-8711 and amendments thereto shall be an amount equal to not less than 30.00% of total monthly revenues from the sales of lottery tickets and shares less estimated returned tickets.

(c) The director of accounts and reports is hereby directed to credit any transfer from the lottery operating fund to the state gaming revenues fund made after June 30, 2001, to the fiscal year commencing on July 1, 2001.

(d) Notwithstanding any other provision of law, no transfers shall be made during the fiscal year ending June 30, 2002, to any fund of the Kansas bureau of investigation for any purpose. All payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas lottery in accordance with subsection (b) of K.S.A. 75-5516 and amend-

ments thereto pursuant to bills which are presented in a timely manner by the Kansas bureau of investigation for services rendered. Any expenditure from the lottery operating fund during fiscal year 2002 to reimburse the Kansas bureau of investigation for professional services and fees in an amount certified by the director of the Kansas bureau of investigation shall be in addition to any expenditure limitation imposed on the lottery operating fund for the fiscal year ending June 30, 2002.

(e) The executive director of the Kansas lottery is hereby directed to provide written notification to the chairpersons of the house appropriations committee and senate ways and means committee, the president of the senate, the speaker of the house of representatives, the minority leaders of the house of representatives and the senate and to the director of the Kansas legislative research department whenever there is a change in the state or corporate management staff of the vendor with which the lottery contracts for online games and services.

Sec. 122.

#### KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund.....	\$3,188,533
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*Provided*, That all expenditures from the state racing fund for refunds and transfers shall be in addition to any expenditure limitation imposed on this fund: *Provided further*, That expenditures from this fund for official hospitality shall not exceed \$2,500: *And provided further*, That any expenditure from the state racing fund to reimburse the audit services fund of the division of legislative post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the state racing fund for the fiscal year ending June 30, 2002.

Racing reimbursable expense fund.....	No limit
Racing applicant deposit fund.....	No limit
Kansas horse breeding development fund.....	No limit
Kansas greyhound breeding development fund.....	No limit
Racing investigative expense fund.....	No limit
Horse fair racing benefit fund.....	No limit
Tribal gaming fund.....	No limit

*Provided*, That expenditures from the tribal gaming fund for the fiscal year ending June 30, 2002, for official hospitality shall not exceed \$1,500.

(b) On July 1, 2001, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2002, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2002 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund of the Kansas racing and gaming commission during fiscal year 2002 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) Notwithstanding any other provision of law, no transfers shall be made during the fiscal year ending June 30, 2002, from the state racing fund to any fund of the Kansas bureau of investigation for any purpose. All payments during the fiscal year ending June 30, 2002, for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with subsection (b) of K.S.A. 75-5516 and amendments thereto, pursuant to bills which are presented in a timely manner by the Kansas bureau of investigation for services rendered. Any expenditure from the state racing fund

during fiscal year 2002 to reimburse the Kansas bureau of investigation for professional services and fees in an amount certified by the director of the Kansas bureau of investigation shall be in addition to any expenditure limitation imposed on the state racing fund for the fiscal year ending June 30, 2002.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund for fiscal year 2002 for the Kansas racing and gaming commission by this or other appropriation act of the 2001 regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 2002 for the state gaming agency regulatory oversight of class III gaming, including but not limited to the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, and investigations of other criminal activities related to tribal gaming, which are hereby authorized.

(f) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the state racing fund for fiscal year 2002 for the Kansas racing and gaming commission by this or other appropriation act of the 2001 regular session of the legislature, expenditures may be made from the state racing fund for fiscal year 2002 for paying salaries and wages of agency personnel performing criminal history record checks, background investigations and other investigations specified in statute: *Provided*, That, notwithstanding any other provision of law, including K.S.A. 2000 Supp. 74-8805, 74-8806 and 74-8814 and amendments thereto, law enforcement agents of the Kansas racing and gaming commission are hereby authorized and directed to conduct criminal history record checks, background investigations and other investigations specified in statute.

Sec. 123.

DEPARTMENT OF COMMERCE AND HOUSING

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

State operations

For the fiscal year ending June 30, 2002..... \$200,000

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2001, in the state operations account is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto: *Provided further*, That expenditures shall be made from the state operations account to disburse a grant in the amount of \$200,000 to the Eisenhower Library and Museum located in Abilene, Kansas.

State operations

For the fiscal year ending June 30, 2003..... \$200,000

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2002, in the state operations account is hereby reappropriated for fiscal year 2003: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto: *Provided further*, That expenditures shall be made from the state operations account to disburse a grant in the amount of \$200,000 to the Eisenhower Library and Museum located in Abilene, Kansas.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Publication and other sales fund ..... No limit

*Provided*, That all proceeds from the sale of the Olathe travel information center may be deposited in this fund: *Provided further*, That any such sale shall be conducted in accordance with procedures approved by the director of purchases and after appraisals have been obtained pursuant to K.S.A. 75- 3043a and amendments thereto.

Conversion of equipment and materials fund .....	No limit
Conference registration and disbursement fund .....	No limit
<i>Provided</i> , That expenditures may be made from the conference registration and disbursement fund for official hospitality.	
Kansas venture capital companies certificate fee fund .....	No limit
Trademark fund .....	No limit
Low income housing tax credit fee fund .....	No limit
<i>Provided</i> , That expenditures may be made from the low income tax credit fee fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce and housing in accordance with such repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the low income housing tax credit program: <i>Provided further</i> , That all moneys received by the department of commerce and housing for repayment of loans made under the low income housing tax credit program shall be deposited in the state treasury and credited to this fund: <i>And provided further</i> , That, in addition to the other purposes for which expenditures may be made from the low income housing tax credit fee fund, expenditures may be made from such fund for projects of the Kansas housing development corporation and related operating expenses of such corporation: <i>And provided further</i> , That all such expenditures for projects and operating expenses shall be subject to the approval of the secretary of commerce and housing: <i>And provided further</i> , That such projects shall include, but not be limited to, (1) increasing housing opportunities for the citizens of Kansas, (2) purchasing, developing and transferring housing projects, (3) incurring obligations related to any such projects, and (4) establishing partnerships and lending relationships with local communities and entities in the private sector.	
Flood mitigation assistance federal fund .....	No limit
Trade show promotion fund .....	No limit
Kansas tourist attraction matching grant development fund .....	No limit
Greyhound tourism fund .....	No limit
Reimbursement and recovery fund .....	No limit
<i>Provided</i> , That expenditures may be made from the reimbursement and recovery fund for official hospitality.	
Housing assistance program—federal fund .....	No limit
<i>Provided</i> , That in addition to other positions within the department of commerce and housing in the unclassified service as prescribed by law, expenditures may be made from the housing assistance program—federal fund for 13 employees in the unclassified service under the Kansas civil service act.	
Community development block grant—federal fund .....	No limit
<i>Provided</i> , That expenditures from the community development block grant—federal fund for official hospitality shall not exceed \$2,000.	
Community development block grant—federal fund—revolving loan account .....	No limit
HOME—federal fund .....	No limit
<i>Provided</i> , That, in addition to the other purposes for which expenditures may be made from the HOME—federal fund, expenditures may be made from such fund for projects of the Kansas housing development corporation and related operating expenses of such corporation: <i>Provided further</i> , That all such expenditures for projects and operating expenses shall be subject to the approval of the secretary of commerce and housing: <i>And provided further</i> , That such projects shall include, but not be limited to, (1) increasing housing opportunities for the citizens of Kansas, (2) purchasing, developing and transferring housing projects, (3) incurring obligations related to any such projects, and (4) establishing partnerships and lending relationships with local communities and entities in the private sector: <i>And provided further</i> , That expenditures from this fund for official hospitality shall not exceed \$2,000.	
Community services block grant—federal fund .....	No limit
Other grants fund .....	No limit
<i>Provided</i> , That the above agency is authorized to make expenditures from the other grants fund of any moneys credited to this fund from any individual grant if the grant is: (1) Less than \$250,000 in the aggregate, and (2) does not require the matching expenditure of any	



other moneys in the state treasury during the current or any ensuing fiscal year: *Provided, however,* That no grant that is greater than \$250,000 in the aggregate or that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year, shall be deposited to the credit of this fund.

Weatherization block grant—federal fund.....	No limit
Energy winterization—federal fund.....	No limit
Kansas export loan guarantee fund.....	No limit
HUD emergency shelter grants—federal fund.....	No limit
National main street center fund.....	No limit
State housing trust fund.....	No limit

*Provided,* That, in addition to the other purposes for which expenditures may be made from the state housing trust fund, expenditures may be made from such fund for projects of the Kansas housing development corporation and related operating expenses of such corporation: *Provided further,* That all such expenditures for projects and operating expenses shall be subject to the approval of the secretary of commerce and housing: *And provided further,* That such projects shall include, but not be limited to, (1) increasing housing opportunities for the citizens of Kansas, (2) purchasing, developing and transferring housing projects, (3) incurring obligations related to any such projects, and (4) establishing partnerships and lending relationships with local communities and entities in the private sector.

IMPACT program services fund.....	No limit
IMPACT program repayment fund.....	No limit
Kansas partnership fund.....	No limit

*Provided,* That the interest rate on any loan made from the Kansas partnership fund shall be annually indexed to the federal discount rate.

General fees fund.....	No limit
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*Provided,* That expenditures may be made from the general fees fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce and housing in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.

Market development fund.....	No limit
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*Provided,* That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce and housing in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the agricultural value added center program: *Provided further,* That all moneys received by the department of commerce and housing for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury and credited to this fund.

(c) The secretary of commerce and housing is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2002, for (1) the services provided under the low-income housing tax credit program, private activity bond program, mortgage certificates/mortgage revenue bond program and under other programs of the department of commerce and housing providing similar services and for which fees are not specifically prescribed by statute, (2) the provision and administration of conferences held for the purposes of programs and activities of the department of commerce and housing and for which fees are not specifically prescribed by statute, (3) sale of *Kansas!* magazine and other publications of the department of commerce and housing and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute, and (4) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce and housing, including those provided at tourist information centers: *Provided,* That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce and housing for which fees are not specifically prescribed by statute: *Provided further,* That all such fees shall be credited to one or more special revenue funds of the department of commerce and housing as specified by the secretary of commerce and housing: *And provided further,* That expenditures may be made from such special

revenue funds of the department of commerce and housing for fiscal year 2002, in accordance with the provisions of this or other appropriation act of the 2001 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce and housing.

Sec. 124.

#### KANSAS, INC.

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas, Inc. matching fund .....	No limit
Conversion of materials and equipment fund .....	No limit
Information network of Kansas fund .....	No limit

*Provided*, That expenditures from the information network of Kansas fund shall not be considered to be part of the private sector match required by K.S.A. 74-8009a and amendments thereto.

Conversion of materials and equipment fund .....	No limit
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Sec. 125.

#### KANSAS TECHNOLOGY ENTERPRISE CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

MAMTC federal fund .....	No limit
KTEC special revenue fund .....	No limit

(b) No moneys appropriated for the fiscal year ending June 30, 2002, by this or other appropriation act of the 2001 regular session of the legislature for the Kansas technology enterprise corporation shall be expended for any bonus or other payment of additional compensation for any officer or employee of the Kansas technology enterprise corporation, or any subsidiary corporation, agency or instrumentality thereof, except longevity bonus payments pursuant to K.S.A. 75-5541 and amendments thereto or as otherwise specifically authorized by statute.

Sec. 126.

#### DEPARTMENT OF HUMAN RESOURCES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures .....	\$2,151,838
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$2,334 except upon approval of the state finance council: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2002, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-5413 *et seq.* and 75-4321 *et seq.*, and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of human resources shall not exceed \$2,000.

Any unencumbered balance in excess of \$100 as of June 30, 2001, in each of the following accounts is hereby reappropriated for fiscal year 2002: Welfare to work grant— state match.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen's compensation fee fund .....	\$8,655,252
Occupational health and safety—federal fund .....	\$578,753
Boiler inspection fee fund .....	No limit

Special employment security fund ..... No limit  
*Provided*, That expenditures may be made from the special employment security fund for payment of the portion of telecommunications services provided by the state of Kansas which are required to be paid from nonfederal sources: *Provided, however*, That expenditures from the special employment security fund for such purpose shall not exceed \$40,000: *Provided further*, That expenditures may be made from the special employment security fund for payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided, however*, That expenditures from this fund for such debt service shall not exceed \$250,862: *And provided further*, That expenditures may be made from the special employment security fund for the wheat harvest program: *And provided further*, That expenditures from this fund for the wheat harvest program shall not exceed \$60,000: *And provided further*, That expenditures may be made from the special employment security fund for payment of the portion of services provided by the central motor pool which are required to be paid from nonfederal funds: *And provided further*, That expenditures from this fund for payment of such central motor pool services shall not exceed \$35,000: *And provided further*, That expenditures may be made from the special employment security fund for moving, rent and associated costs due to the remodeling of the administrative office: *And provided further*, That expenditures from this fund for the cost of remodeling such administrative office shall not exceed \$340,000.

Employment security administration fund.....	No limit
State workplace health and safety fund.....	No limit
Wage claims assignment fee fund.....	No limit
Employment security computer systems institute fund.....	No limit
JTPA EDWAA discretion state operations fund.....	No limit
Workforce investment act state operations fund.....	No limit
Welfare to work grant—federal fund.....	No limit
Workforce investment act non-state operations fund.....	No limit
Occupational information system—federal fund.....	No limit
Human resources special projects fund.....	No limit
Advisory committee on Hispanic affairs—donations fund.....	No limit
Committee on employment of the handicapped—gifts, grants and donations fund.....	No limit
Federal indirect cost offset fund.....	\$290,301
Dispute resolution fund.....	No limit

*Provided*, That all moneys received by the secretary of human resources for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-5427 and amendments thereto and for fact-finding under K.S.A. 72-5428 and amendments thereto shall be deposited in the state treasury and credited to the dispute resolution fund: *Provided further*, That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-5427 and amendments thereto and for fact-finding under K.S.A. 72-5428 and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures.

Employment security fund.....	No limit
Employment security administration property sale fund.....	No limit

*Provided*, That the secretary of human resources, in consultation with the secretary of administration, is hereby authorized to make expenditures from the employment security administration property sale fund to purchase or acquire by exchange additional real estate to provide space for the job service and unemployment insurance programs of the department of human resources, including the initiation and completion of capital improvements on such real estate for such purposes: *Provided, however*, That no expenditures shall be made from this fund for a proposed purchase or other acquisition of additional real estate to provide space for the job service and unemployment insurance programs of the department of human resources until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of human resources on such real

estate for such purposes, have been reviewed by the joint committee on state building construction.

(c) On July 1, 2001, the director of accounts and reports shall transfer \$175,000 from the state workers compensation self-insurance fund of the department of administration to the state workplace health and safety fund of the department of human resources for the purpose of reimbursing costs of providing a state workplace health and safety program for state employees under K.S.A. 44-575 and amendments thereto.

(d) In addition to the other purposes for which expenditures may be made by the department of human resources from the employment security fund for fiscal year 2002, expenditures may be made by the above agency from the employment security fund during fiscal year 2002 from moneys made available to the state under section 903 of the federal social security act, as amended: *Provided*, That expenditures from this fund during fiscal year 2002 of moneys made available to the state under section 903 of the federal social security act, as amended, shall be made only for administration of the unemployment insurance program: *Provided further*, That expenditures from this fund during fiscal year 2002 of moneys made available to the state under section 903 of the federal social security act, as amended, for administration of the unemployment insurance program shall not exceed \$746,096.

(e) In addition to the other purposes for which expenditures may be made by the department of human resources from moneys appropriated from any special revenue fund for fiscal year 2001 or fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures may be made by the department of human resources for fiscal year 2001 and fiscal year 2002 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of human resources: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of human resources may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*, That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of human resources until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*, That the net proceeds from the sale of any of the real estate of the department of human resources shall be deposited in the state treasury to the credit of the employment security administration property sale fund of the department of human resources.

Sec. 127.

#### KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures—veterans affairs.....	\$1,653,525
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*Provided*, That any unencumbered balance in the operating expenditures—veterans affairs account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$3,479 except upon approval of the state finance council.

Operations-state veterans cemeteries .....	\$65,665
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*Provided*, That any unencumbered balance in the operations-state veterans cemeteries account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

Operating expenditures—Kansas soldiers' home .....	\$1,174,937
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*Provided*, That any unencumbered balance in the operating expenditures—Kansas soldiers' home account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$188 except upon approval of the state finance council.

Operating expenditures—Kansas veterans' home .....	\$1,122,059
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*Provided*, That any unencumbered balance in the operating expenditures—Kansas veterans'

home account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however,* That expenditures from such reappropriated balance shall not exceed \$600,957 except upon approval of the state finance council.

Any unencumbered balance in excess of \$100 as of June 30, 2001, in each of the following accounts is hereby reappropriated for fiscal year 2002: Operating expenditures—Persian Gulf War health initiative program.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on veterans affairs fund.....	\$123,288
Soldiers' home fee fund .....	No limit
Soldiers' home benefit fund .....	No limit
Soldiers' home work therapy fund .....	No limit
Veterans' home fee fund.....	No limit
Persian Gulf War veterans health initiative fund.....	No limit
Veterans' home canteen fund .....	No limit
Veterans' home benefit fund .....	No limit
Soldiers' home outpatient clinic fund.....	No limit
State veterans cemeteries fee fund.....	No limit

(c) On June 1, 2002, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$75,000 from the soldiers' home outpatient clinic fund to the state general fund.

(d) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,500 from the soldiers' home work therapy fund to the soldiers' home benefit fund.

Sec. 128.

DEPARTMENT OF HEALTH AND ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures (including official hospitality) ..... \$20,669,768

*Provided,* That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however,* That expenditures from such reappropriated balance shall not exceed \$135,911 except upon approval of the state finance council: *Provided further,* That expenditures shall be made by the department of health and environment from this account, in addition to other moneys available therefor, to work with nursing home providers to establish a technical assistance program and clearinghouse for the purpose of providing assistance to providers of nursing home care in meeting standards and providing quality care.

Vaccine purchases.....	\$674,898
Infant and toddler program .....	\$1,992,000
Aid to local units .....	\$5,026,596

*Provided,* That expenditures from the aid to local units account for child care licensure activities are hereby authorized to be made for contracts which are hereby authorized to be entered into by the secretary of health and environment with local health departments, private individuals and others: *Provided further,* That all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246 and amendments thereto.

Aid to local units—primary health projects..... \$1,520,840

*Provided,* That no expenditures shall be made from the aid to local units—primary health projects account to disburse any amount to a local government or other health care unit until the amount has been matched on a \$1 for \$1 basis by the local government or other health care unit on a cash or in-kind basis, or some combination thereof, as approved by the secretary of health and environment.

Teen pregnancy prevention activities ..... \$562,732

*Provided,* That expenditures from the teen pregnancy prevention activities account shall be

made to give highest priority to recipients of aid to families with dependent children and other medicaid eligible teens: *Provided further*, That expenditures may be made from this account for grants made pursuant to K.S.A. 65-1,158 and amendments thereto: *Provided, however*, That no expenditures shall be made from this account to disburse any amount to the recipient of any grant pursuant to K.S.A. 65-1,158 and amendments thereto until the amount has been matched in the manner prescribed by K.S.A. 65-1,158 and amendments thereto.

Aid to local units—family planning ..... \$98,880

*Provided*, That all expenditures from the aid to local units—family planning account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients: *Provided further*, That all expenditures from this account pursuant to such grant agreements shall be made only for the costs of pap smears or initial and follow-up laboratory tests.

Immunization programs ..... \$350,000

*Provided*, That all expenditures from the immunization programs account shall be for the purpose of providing expanded immunization services at local health departments.

Match for title XIX for nursing home inspections..... \$833,946

*Provided*, That any unencumbered balance in the match for title XIX for nursing home inspections account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

Pregnancy maintenance initiative ..... \$300,000

*Provided*, That expenditures from the pregnancy maintenance initiative account of the department of health and environment for fiscal year 2002 shall be made pursuant to contracts for programs that provide services for women which enable them to carry their pregnancies to term, which are hereby authorized and directed to be entered into by the secretary of health and environment with the same not-for-profit organizations that the secretary entered into contracts with pursuant to section 30(h) of chapter 160 of the 1999 Session Laws of Kansas for fiscal year 2000: *Provided further*, That such contracted services may include an array of social services relating to pregnancy maintenance and shall provide that no individuals who are unable to pay shall be denied the delivery or provision of pregnancy maintenance services: *And provided further*, That no contract or contracts under pregnancy maintenance programs shall be entered into with any group performing, promoting, referring for or educating in favor of abortion: *And provided further*, That a not-for-profit organization awarded a contract under this proviso shall match state moneys under this contract on the basis of a 50% match from a not-for-profit organization and a 50% match from the department of health and environment: *And provided further*, That the secretary of health and environment shall submit a report to the legislature at the beginning of the regular session of the legislature in 2002 on the results and outcomes of such pregnancy maintenance programs: *And provided further*, That no part of the grant moneys shall be used for any political purposes.

Any unencumbered balance in excess of \$100 as of June 30, 2001, in each of the following accounts is hereby reappropriated for fiscal year 2002: Vaccine purchases; infant and toddler program; aid to local units; aid to local units primary health projects; teen pregnancy prevention activities; immunization programs; AIDS medication shortfall.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Environmental permit fund ..... No limit

Air quality fee fund ..... No limit

Title XIX fund..... No limit

*Provided*, That transfers of moneys from this fund to the state fire marshal may be made during fiscal year 2002 pursuant to a contract which is hereby authorized to be entered into by the secretary of health and environment with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Health care database fee fund.....	No limit
Laboratory medicaid cost recovery fund.....	No limit
Hazardous waste collection fund.....	No limit
Driving under the influence equipment fund .....	No limit

*Provided*, That expenditures from the driving under the influence equipment fund may be made only for the purpose of purchasing blood or breath alcohol concentration testing equipment.

Power generating facility fee fund .....	No limit
Breast and cervical cancer program and detection fund.....	No limit
Health and environment training fee fund .....	No limit

*Provided*, That expenditures may be made from the health and environment training fee fund for acquisition and distribution of health and environment program literature and films and for participation in or conducting training seminars for training employees of the department of health and environment, for training recipients of state aid from the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury and credited to this fund.

Capacity management assistance fund.....	No limit
Food service inspection reimbursement fund .....	No limit
Food inspection fee fund.....	No limit

*Provided*, That expenditures may be made from the food inspection fee fund for operating expenditures for the food inspection program and other activities for the regulation of food service establishments, food vending machines, food vending machine companies and food vending machine dealers under the food service and lodging act: *Provided further*, That, notwithstanding the provisions of K.S.A. 36-512 and amendments thereto to the contrary, all moneys received from fees charged and collected by the secretary of health and environment under the food inspection program and other activities for the regulation of food service establishments, food vending machines, food vending machine companies and food vending machine dealers under the food service and lodging act shall be deposited in the state treasury and credited to this food inspection fee fund: *And provided further*, That, on July 1, 2001, and on the first day of each month thereafter, the director of accounts and reports shall transfer from the food inspection fee fund to the food service inspection reimbursement fund an amount equal to 80% of all fees credited to the food inspection fee fund where food service inspection services are provided by a local agency under contract with the secretary to inspect food service establishments located in a municipality.

Mined-land conservation and reclamation fee fund.....	No limit
Insurance statistical plan fund.....	No limit
Solid waste management fund.....	No limit
Public water supply fee fund .....	No limit
Voluntary cleanup fund.....	No limit
Storage tank fee fund .....	No limit
Conversion of materials and equipment fund .....	No limit
Nuclear safety emergency preparedness special revenue fund .....	No limit

*Provided*, That all moneys received from the adjutant general from the nuclear safety emergency preparedness fee fund shall be credited to the nuclear safety emergency preparedness special revenue fund.

Health facilities review fund.....	No limit
Waste tire management fund.....	No limit
Health and environment publication fee fund.....	No limit

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

District coroners fund .....	No limit
<i>Provided</i> , That, notwithstanding provisions of K.S.A. 22a-245 and amendments thereto, moneys may be expended by the department of health and environment from the district coroners fund for expenditures made pursuant to K.S.A. 22a-242 and amendments thereto.	
Local air quality control authority regulation services fund .....	No limit
Environmental response fund .....	No limit
Mined-land reclamation fund .....	No limit
Adult care licensing revolving fund .....	No limit
Sponsored project overhead fund .....	No limit
Child care facilities licensure fund .....	No limit
Federal cancer registry fund .....	No limit
Clinical laboratory improvement amendments—federal fund .....	No limit
Child care and development block grant—federal fund .....	No limit
Office of rural health—federal fund .....	No limit
EPA—core support fund .....	No limit
Medicare fund—federal .....	No limit
<i>Provided</i> , That transfers of moneys from this fund to the state fire marshal may be made during fiscal year 2002 pursuant to a contract which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.	
Federal migrant health program fund .....	No limit
Venereal disease control project fund—federal .....	No limit
Disease prevention and health promotion federal grants fund .....	No limit
<i>Provided</i> , That no moneys from any grant that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year shall be deposited to the credit of the disease prevention and health promotion federal grants fund:	
<i>Provided further</i> , That transfers or payments from this fund to other state agencies shall be in addition to any expenditure limitation placed on this fund.	
Federal air quality program fund .....	No limit
Federal women, infants and children health program fund .....	No limit
Federal occupational health and safety statistics program fund .....	No limit
EPA water related federal grants fund .....	No limit
<i>Provided</i> , That no moneys from any grant that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year shall be deposited to the credit of the EPA water related federal grants fund.	
Other federal grants fund .....	No limit
<i>Provided</i> , That the above agency is authorized to make expenditures from the other federal grants fund for fiscal year 2002 of any moneys credited to this fund from any individual grant if the grant is: (1) Less than \$150,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year: <i>Provided, however</i> , That no grant that is greater than \$150,000 in the aggregate or that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year shall be deposited to the credit of this fund:	
<i>Provided further</i> , That transfers or payments from this fund to other state agencies shall be in addition to any expenditure limitation placed on this fund.	
Federal chemical emergency preparedness assistance fund .....	No limit
<i>Provided</i> , That all expenditures from the federal chemical emergency preparedness assistance fund during fiscal year 2002 shall be in accordance with a grant agreement entered into by the secretary of health and environment and each grant recipient: <i>Provided further</i> , That such grant agreement shall require the grant recipient or recipients to provide any matching amount of moneys necessary to meet any federal matching requirements: <i>And provided further</i> , That no expenditures shall be made from this fund for state operations.	
State legalization impact assistance grant fund .....	No limit
Water supply fund—federal .....	No limit
EPA voluntary cleanup federal fund .....	No limit
<i>Provided</i> , That all expenditures from the EPA voluntary cleanup federal fund during fiscal year 2002 shall be supplemental to fees collected for direct or indirect costs of administering	



the voluntary cleanup and property redevelopment act: *Provided, however,* That such expenditures shall be in accordance with the federal agreement entered into by the secretary of health and environment for the grant moneys.

Immunization grant funds—federal fund.....	No limit
Diagnostic X-ray program—federal fund.....	No limit
Title I—P.L. 99-457 child development—federal fund.....	No limit
Resource conservation and recovery act—federal fund.....	No limit
Preventive health and health services block grant fund.....	No limit
Maternal and child health services block grant fund.....	No limit
National center for health statistics fund—federal.....	No limit
Federal EPA underground injection control fund.....	No limit
Federal EPA 106 water pollution control fund.....	No limit
Federal title X family planning fund.....	No limit
Pregnancy nutrition surveillance—federal fund.....	No limit
Radiological environmental cooperative monitoring— federal fund.....	No limit
Early childhood developmental services—federal fund.....	No limit
104(6)(1) outreach operator training program—federal fund.....	No limit
Underground storage tank fund—federal.....	No limit
AIDS project—education and risk reduction—federal fund.....	No limit
Commodity supplemental food program fund.....	No limit
Special child clinic program—federal fund.....	No limit
Make a difference information network—federal fund.....	No limit
Census of traumatic occupational fatalities—federal fund.....	No limit
AIDS drug reimbursement program—federal fund.....	No limit
Leaking underground storage tank trust—federal fund.....	No limit
National surface mining control and reclamation act—federal fund.....	No limit
Abandoned mined-land fund.....	No limit
State indoor radon grant—federal fund.....	No limit
EPA non-point source implementation—federal fund.....	No limit
Pollution prevention program—federal fund.....	No limit
Federal NICE3 public utility grant fund.....	No limit
Sudden infant death support fund.....	No limit

*Provided,* That all moneys received by the department of health and environment for the sudden infant death support network or for the purposes of the sudden infant death support fund, which moneys are hereby authorized to be requested, received and accepted by the secretary of health and environment, shall be deposited in the state treasury to the credit of this fund.

Gifts, grants and donations fund.....	No limit
Hazardous waste perpetual care trust fund.....	No limit
Special bequest fund.....	No limit
Aboveground petroleum storage tank release trust fund.....	No limit
Underground petroleum storage tank release trust fund.....	No limit
Drycleaning facility release trust fund.....	No limit
Public water supply loan fund.....	No limit
Kansas water pollution control revolving fund.....	No limit

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

Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds.....	No limit
Surcharge fund for Kansas water pollution control revolving fund revenue bonds.....	No limit
Debt service reserve fund.....	No limit
Bicycle helmet revolving fund.....	No limit

SSA fee fund .....	No limit
Lead poisoning prevention—federal fund .....	No limit
Wetlands protection—federal fund .....	No limit
Title IV-E—federal fund .....	No limit
Teenage pregnancy program evaluation fund .....	No limit
Lead-based paint hazard fee fund.....	No limit
Trauma fund .....	No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 2000 Supp. 75-5670 and amendments thereto, expenditures may be made by the department of health and environment for fiscal year 2002 for the stroke prevention project from the trauma fund of the department of health and environment: *Provided, however*, That expenditures for the stroke prevention project from the trauma fund for fiscal year 2002 shall not exceed \$156,000.

Hazardous waste management fund .....	No limit
Oz theme park fund .....	No limit
Sunflower army ammunition plant remediation trust fund.....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2002, for the water plan project or projects specified as follows:

Assessment of sediment quality .....	\$50,000
Contamination remediation .....	\$1,397,506
Local environmental protection program.....	\$1,800,000
Nonpoint source program .....	\$482,435
TMDL initiatives and use attainability analysis.....	\$406,900

(d) On July 1, 2001, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department for activities related to federal programs, from specified special revenue funds of the department of health and environment to the sponsored project overhead fund of the department of health and environment.

(e) On July 1, 2001, the director of accounts and reports shall transfer \$130,500 from the health care stabilization fund of the health care stabilization fund board of governors to the health facilities review fund of the department of health and environment for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 *et seq.*, and amendments thereto.

(f) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$692,000 from the child care development block grant federal fund of the department of social and rehabilitation services to the child care and development block grant—federal fund of the department of health and environment.

(g) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$499,000 from the foster care assistance federal fund of the department of social and rehabilitation services to the title IV-E—federal fund of the department of health and environment.

(h) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$176,000 from the temporary assistance to needy families federal fund of the department of social and rehabilitation services to the teenage pregnancy program evaluation fund of the department of health and environment.

(i) On and after July 1, 2001, during the fiscal year ending June 30, 2002, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund of the department of health and environment which are directed to be made on or before the 10th day of each month by K.S.A. 2000 Supp. 65-3024 and amendments thereto.

(j) During the fiscal year ending June 30, 2002, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment, which have available moneys, to the sponsored project overhead fund of the department of health

and environment for expenditures for administrative expenses, except that such transfers shall only be made upon the approval of the director of the budget.

(k) In addition to the other purposes for which expenditures may be made by the department of health and environment from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2002 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures may be made by the department of health and environment from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2002 for up to four full-time equivalent positions in the unclassified service under the Kansas civil service act: *Provided*, That all such additional full-time equivalent positions in the unclassified service under the Kansas civil service act shall be in addition to other positions within the department of health and environment in the unclassified service as prescribed by law and shall be established by the secretary of health and environment within the position limitation established for the department of health and environment on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2002 made by this or other appropriation act of the 2001 regular session of the legislature: *Provided, however*, That the authority to establish such additional positions in the unclassified service shall not affect the classified service status of any person who is an employee of the department of health and environment in the classified service under the Kansas civil service act.

(l) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the water plan special revenue fund of the department of health and environment to the state water plan fund. On July 1, 2001, all liabilities of the water plan special revenue fund of the department of health and environment, including any outstanding encumbrances, are hereby transferred to and imposed on the state water plan fund and the water plan special revenue fund of the department of health and environment is hereby abolished.

(m) In addition to the other purposes for which expenditures may be made by the department of health and environment from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of health and environment for fiscal year 2002 from the moneys appropriated from the state general fund or any special revenue fund for the following purposes: (1) To draft and adopt an amendment to subsection (d) of K.A.R. 28-4-354 to include nurse practitioners or registered nurses in consultation with a physician among those permitted to examine ill, injured, intoxicated or physically or mentally impaired juveniles to approve for such juveniles for admission to or detention in an emergency shelter; (2) to work with the epilepsy foundation of Kansas and Western Missouri to develop a plan for epilepsy education; (3) to implement such epilepsy education plan if funding is available; and (4) a state dental care loan repayment program for qualified persons to assist in covering education or training and related expenses in order to become qualified as dentists and dental hygienists in conjunction with amounts provided by counties and other local governments pursuant to loan agreements and other agreements which are hereby authorized and directed to be entered into by the secretary of health and environment with individuals and other entities and which may be required for the purposes of such loan program.

(n) In addition to the other purposes for which expenditures may be made by the department of health and environment from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of health and environment for fiscal year 2002 from the moneys appropriated from the state general fund or any special revenue fund to provide information about the proposed location of a youth residential facility that is proposed to be licensed by the secretary of health and environment, to the governing body of the local government in which a youth residential facility is proposed to be located: *Provided*, That, if the governing body of the local government objects to the proposed location and the governing body actively assists the secretary of health and environment in identifying a suitable location for the youth residential facility within the local government, with consideration of the site selection cri-

teria established by the juvenile justice authority and applicable zoning and other land-use restrictions of the local government, then, prior to licensing the specific youth residential facility, the secretary of health and environment shall actively consider the views of the governing body of the local government and the affected residents of the local government and shall act in the best interests of the state with regard to licensure of the proposed youth residential facility: *Provided, however*, That no such objections by the governing body or the residents of a local government shall prohibit placement of a youth residential facility within a local government: *Provided further*, That, as used in this subsection, "local government" means any city, county or other taxing subdivision of the state having general governance authority.

Sec. 129.

#### DEPARTMENT ON AGING

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Administration ..... \$4,482,645

*Provided*, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures, other than expenditures for the CARE program, from such reappropriated balance shall not exceed \$183,429 except upon approval of the state finance council: *Provided further*, That all expenditures from such reappropriated balance for the CARE program shall be made only for the purpose of matching federal moneys for nutrition programs: *And provided further*, That expenditures from this account for official hospitality by the secretary of aging shall not exceed \$550: *And provided further*, That expenditures from this account may be made for printing the agency's newsletter *The Advocate*: *And provided further*, That printing *The Advocate* shall not be subject to K.S.A. 75-1005 and amendments thereto: *And provided further*, That the amounts of any moneys encumbered in this account as of June 30, 2001, for the senior care companion program at Fort Hays state university or for the senior care companion program at Riverside Hospital in Wichita, Kansas, are hereby reappropriated in this account for fiscal year 2002 and expenditures may be made from such amounts from this account for such programs for fiscal year 2002: *And provided further*, That the agency shall provide \$30,000 from this fund for the senior legal hotline for fiscal year 2002.

Program grants ..... \$10,461,539

*Provided*, That any unencumbered balance in the program grants account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That each grant agreement with an area agency on aging for a grant from the program grants account shall require the area agency on aging to submit to the secretary of aging a report for federal fiscal year 2001 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2001: *And provided further*, That the secretary of aging shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the regular session of the legislature in 2002 a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2001: *And provided further*, That the secretary of aging shall combine the income eligible, senior care act, case management, custom care and environmental modification programs into one program: *And provided further*, That the secretary of aging shall report each such shift of funding to the legislative research department and the SRS transition oversight committee: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account or the long term care account of the state general fund shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Long term care ..... \$134,903,477

*Provided*, That any unencumbered balance in the long term care account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely,

through this account or the program grants account of the state general fund shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Older Americans act—federal fund.....	No limit
Title XIX fund—federal .....	No limit
Nutrition fund — federal.....	No limit
Conferences and workshops attendance and publications fees fund .....	No limit

*Provided*, That the secretary of aging is hereby authorized to fix, charge and collect conference and workshop attendance fees for conferences and workshops sponsored by the department on aging and fees for copies of publications: *Provided further*, That such fees shall be deposited in the state treasury and credited to the conferences and workshops attendance and publications fees fund: *And provided further*, That expenditures may be made from this fund to defray all or part of the costs of such conferences and workshops including official hospitality and of such publications.

General fees fund.....	No limit
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*Provided*, That the secretary of aging is hereby authorized to collect (1) fees from the sale of surplus property, (2) fees charged for searching, copying and transmitting copies of public records, (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property, and (4) other miscellaneous fees: *Provided further*, That such fees shall be deposited in the state treasury and credited to the general fees fund: *And provided further*, That expenditures shall be made from this fund to meet the obligations of the department on aging, or to benefit and meet the mission of the department on aging.

Gifts and donations fund .....	No limit
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*Provided*, That the secretary of aging is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury and credited to the gifts and donations fund: *And provided further*, That expenditures shall be made from this fund for the purposes specified by the donor or contributor, if any.

Elder care—federal fund.....	No limit
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Volunteer services coordinator—federal fund.....	No limit
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Title XIX fund—federal .....	No limit
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Medical resources and collection fund.....	No limit
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*Provided*, That all moneys received or collected by the secretary of aging due to medicaid overpayments shall be deposited in the state treasury and credited to the medical resources and collection fund and expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *Provided further*, That all moneys received or collected by the secretary of aging due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury and credited to this fund and expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

Area agencies on aging loan recovery fund.....	\$0
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*Provided*, That area agencies on aging are not required to repay moneys granted to such agencies during fiscal year 1998 for purposes related to the transfer of long-term care programs from the department of social and rehabilitation services to the department on aging: *Provided, however*, That area agencies on aging may repay moneys granted to them for this purpose: *Provided further*, That any moneys received by the secretary of aging for repayment of moneys granted to area agencies on aging for such purposes shall be deposited in the state treasury and credited to the area agencies on aging loan recovery fund.

State medicaid match fund—department on aging .....	\$10,950,000
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Senior services fund .....	\$1,200,000
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Long-term care loan and grant fund.....	\$4,400,000
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HCBS programs fund—department on aging.....	\$250,000
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(c) On or before July 15, 2001, and on the 15th day of each month thereafter during the fiscal year ending June 30, 2000, the secretary of aging shall certify to the director of the budget the total amount of moneys which were received by the department on aging during the preceding month from the federal government and which were deposited in the state treasury to the credit of the medicaid fund—federal. During the fiscal year ending June 30, 2002, after receiving one or more certifications from the secretary of aging under this subsection, the director of the budget may certify an amount or amounts to the director of accounts and reports to be transferred from the medicaid fund—federal of the department on aging to the state general fund for the purpose of reimbursing the state general fund for the amount appropriated for the department on aging from the state general fund in the administration account. Upon receiving each such certification from the director of the budget, the director of accounts and reports shall transfer the amount or amounts certified from the medicaid fund—federal of the department on aging to the state general fund on the dates specified by the director of the budget.

(d) During the fiscal year ending June 30, 2002, the secretary of aging, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2002, from the state general fund for the department on aging to another item of appropriation for fiscal year 2002 from the state general fund for the department on aging. The secretary of aging shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the legislative research department.

Sec. 130.

#### DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

State operations ..... \$88,076,981

*Provided*, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01 and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of social and rehabilitation services shall not exceed \$500.

Alcohol and drug abuse services grants ..... \$3,535,388

*Provided*, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002. Mental health and retardation services aid and

assistance ..... \$126,208,957

*Provided*, That any unencumbered balance in the mental health and retardation services aid and assistance account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That the secretary of social and rehabilitation services is authorized to refuse to enter into contracts with ICFs/MR: *And provided further*, That the secretary of social and rehabilitation services is hereby authorized and directed to continue meeting with the directors of nursing facilities for mental health (NF/MN facilities) and the directors of community mental health centers and to develop a plan for reducing the reliance of the state on NF/MN facilities and to determine the number of individuals currently in care who are candidates for community based services: *And provided further*, That the secretary of social and rehabilitation services shall not decertify any beds prior to the plan being reviewed by the legislature during the regular session in 2002.

Kansas neurological institute—operating expenditures ..... \$9,398,466

*Provided*, That any unencumbered balance in the Kansas neurological institute—operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$150 except upon approval of the state finance council: *Provided further*, That expenditures from the Kansas neurological institute—operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Kansas neurological institute

with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto: *And provided further*, That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital—operating expenditures..... \$9,716,548

*Provided*, That any unencumbered balance in the Larned state hospital—operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from the Larned state hospital—operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto.

Osawatomie state hospital—operating expenditures ..... \$5,592,630

*Provided*, That any unencumbered balance in the Osawatomie state hospital — operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$150 except upon approval of the state finance council: *Provided further*, That expenditures from the Osawatomie state hospital—operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Osawatomie state hospital with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto.

Parsons state hospital and training center—operating expenditures ..... \$6,201,974

*Provided*, That any unencumbered balance in the Parsons state hospital and training center—operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$150 except upon approval of the state finance council: *Provided further*, That expenditures from the Parsons state hospital and training center—operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto: *And provided further*, That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Rainbow mental health facility—operating expenditures ..... \$740,473

*Provided*, That any unencumbered balance in the Rainbow mental health facility—operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from the Rainbow mental health facility — operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Rainbow mental health facility with

unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto.

Children's mental health initiative ..... \$1,000,000

*Provided*, That no expenditures shall be made from the children's mental health initiative account for inpatient hospital beds for children.

Children's health insurance..... \$9,364,164

*Provided*, That any unencumbered balance in the children's health insurance account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That any health maintenance organization which contracts with the department of

social and rehabilitation services to provide managed care physical health benefits under the HealthWave Program and also contracts with the department of social and rehabilitation services to provide managed care physical health benefits under the PrimeCare Program may be eligible for enhanced funding under the Title XXI program.

Youth services aid and assistance..... \$58,603,619

*Provided*, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That the consensus estimating group for the department of social and rehabilitation

services shall include foster care and adoption services in caseload estimates: *And provided further*, That expenditures shall be made from the youth services aid and assistance account in the amount of \$90,000 from the community funding program subaccount for a pilot project for 100 child welfare mediation cases in Wichita pursuant to a contract, which is hereby authorized and directed to be entered into by the secretary of social and rehabilitation services with a private contractor which shall provide \$30,000 of foundation funding for such project.

Vocational rehabilitation aid and assistance..... \$3,440,562

*Provided*, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *Provided, however*, That all such expenditures for durable equipment or assistive technology devices shall require a \$1 for \$1 match from non-state sources: *And provided further*, That expenditures may be made from this account by the secretary of social and rehabilitation services for the purchase of worker's compensation insurance for consumers of vocational rehabilitation services and assessments at work site and job tryout sites throughout the state.

Cash assistance..... \$51,621,778

*Provided*, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

Community based services ..... \$36,834,437

*Provided*, That any unencumbered balance in the community based services account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

Other medical assistance ..... \$238,878,004

*Provided*, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

Sex predator program..... \$1,301,352

*Provided*, That any unencumbered balance in the sex predator program account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund..... \$62,391,895

*Provided*, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and retardation services may be credited to the title XIX fund: *Provided further*, That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act, for expenditures for pre-



miums and surcharges required to be paid for physicians' malpractice insurance, and for transfers to the social welfare fund.

Kansas neurological institute fee fund .....	\$984,781
Kansas neurological institute—foster grandparents program—federal fund.....	No limit
Kansas neurological institute—patient benefit fund.....	No limit
Kansas neurological institute—work therapy patient benefit fund .....	No limit
Larned state hospital fee fund.....	\$2,747,653
Larned state hospital—elementary and secondary education fund—federal.....	No limit
Larned state hospital—vocational education fund—federal .....	No limit
Larned state hospital—ECIA fund—federal .....	No limit
Larned state hospital—canteen fund .....	No limit
Larned state hospital—patient benefit fund.....	No limit
Larned state hospital—motor pool revolving fund.....	No limit
Osawatomie state hospital fee fund .....	\$3,245,715

*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomie state hospital shall be deposited to the credit of the video teleconferencing fee account of the Osawatomie state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomie state hospital: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomie state hospital fee fund for fiscal year 2002.

Osawatomie state hospital—ECIA fund—federal.....	No limit
Osawatomie state hospital—canteen fund .....	No limit
Osawatomie state hospital—patient benefit fund .....	No limit
Osawatomie state hospital—work therapy patient benefit fund .....	No limit
Osawatomie state hospital—motor pool revolving fund.....	No limit
Osawatomie state hospital—training fee revolving fund .....	No limit

*Provided*, That all moneys received as fees for training activities for Osawatomie state hospital shall be deposited to the credit of the Osawatomie state hospital—training fee revolving fund: *Provided further*, That the superintendent of Osawatomie state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomie state hospital: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomie state hospital.

Parsons state hospital and training center fee fund .....	\$997,177
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*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited to the credit of the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund for fiscal year 2002.

Parsons state hospital and training center—canteen fund.....	No limit
Parsons state hospital and training center—patient benefit fund.....	No limit
Parsons state hospital and training center—work therapy patient benefit fund.....	No limit
Rainbow mental health facility fee fund .....	\$761,965
Rainbow mental health facility—elementary and secondary education fund—federal.....	No limit
Rainbow mental health facility—patient benefit fund .....	No limit
Social services clearing fund.....	No limit

*Provided*, That the secretary of social and rehabilitation services shall certify to the director

of the budget on June 30, 2002, that expenditures from the social services clearing fund for state operations did not exceed \$275,765,005 for fiscal year 2002: *Provided, however*, That expenditures from the social services clearing fund for transfers or state operations for institutions under the control of the department of social and rehabilitation services shall be in addition to any expenditure limitation on the social services clearing fund: *Provided further*, That expenditures may be made from this fund for fiscal year 2002 pursuant to employment incentive programs which the secretary is hereby authorized to develop and enter into with public and private employers to provide an economic incentive to such employers to employ assistance recipients: *And provided further*, That any transfer made from this fund to another state agency pursuant to a contract with that agency shall be in addition to any expenditure limitations imposed on this fund.

Social welfare fund..... \$50,689,197

*Provided*, That any transfers of funds between the social welfare fund and state institutions made by the secretary of social and rehabilitation services during fiscal year 2002 shall be in addition to any expenditure limitation imposed on this fund: *Provided farther*, That notwithstanding the provisions of K.S.A. 39-7,154 and amendments thereto, the child support collection pass-through payments are hereby eliminated for FY 2002 and no expenditures shall be made from the social welfare fund for payment of any amounts pursuant to K.S.A. 39-7,154 and amendments thereto: *And provided further*, That expenditures shall be made from the social welfare fund to pay for the third day of emergency shelter payments for law enforcement placements during fiscal year 2002.

Other state fees fund ..... No limit

*Provided*, That expenditures shall be made from the social welfare fund for a grant in the amount of \$15,000 for the fetal alcohol syndrome project pursuant to a grant agreement that shall require a \$1 for \$1 match from the local contractor, that local funds shall be used for prevention services and that the contractor shall also provide all data and information required by the secretary of social and rehabilitation services to determine the effectiveness of the project.

Alcohol and drug abuse block grant federal fund ..... \$11,193,076

*Provided*, That any transfers of moneys from the alcohol and drug abuse block grant federal fund to any other block grant fund specified in this subsection during fiscal year 2002 shall be in addition to any expenditure limitation imposed on this fund.

Child welfare services block grant federal fund ..... \$5,471,777

Mental health block grant federal fund ..... \$2,763,991

Social services block grant—federal fund..... \$23,044,036

*Provided*, That any transfers of moneys from the social services block grant—federal fund to any other block grant fund specified in this subsection during fiscal year 2002 shall be in addition to any expenditure limitation imposed on this fund.

Child care mandatory federal fund..... No limit

*Provided*, That any transfers from the child care mandatory federal fund to the department of health and environment during fiscal year 2002 shall be in addition to any expenditure limitation imposed on this fund.

Temporary assistance to needy families federal fund ..... No limit

Child care matching federal fund ..... No limit

Child care discretionary federal fund ..... No limit

Disability determination services federal fund ..... No limit

Food stamp assistance federal fund..... No limit

Foster care assistance federal fund ..... No limit

Medical assistance federal fund ..... No limit

*Provided*, That the secretary of social and rehabilitation services is hereby authorized and directed to apply for a medicaid waiver from the U.S. department of health and human services for a pilot project for not more than 300 children currently in the third grade who are performing below average in school reading scores to be treated and receive services under an optometric vision therapy program that will be matched with state funding through the department of education provided in the grant to the Kansas optometric association for vision study account of the children's initiatives fund.

Rehabilitation services federal fund.....	No limit
Other federal grants and assistance fund .....	No limit
SRS enterprise fund .....	No limit
SRS trust fund .....	No limit

*Provided*, That all contributions from local entities shall be credited to the vocational rehabilitation special revenue account of the SRS trust fund for the purpose of providing the required state match for receipt of federal vocational rehabilitation funds: *Provided further*, That expenditures may be made from the vocational rehabilitation special revenue account of this fund for local community-based vocational rehabilitation programs.

Child support enforcement administration fund .....	No limit
Energy assistance block grant federal fund.....	No limit
Childrens health insurance federal fund.....	No limit
Family and children trust account—family and children investment fund.....	No limit
Children’s initiatives accountability fund .....	\$0
Kansas insurance coverage for children fund.....	No limit
State medicaid match fund—SRS.....	\$12,300,000

(c) During the fiscal year ending June 30, 2002, the secretary of social and rehabilitation services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2002, from the state general fund for the department of social and rehabilitation services or any institution or facility under the general supervision and management of the secretary of social and rehabilitation services to another item of appropriation for fiscal year 2002 from the state general fund for the department of social and rehabilitation services or any institution or facility under the general supervision and management of the secretary of social and rehabilitation services. The secretary of social and rehabilitation services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the legislative research department.

(d) On July 1, 2001, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital—canteen fund to the Osawatomie state hospital—patient benefit fund.

(e) On July 1, 2001, the superintendent of Parsons state hospital and training center, upon the approval of the director of accounts and reports, shall transfer \$11,000 from the Parsons state hospital and training center—canteen fund to the Parsons state hospital and training center—patient benefit fund.

(f) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the title XIX fund to the social welfare fund the amount specified by the secretary of social and rehabilitation services.

(g) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$4,332,070 from the temporary assistance to needy families federal fund to the social services block grant—federal fund.

(h) During the fiscal year ending June 30, 2002, all moneys received by the secretary of social and rehabilitation services, to provide an endowment to provide interest earnings for the purposes for which expenditures maybe made from the family and children trust account of the family and children investment fund, shall be deposited in the state treasury to the credit of the family and children endowment account of the family and children investment fund.

(i) During the fiscal year ending June 30, 2002, to the extent it is determined by the secretary of social and rehabilitation services to be cost effective, the secretary of social and rehabilitation services shall apply for and accept donations from private sources to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund. During the fiscal year ending June 30, 2002, upon receipt of any such donation of moneys from private sources for deposit in the family and children endowment account of the family and children investment fund, the secretary of social and rehabilitation services shall match the amount of each such donation on a \$1 for \$1 basis from moneys appropriated for fiscal

year 2002 for the department of social and rehabilitation services in accordance with this subsection. During the fiscal year ending June 30, 2001, and to provide such matching moneys, the secretary of social and rehabilitation services shall transfer amounts from any available moneys appropriated for fiscal year 2002 in one or more accounts of the state general fund or in one or more special revenue funds of the department of social and rehabilitation services, that in the aggregate are equal to the amount of moneys donated, to the family and children endowment account of the family and children investment fund.

(j) In addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from any moneys appropriated from the state general fund or any special revenue fund for the fiscal year 2002, as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of social and rehabilitation services from any such moneys appropriated for fiscal year 2002 for the receipt, crediting and disbursement of moneys received by the department of social and rehabilitation services for payments of support pursuant to a rule or administrative order issued by the Kansas supreme court, which is hereby authorized to be issued by the Kansas supreme court, directing payments of support, which are made pursuant to any court order entered in this state regardless of the date of the order, to be made to a central unit for the collection and disbursement of support payments, notwithstanding the provisions of any statute to the contrary.

(k) During the fiscal year ending June 30, 2002, of the amounts budgeted but not expended for the regular medical program from the other medical assistance account of the state general fund, the amounts budgeted but not expended from the mental health and retardation services aid and assistance account of the state general fund, and the amounts budgeted but not expended for the regular medical program from the social welfare fund, an aggregate of \$870,000 from such accounts and such fund shall not be expended for other programs or purposes during fiscal year 2002 and shall be expended by the above agency during fiscal year 2003 for implementation of the medicaid buy-in program for individuals with disabilities.

(l) In addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of social and rehabilitation services for fiscal year 2002 from the moneys appropriated from the state general fund or any special revenue fund to provide information about the proposed location of a residential alcohol and substance abuse treatment program that is proposed for the provision of services under contract with the secretary of social and rehabilitation services, to the governing body of the local government in which the residential alcohol and substance abuse treatment program is proposed to be located: *Provided*, That, if the governing body of the local government objects to the proposed location and the governing body actively assists the secretary of social and rehabilitation services in identifying a suitable location for the residential alcohol and substance abuse treatment program within the local government, with consideration of the site selection criteria established for the location of the program and applicable zoning and other land-use restrictions of the local government, then, prior to entering into a contract for services with the specific residential alcohol and substance abuse treatment program, the secretary of social and rehabilitation services shall actively consider the views of the governing body of the local government and the affected residents of the local government and shall act in the best interests of the state with regard to entering into the proposed contract with the residential alcohol and substance abuse treatment program: *Provided, however*, That no such objections by the governing body or the residents of a local government shall prohibit the secretary of social and rehabilitation services from entering into a contract for services with a residential alcohol and substance abuse treatment program to be located within a local government: *Provided further*, That, as used in this subsection, "local government" means any city, county or other taxing subdivision of the state having general governance authority.

Sec. 131.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Kansas guardianship program ..... \$1,069,217

Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: Provided however, That expenditures from such reappropriated balance shall not exceed \$15,000 except upon approval of the state finance council.

Sec. 132.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures (including official hospitality) ..... \$9,183,881

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

Governor's teaching excellence scholarships ..... \$54,000

Provided, That all expenditures from the governor's teaching excellence scholarships account for teaching excellence scholarships shall be to provide grants of \$1,000 each to Kansas elementary and secondary public school teachers who are accepted to participate in the national board for professional teaching standards certification program under the governor's teaching excellence scholarships program which shall be administered by the state board of education: Provided further, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: And provided further, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: And provided further, That all moneys received by the department of education for repayment of grants for governor's teaching excellence scholarships shall be deposited in the state treasury and credited to the governor's teaching excellence scholarships program repayment fund.

Governor's teaching excellence awards ..... \$56,000

General state aid ..... \$1,804,013,000

Provided, That any unencumbered balance in the general state aid account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: Provided further, That any unencumbered balance in the general state aid account in excess of \$10,262,000 shall be transferred to the inservice education aid account of the state general fund of the department of education to be used to fund approved inservice education programs as authorized by K.S.A. 72-9601 et seq., and amendments thereto: Provided, however, That the amount transferred from such unencumbered balance shall not exceed \$2,000,000.

Supplemental general state aid ..... \$95,383,000

Provided, That any unencumbered balance in the supplemental general state aid account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

School food assistance ..... \$2,510,486

School safety hotline ..... \$10,000

Provided, That any unencumbered balance in the school safety hotline account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

KPERS—employer contributions ..... \$105,154,561

Provided, That any unencumbered balance in the KPERS—employer contributions account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: Provided further, That all expenditures from the KPERS—employer contributions account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939 and amendments thereto: And provided further, That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

Special education services aid..... \$256,390,000

*Provided*, That expenditures shall not be made from the special education services aid account for the provision of instruction for any homebound or hospitalized child unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: *Provided further*, That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 2000 Supp. 72-983 and amendments thereto: *And provided further*, That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing proviso, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-978 and amendments thereto: *And provided further*, That for expenditures from the special education services aid account of the above agency, fully-trained reading recovery teacher leaders, selected by the agency in accordance with established criteria, shall be considered to be special teachers as defined in subsection (j)(1) of K.S.A. 2000 Supp. 72-962 and amendments thereto for the purpose of determining amounts of payments to be made to school districts in accordance with the provisions of K.S.A. 2000 Supp. 72-978 and amendments thereto from the amount remaining in the special education services aid account after deduction of expenditures made in accordance with the provisions of K.S.A. 2000 Supp. 72-893 and amendments thereto: *Provided, however*, That expenditures for fully-trained reading recovery teacher leaders considered to be special teachers shall not exceed \$180,000: *And provided further*, That the amount of state aid that is attributed to and budgeted for special education for FY 2002 shall be approximately 85% of special education excess costs: *And provided further*, That such amount of state aid that is attributed to and budgeted for special education shall serve as a baseline for fiscal year 2003 and ensuing fiscal years and, if federal funding for special education increases, any such amount of federal funding for special education shall be used to increase the proportion of special education costs funded in relation to total expenditures for special education that are not otherwise funded and shall not be used to supplant any portion of state aid that is provided for purposes of funding special education.

Environmental education program..... \$30,000

Parent education program..... \$4,667,000

*Provided*, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount which is equal to not less than 65% of the grant: *Provided further*, That expenditures from this account for fiscal year 2002 for establishing and maintaining a Kansas training model that meets the requirement for the parents as teachers program shall not exceed \$27,500.

Grant to the Kansas optometric association for vision study..... \$110,000

Inservice education aid ..... \$2,600,000

*Provided*, That, in addition to moneys appropriated in the inservice education account, the department of education may make expenditures from this account of any moneys transferred to this account from the general state aid account of the state general fund of the department of education in an amount not to exceed \$2,000,000 for approved inservice education programs as authorized by K.S.A. 72-9601 *et seq.*, and amendments thereto.

Grant to Emporia state university..... \$155,000

*Provided*, That expenditures from this account shall be made for grants to Emporia state university for the national board certification program and for the future teacher academy: *Provided, however*, That expenditures from this account shall not exceed \$90,000 for the national board certification program and \$65,000 for the future teacher academy.

Educable deaf-blind and severely handicapped children's programs aid..... \$110,000

School district juvenile detention facilities and Flint Hills job corps center grants ..... \$5,380,241

*Provided*, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 2000 Supp. 72-8187 and amendments thereto.

Kansas foundation for agriculture project grant .....	\$35,000
Challenger project .....	\$50,000
Sports hall of fame .....	\$50,000
Technology infrastructure .....	\$345,000

Any unencumbered balance in excess of \$100 as of June 30, 2001, in each of the following accounts is hereby reappropriated for fiscal year 2002: Mentor teacher program grants: *Provided*, That, notwithstanding the provisions of K.S.A. 2000 Supp. 72-1412 *et seq.*, expenditures shall be made from the mentor teacher program grants account for grants to beginning teachers in their first year of teaching.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State school district finance fund .....	No limit
School district capital improvements fund .....	No limit
<i>Provided</i> , That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72- 6761 and amendments thereto.	
Conversion of materials and equipment fund .....	No limit
State safety fund .....	No limit
School bus safety fund .....	No limit
Goals 2002 federal fund .....	No limit
Motorcycle safety fund .....	No limit
Federal indirect cost reimbursement fund .....	No limit
Certificate fee fund .....	No limit
Food assistance—federal fund .....	No limit
Food assistance—school breakfast program—federal fund .....	No limit
Food assistance—national school lunch program—federal fund .....	No limit
Food assistance—child and adult care food program—federal fund .....	No limit
Elementary and secondary school aid—federal fund .....	No limit
Elementary and secondary school aid—educationally deprived children— federal fund .....	No limit
Educationally deprived children—state operations—federal fund .....	No limit
Elementary and secondary school—educationally deprived children— LEA's fund .....	No limit
ESEA chapter II—state operations—federal fund .....	No limit
Title VI—innovative education program strategies—LEA's fund—federal fund .....	No limit
Title VI—innovative education program strategies—state operations— federal fund .....	No limit
Education of handicapped children fund—federal .....	No limit
Educational interpreter performance assessment fee fund .....	No limit
<i>Provided</i> , That expenditures may be made from the educational interpreter performance assessment fee fund for operating expenditures incurred in conjunction with the operation of the educational interpreter performance program: <i>Provided further</i> , That the state board of education is hereby authorized to fix, charge and collect fees for educational interpreter performance assessments and other services provided under the interpreter performance assessment program: <i>And provided further</i> , That all such fees shall be deposited in the state treasury and credited to the educational interpreter performance assessment fee fund.	
Education of handicapped children fund—state operations—federal .....	No limit
Education of handicapped children fund—preschool—federal fund .....	No limit
Education of handicapped children fund—preschool state operations —federal .....	No limit
Elementary and secondary school aid—federal fund—migrant education fund .....	No limit
Elementary and secondary school aid—federal fund—migrant educa- tion—state operations .....	No limit

Vocational education amendments of 1968—federal fund.....	No limit
Vocational education title II—federal fund.....	No limit
Vocational education title II—federal fund—state operations.....	No limit
Educational research grants and projects fund.....	No limit
Education for economic security act—federal fund.....	No limit
Drug abuse fund—department of education—federal.....	No limit
Federal class size reduction fund.....	No limit
School renovation grants—federal fund.....	No limit
Drug abuse funds—federal—state operations fund.....	No limit
Inservice education workshop fee fund.....	No limit

*Provided*, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury and credited to the inservice education workshop fee fund.

Private donations, gifts, grants and bequests fund.....	No limit
Interactive video fee fund.....	No limit

*Provided*, 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 of education: *Provided further*, That the state board of education is hereby authorized to fix, charge and collect fees for the operation and use of such interactive video conference facility: *And provided further*, That all fees received for the operation and use of such interactive video conference facility shall be deposited in the state treasury and credited to the interactive video fee fund.

Reimbursement for services fund.....	No limit
Communities in schools program fund.....	No limit
Governor's teaching excellence scholarships program repayment fund...	No limit

*Provided*, That all expenditures from the governor's teaching excellence scholarships program repayment fund shall be to provide grants of \$1,000 each to Kansas elementary and secondary public school teachers who are accepted to participate in the national board for professional teaching standards certification program under the governor's teaching excellence scholarships program which shall be administered by the state board of education: *Provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships program shall be deposited in the state treasury and credited to this fund.

(c) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund of the department of social and rehabilitation services to the communities in schools program fund of the department of education.

(d) On July 1, 2001, and quarterly thereafter, the director of accounts and reports shall transfer \$53,635 from the state highway fund of the department of transportation to the school bus safety fund of the department of education.

(e) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the economic development initiatives fund of the department of education to the state economic development initiatives fund. On July 1, 2001, all liabilities of the economic development initiatives fund of the department of education, including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the economic development initiatives fund of the department of education is hereby abolished.



Sec. 133.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures ..... \$1,591,722

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: Provided, however, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Grants to libraries and library systems ..... \$3,817,380

Provided, That, of the moneys appropriated in the grants to libraries and library systems account, \$2,569,665 shall be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555 and amendments thereto, \$620,033 shall be distributed for interlibrary loan development grants and \$377,682 shall be paid according to contracts with the subregional libraries of the Kansas talking book services.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund ..... No limit

Federal library services and technology act—fund ..... No limit

(c) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the EDIF—grants-in-aid to libraries fund of the state library to the state economic development initiatives fund. On July 1, 2001, all liabilities of the EDIF—grants-in-aid to libraries fund of the state library, including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the EDIF—grants-in-aid to libraries fund of the state library is hereby abolished.

Sec. 134.

KANSAS ARTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures ..... \$333,838

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: Provided, however, That expenditures from such reappropriated balance shall not exceed \$5,091 except upon approval of the state finance council: Provided further, That expenditures from the operating expenditures account for official hospitality shall not exceed \$4,000: And provided further, That expenditures may be made by the above agency from any amount of savings in the operating expenditures account for the purpose of matching an equal or greater amount of federal grant moneys or local grant moneys, or both, for arts programming projects.

Arts programming grants and challenge grants ..... \$1,318,450

Provided, That expenditures from the arts programming grants and challenge grants account shall be made only for the purpose of matching an equal or greater amount of federal grant moneys or local grant moneys, or both, for arts programming projects: Provided further, That expenditures from this account shall be made in a manner to benefit the maximum number of Kansas communities in the development of Kansas talent and art.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas arts commission fee fund ..... No limit

Kansas arts commission gifts, grants and bequests fund ..... No limit

Kansas arts commission special gifts fund ..... No limit

Arts programming grants fund ..... No limit

Provided, That moneys received by the Kansas arts commission from the remittance of the unexpended balance of arts programming grants to the commission shall be deposited in the state treasury and credited to the arts programming grants fund: Provided further, That

expenditures from this fund shall be made only for the purpose of matching an equal or greater amount of federal grant moneys or local grant moneys, or both, for arts programming projects.

(c) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the EDIF—arts commission fund of the Kansas arts commission to the state economic development initiatives fund. On July 1, 2001, all liabilities of the EDIF—arts commission fund of the Kansas arts commission, including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the EDIF—arts commission fund of the Kansas arts commission is hereby abolished.

Sec. 135.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures ..... \$4,339,419

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$18,792 except upon approval of the state finance council.

Arts for the handicapped ..... \$150,000

Any unencumbered balance in excess of \$100 as of June 30, 2001, in the technology lending library account is hereby reappropriated for fiscal year 2002: *Provided, however*, That all expenditures from the technology lending library account shall be made only for the purpose of matching an equal or greater amount of federal or other nonstate governmental grant moneys or private grant or donation moneys, or any combination thereof, received by the Kansas state school for the blind: *Provided further*, That no expenditures shall be made from this account except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, after receiving information that the Kansas state school for the blind has received the required matching funds.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund ..... No limit

Local services reimbursement fund ..... No limit

*Provided*, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury and credited to the local services reimbursement fund.

Student activity fees fund ..... No limit

Special bequest fund ..... No limit

Gift fund ..... No limit

Technology lending library fund ..... No limit

Food assistance—cash for commodities—federal fund ..... No limit

Food assistance—breakfast—federal fund ..... No limit

Food assistance— lunch —federal fund ..... No limit

Chapter I handicapped—federal fund ..... No limit

Education improvement—federal fund ..... No limit

Math and science improvement —federal fund ..... No limit

Elementary and secondary—federal fund ..... No limit

Supported employment initiative—federal fund ..... No limit

Sec. 136.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures ..... \$7,285,994  
*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	\$100,000
Local services reimbursement fund.....	No limit
<i>Provided</i> , That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: <i>Provided further</i> , That all moneys received from such fees shall be deposited in the state treasury and credited to the local services reimbursement fund: <i>And provided further</i> , That all expenditures from this fund shall be for capital outlay.	
Student activity fees fund.....	No limit
Elementary and secondary education act—federal fund.....	No limit
Vocational education fund—federal.....	No limit
Special bequest fund.....	No limit
Special workshop fund.....	No limit
Gift fund.....	No limit

Sec. 137.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures.....	\$5,795,713
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$6,568 except upon approval of the state finance council: <i>Provided further</i> , That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,500.	
Kansas humanities council.....	\$85,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
Archeology fee fund.....	No limit
<i>Provided</i> , That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: <i>Provided further</i> , That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: <i>And provided further</i> , That all fees received from such services shall be credited to the archeology fee fund.	
Microfilm fees fund.....	\$50,000
<i>Provided</i> , That expenditures may be made from the microfilm fees fund for operating expenses for providing microfilming services: <i>Provided further</i> , That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing microfilming services: <i>And provided further</i> , That all fees received from such services shall be credited to the microfilm fees fund.	
Records center fee fund.....	No limit
Historic properties fee fund.....	No limit
National historic preservation act fund—state.....	No limit
Historic preservation overhead fees fund.....	No limit

National historic preservation act fund—local .....	No limit
Private gifts, grants and bequests fund .....	No limit
Museum and historic sites visitor donation fund .....	No limit
Insurance collection replacement/reimbursement fund .....	No limit
Heritage trust fund .....	No limit
<i>Provided</i> , That expenditures from the heritage trust fund for state operations shall not exceed \$92,650.	
Land survey fee fund .....	No limit
State historical society facilities fund .....	No limit
Unmarked burial sites fund .....	No limit
Historic properties fund .....	No limit
Law enforcement memorial fund .....	No limit
Federal grants fund .....	No limit
Property sale proceeds fund .....	No limit

*Provided*, That proceeds from the sale of property pursuant to K.S.A. 75-2701 and amendments thereto shall be deposited in the state treasury and credited to the property sale proceeds fund.

(c) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the EDIF—Kansas humanities council fund of the state historical society to the state economic development initiatives fund. On July 1, 2001, all liabilities of the EDIF—Kansas humanities council fund of the state historical society, including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the EDIF—Kansas humanities council fund of the state historical society is hereby abolished.

(d) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the EDIF—other operating expenditure fund of the state historical society to the state economic development initiatives fund. On July 1, 2001, all liabilities of the EDIF—other operating expenditure fund of the state historical society, including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the EDIF—other operating expenditure fund of the state historical society is hereby abolished.

(e) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the EDIF—friends of the free state capitol grant fund of the state historical society to the state economic development initiatives fund. On July 1, 2001, all liabilities of the EDIF—friends of the free state capitol grant fund of the state historical society, including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the EDIF—friends of the free state capitol grant fund of the state historical society is hereby abolished.

Sec. 138.

#### FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures (including official hospitality) .....	\$31,309,311
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That expenditures from this account may be made to pay faculty and staff members retiring on or after July 1, 1962, the difference between the retirement benefits established under the former unfunded state board of regents' retirement plan and the benefits to which these individuals would be entitled under the Kansas public employees retirement system.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund .....	No limit
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*Provided*, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....	No limit
<i>Provided.</i> That expenditures from the general fees fund may be made only for salaries and wages and for other operating expenditures and shall not be made for capital improvements.	
Restricted fees fund.....	No limit
<i>Provided.</i> That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; performing arts center services; farm income; choral music clinic; Reveille (yearbook); off-campus tours; memorial union activities; student activity (unallocated); Leader (newspaper); conferences, clinics and workshops—noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; national science foundation grants; veterans administration; federal programs and research grants; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: <i>Provided, however,</i> That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: <i>Provided further,</i> That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: <i>And provided further,</i> That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: <i>And provided further,</i> That expenditures may be made from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101 and amendments thereto: <i>And provided further,</i> That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited to the credit of the midwestern student exchange account of the restricted fees fund.	
Education opportunity act—federal fund.....	No limit
Service clearing fund .....	No limit
<i>Provided.</i> That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.	
Commencement fees fund .....	No limit
Health fees fund .....	No limit
<i>Provided,</i> That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.	
Student union fees fund .....	No limit
Kansas career work study program fund.....	No limit
Economic opportunity act—federal fund.....	No limit
Kansas comprehensive grant fund .....	No limit
Scholarship funds fund .....	No limit
Faculty of distinction matching fund.....	No limit
Health professions student assistance program fund.....	No limit
Nine month payroll clearing account fund .....	No limit
Oil research library gifts and grants fund .....	No limit
National direct student loan fund.....	No limit
Housing system revenue fund.....	No limit
Institutional overhead fund.....	No limit
Oil and gas royalties fund.....	No limit
Equipment reserve fund.....	No limit

*Provided*, That expenditures from the equipment reserve fund shall be made only for the purchase of equipment.

Housing system suspense fund .....	No limit
Housing system operations fund .....	No limit
Housing system repairs, equipment and improvement fund .....	No limit
Sponsored research overhead fund .....	No limit
Wildlife art fund .....	No limit
Kansas distinguished scholarship fund .....	No limit

(c) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund to the national direct student loan fund.

(d) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$100,000 from the general fees fund to the education opportunity act—federal fund.

Sec. 139.

#### KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures (including official hospitality) .....	\$103,806,622
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from this account may be made to pay faculty and staff members retiring on or after July 1, 1962, the difference between the retirement benefits established under the former unfunded state board of regents' retirement plan and the benefits to which these individuals would be entitled under the Kansas public employees retirement system.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund .....	No limit
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*Provided*, That Kansas state university may make expenditures from the parking fees fund for debt service, financing costs and required reserves for the capital improvement project to construct and pave campus parking lots pursuant to section 17(d) of chapter 25 of the 1989 Session Laws of Kansas.

Faculty of distinction matching fund .....	No limit
General fees fund .....	No limit

*Provided*, That expenditures from the general fees fund may be made only for salaries and wages and for other operating expenditures and shall not be made for capital improvements.

Interest on endowment fund .....	No limit
Restricted fees fund .....	No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Educational opportunity grants; technology equipment; human resources management system; computer services; copy centers; standardized test fees; placement center; recreational services; college of technology and aviation; motor pool; music; professorships; student activities fees; army and aerospace uniforms; aerospace uniform augmentation; biology sales and services; chemistry; field camps; state department of education; physics storeroom; sponsored research, instruction, public service, equipment and facility grants; ion collision laboratory—federal; chemical engineering; nuclear engineering; contract—post office—federal government; library collections; civil engineering; continuing education; sponsored construction or improvement projects; attorney, educational and personal development, human resources; student financial assistance; application for undergraduate programs; speech and hearing fees; gifts; human development and family research and training; college of education—publications and services; student financial assistance—federal reimbursement; higher education act; guaranteed student loan application processing; student identification

card; auditorium receipts; catalog sales; emission spectroscopy fees; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; human ecology storeroom; college of human ecology sales; family resource center fees; human movement performance; application for post baccalaureate programs; art exhibit fees; college of education—Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations; speech receipts; art museum; exchange program; flight training lab fees; off campus work study; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; biotechnology facility; English language program; international programs; federal direct student loans; Bramlage coliseum; other specifically designated receipts not available for general operations of the university: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages.

Kansas career work study program fund ..... No limit  
 Service clearing fund ..... No limit

*Provided,* That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

Sponsored research overhead fund ..... No limit

*Provided,* That the above agency may transfer moneys from the sponsored research overhead fund of Kansas state university to the sponsored research overhead fund of Kansas state university extension systems and agriculture research programs.

Housing system suspense fund ..... No limit  
 Housing system operations fund ..... No limit  
 Housing system repairs, equipment and improvement fund ..... No limit  
 Student recreation building program fund ..... No limit  
 Coliseum operations fund ..... No limit  
 Coliseum gifts fund ..... No limit  
 Mandatory retirement annuity clearing fund ..... No limit  
 Student health fees fund ..... No limit

*Provided,* That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Scholarship funds fund ..... No limit  
 Perkins student loan fund ..... No limit  
 Equipment reserve fund ..... No limit

*Provided,* That expenditures from the equipment reserve fund shall be made only for the purchase of equipment.

Howard Hughes grant fund ..... No limit  
 U.S. army research grant—metal particle chemistry fund ..... No limit  
 Board of regents—U.S. department of education awards fund ..... No limit  
 Research projects grants fund ..... No limit  
 Research projects grants matching fund ..... No limit

State agricultural university fund.....	No limit
Federal extension civil service retirement clearing fund.....	No limit
Salina—student union fees fund.....	No limit
Salina—dormitory and food service fees fund.....	No limit
Kansas distinguished scholarship fund.....	No limit
Tuition accountability fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Temporary deposit fund.....	No limit
Business procurement card clearing fund.....	No limit
Suspense fund.....	No limit
Voluntary tax shelter annuity clearing fund.....	No limit
Agency payroll deduction clearing fund.....	No limit
Payroll clearing fund.....	No limit
Pre-tax parking clearing fund.....	No limit

(c) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed \$97,924 from the general fees fund to the Perkins student loan fund.

(d) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed \$215,000 from the general fees fund to the educational opportunity grants account of the restricted fees fund.

Sec. 140.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND  
AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures (including official hospitality).....	\$785,218
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

Cooperative extension service (including official hospitality).....	\$18,295,652
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*Provided*, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

Agricultural experiment stations (including official hospitality).....	\$29,480,930
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*Provided*, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund.....	No limit
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*Provided*, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; technology equipment; professorships; agricultural experiment station, director's office; agronomy—Ashland farm; KSU agricultural research center—Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy—general; agronomy—experimental field crop sales; entomology sales; grain science and industry—Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; animal resource facility; animal health and disease research; higher education act; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; research projects grants; research projects grants matching; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; other specifically designated receipts not available for general operations of



the university: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2002.

Fertilizer research fund.....	No limit
Sponsored research overhead fund .....	No limit
Federal extension fund .....	No limit
Federal experimental station fund .....	No limit
Federal awards—advance payment fund .....	No limit
Smith-Lever special program grant—federal fund .....	No limit
Faculty of distinction matching fund.....	No limit
Kansas artificial breeding service unit fees fund .....	No limit
Agricultural land use-value fund .....	No limit
Irrigation research field grant fund .....	No limit

Sec. 141.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures (including official hospitality) .....	\$9,842,527
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*Provided,* That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....	No limit
Hospital and diagnostic laboratory revenue fund.....	No limit
Faculty of distinction matching fund.....	No limit
Hospital and diagnostic laboratory improvement fund.....	No limit
Restricted fees fund.....	No limit

*Provided,* That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; technology equipment; pathology fees; laboratory test fees; higher education act; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; storerooms; departmental receipts for all sales refunds and other collections; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Sponsored research overhead fund .....	No limit
Health professions student loan fund.....	No limit
H.E.W. veterinary revolving student loan fund .....	No limit

Student loan funds fund .....	No limit
Suspense fund .....	No limit
Equipment reserve fund .....	No limit

*Provided*, That expenditures from the equipment reserve fund shall be made only for the purchase of equipment.

Sec. 142.

#### EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures (including official hospitality) .....	\$30,056,455
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund .....	No limit
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*Provided*, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund .....	No limit
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*Provided*, That expenditures from the general fees fund may be made only for salaries and wages and for other operating expenditures and shall not be made for capital improvements.

Interest fund .....	No limit
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Restricted fees fund .....	No limit
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*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services; student activity; technology equipment; student union; sponsored research; computer services; extension classes; national science foundation grants; national defense education act; gifts and grants (for teaching, research and capital improvements); business school contributions; state department of education (vocational); elementary and secondary education act—federal; library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern exchange; departmental receipts—for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited to the credit of the midwestern student exchange account of the restricted fees fund.

Service clearing fund .....	No limit
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*Provided*, That the service clearing fund shall be used for the following service activities: Telecommunications services; office supplies inventory; state car operation; E.S.U. press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; data processing center; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

Commencement fees fund .....	No limit
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Kansas career work study program fund .....	No limit
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Student health fees fund .....	No limit
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*Provided*, That expenditures from the student health fees fund may be made for the pur-

chase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Faculty of distinction matching fund .....	No limit
Bureau of educational measurements fund .....	No limit
Scholarship funds fund .....	No limit
National direct student loan fund .....	No limit
Economic opportunity act—work study—federal fund .....	No limit
Educational opportunity grants—federal fund .....	No limit
Basic opportunity grant program—federal fund .....	No limit
Research and institutional overhead fund .....	No limit
Equipment reserve fund .....	No limit

*Provided*, That expenditures from the equipment reserve fund shall be made only for the purchase of equipment.

Kansas comprehensive grant fund .....	No limit
Housing system suspense fund .....	No limit
Housing system operations fund .....	No limit
Housing system repairs, equipment and improvement fund .....	No limit
Kansas distinguished scholarship fund .....	No limit

(c) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Emporia state university of not to exceed \$30,000 from the general fees fund to the national direct student loan fund.

(d) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Emporia state university of not to exceed \$70,000 from the general fees fund to the educational opportunity grants—federal fund.

Sec. 143.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures (including official hospitality) .....	\$32,764,096
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That expenditures from this account may be made to pay faculty and staff members retiring on or after July 1, 1962, the difference between the retirement benefits under the former unfunded state board of regents' retirement plan and the benefits to which these individuals would be entitled under the Kansas public employees retirement system.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund .....	No limit
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*Provided*, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund .....	No limit
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*Provided*, That expenditures from the general fees fund may be made only for salaries and wages and for other operating expenditures and shall not be made for capital improvements: *Provided further*, That any transfers of moneys from this fund to the equipment reserve fund pursuant to subsection (c) shall be deemed expenditures for the purpose of the expenditure limitation imposed on this fund.

Restricted fees fund .....	No limit
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*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; national science foundation grants, department of education, and other federal grants, including Pell grants, SEOG grants; flight training; library service collections and fines; state

department of education and grants from other state agencies; *Midwest Quarterly*; chamber music series; contract—post office; gifts and grants; general fees transfer for SEOG match; intensive English program; business and technology institute; public sector radio station activities; economic opportunity—state match; research projects grants; career work study; regents supplemental grants; contiguous county fees; midwestern student exchange; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc. for the express purpose of awarding music scholarships: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited to the credit of the midwestern student exchange account of the restricted fees fund.

Service clearing fund ..... No limit

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

Hospital and student health fees fund ..... No limit

*Provided*, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further*, That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Faculty of distinction matching fund ..... No limit

Perkins student loan fund ..... No limit

Sponsored research overhead fund ..... No limit

College work study fund ..... No limit

Nursing student loan fund ..... No limit

Equipment reserve fund ..... No limit

*Provided*, That expenditures from the equipment reserve fund shall be made only for the purchase of equipment.

Housing system suspense fund ..... No limit

Housing system operations fund ..... No limit

Housing system repairs, equipment and improvement fund ..... No limit

*Provided*, That expenditures may be made from the housing system repairs, equipment and improvement fund for capital improvement projects for housing system maintenance and improvements.

Kansas comprehensive grant fund ..... No limit

Kansas distinguished scholarship program fund ..... No limit

(c) During the fiscal year ending June 30, 2002, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Perkins student loan fund; economic opportunity—state match account of the restricted fee fund; nursing student loan fund.

Sec. 144.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures (including official hospitality) ..... \$129,392,277

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

Geological survey ..... \$6,175,626

*Provided*, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities revenue fund ..... No limit

*Provided*, That transfers of moneys from the parking facilities revenue fund to bond funds pursuant to bond agreements shall be in addition to any expenditure limitation imposed on this fund.

Faculty of distinction matching fund ..... No limit

General fees fund ..... No limit

*Provided*, That expenditures from the general fees fund may be made only for salaries and wages and for other operating expenditures, but shall not be made for capital improvements: *Provided further*, That, subject to approval by the state board of regents under K.S.A. 76-719 and amendments thereto, the university of Kansas is hereby authorized to fix, charge and collect a fee of not more than \$100 per student credit hour on courses offered by the school of law for students entering law school after April 1, 1997, and not more than \$40 per student credit hour for all other students of the school of law: *And provided further*, That all moneys received for such fee shall be credited to the school of law credit hour fee account of this fund: *And provided further*, That expenditures from the school of law credit hour fee account shall not exceed \$1,625,000: *And provided further*, That, subject to approval by the state board of regents under K.S.A. 76-719 and amendments thereto, the university of Kansas is hereby authorized to fix, charge and collect a fee of not more than \$85 per student credit hour on courses offered by the school of pharmacy: *And provided further*, That all moneys received for such fee shall be credited to the school of pharmacy credit hour fee account of this fund: *And provided further*, That all expenditures from the school of pharmacy credit hour fee account of this fund shall be for school of pharmacy faculty salaries and other operating expenditures in order to provide faculty and student support services, clerkships and externships for students, and for school of pharmacy instructional equipment and supplies: *And provided further*, That expenditures from the school of pharmacy credit hour fee account of this fund shall not exceed \$1,090,000: *And provided further*, That, subject to approval by the state board of regents under K.S.A. 76-719 and amendments thereto, the university of Kansas is hereby authorized to fix, charge and collect a fee of not more than \$55 per student credit hour on master's level courses offered by the school of business at the Lawrence campus: *And provided further*, That all moneys received for such fee shall be credited to the school of business credit hour fee account of this fund: *And provided further*, That expenditures from the school of business credit hour fee account of this fund shall not exceed \$240,000: *And provided further*, That all moneys received for tuition for students enrolled in courses offered at the regents center on the Edwards campus shall be deposited in the state treasury and credited to this fund: *And provided further*, That the director of accounts and reports shall transfer on a periodic basis amounts generated from such courses in excess of \$2,383,301 as specified by the chancellor of the university of Kansas, or the chancellor's designee, from the general fees fund to the regents center development fund.

Regents center development fund ..... No limit

*Provided*, That expenditures shall be made from the regents center development fund for program operation and development at the regents center on the Edwards campus.

Interest fund .....	No limit
Sponsored research overhead fund .....	No limit
Law enforcement training center fund .....	No limit
<i>Provided</i> , That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program; <i>Provided, however</i> , That any academic credit granted through this program shall not be included in the university's budgeted enrollment figures; <i>Provided further</i> , That the amount of any unencumbered balance of the amount made available for expenditure from this fund for capital improvements in fiscal year 1993 by section 9(b) of chapter 215 of the 1992 Session Laws of Kansas and amendments thereto is hereby authorized to be expended during fiscal year 2002; <i>And provided further</i> , That expenditures may be made from this fund for the acquisition of tracts of land adjacent to the law enforcement training center.	
Law enforcement training center fees fund .....	No limit
<i>Provided</i> , That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.	
Restricted fees fund .....	No limit
<i>Provided</i> , That restricted fees shall be limited to receipts for the following accounts: Institute for public policy and business research; technology equipment; clinical psychology conference; concert course; residence hall maintenance; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; housing and residence halls; endowment research salaries; engineering research salaries; music and art camp; national defense education programs; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; engineering equipment fee; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above; <i>Provided, however</i> , That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees; <i>Provided further</i> , That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected; <i>And provided further</i> , That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.	
Service clearing fund .....	No limit
<i>Provided</i> , That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; furniture stores; business office stores; university printing service; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.	
Health service fund .....	No limit
<i>Provided</i> , That expenditures from the health service fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.	
Kansas career work study program fund .....	No limit
Student union fund .....	No limit
Regents supplemental grant fund .....	No limit
National direct student loan fund .....	No limit

Provided, That expenditures from the national direct student loan fund shall be used for the federal Perkins student loan program, federal supplemental educational opportunity program and federal disadvantaged student loan program.

Ford foundation—forgivable loan fund.....	No limit
Andrew Mellon Foundation fund.....	No limit
Health professions student loan fund.....	No limit
Geological survey fund.....	No limit
Equipment reserve fund.....	No limit

Provided, That expenditures from the equipment reserve fund shall be made only for the purchase of equipment.

Research projects grants fund.....	No limit
Research projects grants matching fund.....	No limit
U.S. Army grant fund.....	No limit
Housing system suspense fund.....	No limit
Housing system revenue fund.....	No limit
Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund.....	No limit
Educational opportunity act—federal fund.....	No limit
Loans for disadvantaged students fund.....	No limit
Prepaid tuition fees clearing fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Tuition accountability fund.....	No limit

(c) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$285,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Federal Perkins student loan program account of the national direct student loan fund; federal supplemental educational opportunity program account of the national direct student loan fund; federal disadvantaged student loan program account of the national direct student loan fund; health professions student loan fund; other funds or accounts established for campus-based loan programs sponsored by the federal government.

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2002, for the water plan project or projects specified, the following:

Geological survey.....	\$50,000
Sec. 145.	

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures (including official hospitality).....	\$103,070,977
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: Provided further, That expenditures may be made from this account for the purchase of malpractice insurance for students in training at the university of Kansas school of medicine, nursing and allied health: And provided further, That such malpractice insurance shall be approved by the commissioner of insurance of the state of Kansas: And provided further, That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....	No limit
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Provided, That any transfers of moneys from this fund to the equipment reserve fund pursuant to subsection (c) shall be deemed expenditures for the purpose of the expenditure limitation imposed on this fund.

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

*Provided*, That restricted fees shall be limited to the following accounts: Technology equipment; computer services; salaries reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; computer remote access; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; school of allied health e-learning fees; school of nursing e-learning fee; surplus property sales; student union fees; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; fungal sales; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts; department of social and rehabilitation services cost-sharing; *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *And provided further*, That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Sponsored research overhead fund .....	No limit
Parking fees fund .....	No limit
Services to hospital authority fund .....	No limit
Direct medical education reimbursement fund .....	No limit
Service clearing fund .....	No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Print shop; purchasing storeroom; university motor pool; clothing (uniforms); physical plant storeroom; photo supplies; telecommunications services; facilities operations discretionary repairs; animal care; paging equipment; biomedical engineering; audiovisual services; computer services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

College work-study fund .....	No limit
Student union fees fund .....	No limit
Scholarship funds fund .....	No limit
Health professions student loan fund—medical students .....	No limit
Health professions student loan fund—nursing students .....	No limit
Revolving student loans fund .....	No limit
Student loans fund .....	No limit
Suspense fund .....	No limit
Prepaid tuition fees clearing fund .....	No limit
Educational opportunity grant fund .....	No limit
Basic educational opportunity grant fund .....	No limit
National direct student loan fund .....	No limit
Medical scholarship and loan repayment fund .....	No limit

*Provided*, That expenditures from this fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical scholarship and loan repayment fund or on the total expenditures from the medical scholarship and loan repayment fund.



Equipment reserve fund..... No limit  
*Provided*, That expenditures from the equipment reserve fund shall be made only for the purchase of equipment.

University of Kansas medical center private practice foundation reserve fund..... No limit  
Robert Wood Johnson foundation loan fund ..... No limit

(c) Any unencumbered balance in the children’s initiatives fund—pediatric biomedical research account in excess of \$100 as of June 30, 2001, is hereby reappropriated to the pediatric biomedical research account, which is hereby created, for fiscal year 2002.

(d) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following funds: National direct student loan fund; federal basic educational opportunity grant fund; federal college work-study fund; health professions student loan fund—medical students; health professions student loan fund—nursing students.

(e) During the fiscal year ending June 30, 2002, medical students enrolled at the university of Kansas medical center are hereby self-insured by the state of Kansas while in clinical training at the university of Kansas medical center or at other health care institutions. Such individuals shall be considered employees for purposes of the Kansas tort claims act and shall be provided defense and indemnification for claims arising out of their clinical training at the university of Kansas medical center or at other health care institutions in accordance with the provisions of the Kansas tort claims act. With in the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for such medical students. Any such malpractice insurance purchase shall be approved by the commissioner of insurance of the state of Kansas.

(f) During the fiscal year ending June 30, 2002, the director of accounts and reports shall transfer an amount specified by the chancellor prior to July 1, 2001, from the general fees fund to the student health insurance premiums account of the restricted fees fund.

Sec. 146.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures (including official hospitality) ..... \$64,544,363

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund..... No limit

*Provided*, That expenditures from the general fees fund may be made only for salaries and wages and for other operating expenditures and shall not be made for capital improvements.

Restricted fees fund..... No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts—for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited to the credit of the appropriate account of the

restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center.

Service clearing fund ..... No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunication; computer service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

Faculty of distinction matching fund..... No limit

On-campus parking revenue fund..... No limit

Kansas career work study program fund..... No limit

National direct student loan fund..... No limit

Scholarship funds fund ..... No limit

Sponsored research fund ..... No limit

Sponsored research overhead fund ..... No limit

Economic opportunity act—federal fund..... No limit

Education opportunity grant—federal fund ..... No limit

Work-study program fund ..... No limit

Health professions student assistance program—loans fund ..... No limit

Nine month payroll clearing account fund ..... No limit

Equipment reserve fund..... No limit

*Provided*, That expenditures from the equipment reserve fund shall be made only for the purchase of equipment.

Research projects grants fund..... No limit

Research projects grants matching fund..... No limit

Pell grants fund ..... No limit

Housing system suspense fund..... No limit

Housing system renovation principal and interest fund..... No limit

Housing system repairs, equipment and improvement fund ..... No limit

WSU housing system depreciation and replacement fund..... No limit

Perkins loan fund ..... No limit

Kansas distinguished scholarship fund..... No limit

Kansas comprehensive grant fund ..... No limit

1971 academic and service building maintenance fund..... No limit

WSU housing systems revenue fund..... No limit

1976 dormitory maintenance reserve fund ..... No limit

Tuition accountability fund..... No limit

(c) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Wichita state university of not to exceed \$120,000 from the general fees fund to the education opportunity grant—federal fund.

(d) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$186,313 from the WSU housing systems revenue fund of Wichita state university to the state general fund.

Sec. 147.

#### STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures (including official hospitality) ..... \$2,881,151

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from this account to an account or accounts of the restricted fees fund of any

institution under its jurisdiction for the support of regents distinguished professors, Kansas regents honors academy or the Kansas council on economic education.

State scholarship program ..... \$1,278,688

*Provided*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 72-6816 and amendments thereto and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283 and amendments thereto: *Provided further*, That of the total amount appropriated in the state scholarship program account the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive Grant program ..... \$10,750,000

Ethnic minority scholarship program ..... \$359,569

*Provided*, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$1,500 except upon approval of the state finance council.

Ethnic minority fellowship program ..... \$99,450

*Provided*, That any unencumbered balance in the ethnic minority fellowship program account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$6,000 except upon approval of the state finance council.

Kansas work-study program ..... \$538,951

*Provided*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *Provided further*, That all moneys transferred from this account to the Kansas career work study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC scholarship reimbursement ..... \$192,166

*Provided*, That all expenditures from the ROTC scholarship reimbursement account for reimbursements under K.S.A. 74-3256 and amendments thereto to any state educational institution under the jurisdiction of the state board of regents shall be made as transfers to the general fees fund of such state educational institution as a transaction between state agencies in accordance with subsection (b) of K.S.A. 75-5516 and amendments thereto.

Teachers scholarship program..... \$374,277

Vocational scholarships ..... \$125,000

Nursing student scholarship program..... \$248,563

*Provided*, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

Optometry Education Program ..... \$115,000

Faculty salary enhancement ..... \$8,383,427

*Provided*, That all moneys in the faculty salary enhancement account shall be used by the state board of regents to increase the salary of public service, teaching and research faculty members: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from this account to appropriate accounts of the state general fund of any institution under its jurisdiction: *And provided further*, That the executive director of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the division of the budget and the legislative research department.

Municipal university operating grant..... \$10,594,032

Postsecondary aid for vocational education..... \$20,083,890

Adult basic education ..... \$1,100,000

Community college operating grant..... \$85,174,486

Technology equipment at community colleges and

Washburn university ..... \$450,000

*Provided*, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for

the purchase of technology equipment, in accordance with guidelines established by the state board of education.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic scholarship repayment fund .....	\$480,000
Vocational education scholarship discontinued attendance fund .....	No limit
Leveraging educational assistance program fund—federal .....	No limit
Regents' scholarship gift fund .....	No limit

*Provided*, That expenditures may be made from the regents' scholarship gift fund for scholarships awarded to Kansas residents who are attending institutions of postsecondary education in Kansas which are authorized under the laws of this state to award academic degrees and who meet academic and other eligibility criteria established by the state board of regents by rules and regulations: *Provided, however*, That a financial needs test shall not be one of the eligibility criteria established by the state board of regents for such scholarships: *Provided further*, That no scholarship awarded from this fund shall exceed \$2,000 per academic year: *And provided further*, That any recipient of a scholarship awarded from this fund may also receive either a state scholarship under K.S.A. 72-6810 to 72-6816, inclusive, and amendments thereto or a tuition grant under K.S.A. 72-6107 to 72-6111, inclusive, and amendments thereto, or both: *And provided further*, That there shall be no reduction of any scholarship awarded from this fund for the amount of any such state scholarship or tuition grant received.

Earned indirect costs fund—federal .....	No limit
Faculty of distinction program fund .....	No limit
Paul Douglas teacher scholarship fund—federal .....	No limit
GED credentials processing fees fund .....	No limit
Proprietary school fee fund .....	No limit
Adult basic education—federal fund .....	No limit
Truck driver training fund .....	No limit
Eisenhower professional state grants fund—federal .....	No limit
Comprehensive grant program discontinued attendance fund .....	No limit
State scholarship discontinued attendance fund .....	No limit
Kansas ethnic minority fellowship program fund .....	No limit
Private postsecondary educational institution degree authorization expense reimbursement fee fund .....	No limit
Voluntary tax sheltered annuity clearing fund .....	No limit
Substance abuse education fund—federal .....	No limit
Mandatory retirement annuity clearing fund .....	No limit
Nursing student scholarship program fund .....	No limit
Kansas ethnic minority discontinued attendance fund .....	No limit
Clearing fund .....	No limit
Conversion of materials and equipment fund .....	No limit
Teacher scholarship program fund .....	No limit
Financial aid services fee fund .....	No limit

*Provided*, That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: *Provided further*, That the executive director of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications for student financial assistance under programs administered by the state board of regents: *And provided further*, That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury and credited to this fund.

Optometry education repayment fund .....	No limit
Teacher scholarship repayment fund .....	No limit
Advanced registered nurse practitioner program fund .....	No limit

Nursing student scholarship discontinued attendance fund ..... No limit  
 Nursing student scholarship repayment fund..... No limit

(c) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the economic development initiatives fund of the state board of regents to the state economic development initiatives fund. On July 1, 2001, all liabilities of the economic development initiatives fund of the state board of regents, including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the economic development initiatives fund of the state board of regents is hereby abolished.

(d) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the student incentive grant fund—federal of the state board of regents to the educational assistance program fund. On the effective date of this act, all liabilities of the student incentive grant fund—federal are hereby transferred to and imposed on the educational assistance program fund and the student incentive grant fund—federal fund is hereby abolished.

(e) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the economic security grant—federal fund of the state board of regents to the Eisenhower professional state grants—federal fund. On the effective date of this act, all liabilities of the student incentive grant fund—federal are hereby transferred to and imposed on the educational assistance program fund and the student incentive grant fund—federal fund is hereby abolished.

Sec. 148.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Central administration operations and parole and postrelease supervision operations .....	\$13,231,912
<i>Provided</i> , That any unencumbered balance in the central administration operations and parole and postrelease supervision operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: <i>Provided, however</i> , That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.	
Community corrections.....	\$15,622,025
<i>Provided</i> , That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$137,195 except upon approval of the state finance council: <i>Provided further</i> , That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2002 which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.	
Day reporting center state match .....	\$345,380
<i>Provided</i> , That any unencumbered balance in the day reporting center state match account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$69,378, except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislation delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto: <i>Provided further</i> , That all expenditures from the day reporting center state match account shall be made for the purpose of providing the required state match for receipt of federal funds for day reporting centers: <i>And provided further</i> , That all expenditures from the day reporting center state match account shall be made pursuant to a contract which is hereby authorized to be entered into by the secretary of corrections with a private entity for operation of such day reporting centers: <i>And provided further</i> , That such contract shall be designed to use day reporting centers to divert offenders who would otherwise occupy prison space making additional prison space available for violent offenders.	
Local jail payments .....	\$1,950,000
Community correctional conservation camp.....	\$2,413,250
Conservation camp for female offenders .....	\$439,463

Treatment and programs .....	\$29,657,153
<i>Provided</i> , That any unencumbered balance in the treatment and programs account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$418,000 except upon approval of the state finance council: <i>Provided further</i> , That expenditures from the treatment and programs account for malpractice insurance shall not be greater than the amount obtained by multiplying \$5,000 by the approved number of positions equated to full-time for individuals employed as physician specialists, physician assistants and dentists.	
Topeka correctional facility—facilities operations .....	\$10,539,874
<i>Provided</i> , That any unencumbered balance in the Topeka correctional facility—facilities operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$134,961 except upon approval of the state finance council.	
Hutchinson correctional facility—facilities operations .....	\$23,942,818
<i>Provided</i> , That any unencumbered balance in the Hutchinson correctional facility—facilities operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$1,913 except upon approval of the state finance council.	
Lansing correctional facility—facilities operations .....	\$32,299,254
<i>Provided</i> , That any unencumbered balance in the Lansing correctional facility—facilities operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$11,820 except upon approval of the state finance council.	
Ellsworth correctional facility—facilities operations .....	\$9,391,443
<i>Provided</i> , That any unencumbered balance in the Ellsworth correctional facility—facilities operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: <i>Provided, however</i> , That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.	
Winfield correctional facility—facilities operations .....	\$9,388,523
<i>Provided</i> , That any unencumbered balance in the Winfield correctional facility—facilities operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: <i>Provided, however</i> , That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.	
Norton correctional facility—facilities operations .....	\$11,764,065
<i>Provided</i> , That any unencumbered balance in the Norton correctional facility—facilities operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$59,326 except upon approval of the state finance council.	
El Dorado correctional facility—facilities operations .....	\$20,752,995
<i>Provided</i> , That any unencumbered balance in the El Dorado correctional facility—facilities operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: <i>Provided, however</i> , That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.	
Larned correctional mental health facility—facilities operations .....	\$7,627,528
<i>Provided</i> , That any unencumbered balance in the Larned correctional facility—facilities operations account in excess of \$100 as of June 30, 2001, and any unencumbered balance in the Larned correctional mental health facility—facility operations account in excess of \$100 as of June 30, 2001, are hereby reappropriated to the Larned correctional mental health facility—facilities operations account for fiscal year 2002: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$15,598 except upon approval of the state finance council.	
Facilities operations .....	\$11,187,213
<i>Provided</i> , That any unencumbered balance in the food service—facilities operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated to the facilities operations account for fiscal year 2002: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$314,075 except upon approval of the state finance council.	

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Other federal grants fund.....	No limit
<i>Provided</i> , That the above agency is authorized to make expenditures from the other federal grants fund for fiscal year 2002 of any moneys credited to this fund from any individual grant if the grant is: (1) Less than \$1,000,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year: <i>Provided, however</i> , That no grant that is greater than \$1,000,000 in the aggregate or that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year shall be deposited to the credit of this fund.	
Supervision fees fund.....	No limit
Asset forfeiture—federal fund.....	No limit
Residential substance abuse treatment—federal fund.....	No limit
Justice assistance—federal fund.....	No limit
Department of corrections state asset forfeiture fund.....	No limit
Carl Perkins act—federal fund.....	No limit
Criminal Justice Information System—federal fund.....	No limit
Violent offender incarceration and truth in sentencing incentive grants—federal fund.....	No limit
Chapter I—federal fund.....	No limit
Correctional industries fund.....	No limit
<i>Provided</i> , That, notwithstanding the provisions of K.S.A 75-5282, and amendments thereto, and in addition to any other expenditures authorized to be made from the correctional industries fund as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of corrections from the correctional industries fund for treatment and programs: <i>Provided, however</i> , That expenditures for treatment and programs from the correctional industries fund for the fiscal year 2002 shall not exceed \$150,000.	
State of Kansas—department of corrections inmate benefit fund.....	No limit
<i>Provided</i> , That in addition to any other expenditure authorized from the state of Kansas—department of corrections inmate benefit fund, the sum of \$15,000 shall be expended for fiscal year 2002 to fund a portion of the operations of the office of the ombudsman of corrections: <i>Provided further</i> , That, in addition to any other expenditures authorized from the state of Kansas—department of corrections inmate benefit fund, the sum of \$1,050,000 shall be expended for fiscal year 2002 to fund a portion of treatment and programs.	
Department of corrections—alien incarceration grant fund—federal.....	No limit
Department of corrections—general fees fund.....	No limit
<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 credited to this fund.	
Topeka correctional facility—community development block grant—federal fund.....	No limit
Topeka correctional facility—general fees fund.....	No limit
Topeka correctional facility—inmate canteen fund.....	No limit
Topeka correctional facility—inmate benefit fund.....	No limit
Topeka correctional facility—institutional library services grant fund—federal.....	No limit
Topeka correctional facility—alien incarceration grant fund—federal.....	No limit
Hutchinson correctional facility—general fees fund.....	No limit
Hutchinson correctional facility—inmate canteen fund.....	No limit
Hutchinson correctional facility—inmate benefit fund.....	No limit

Hutchinson correctional facility—drug free demonstration project—federal fund.....	No limit
Hutchinson correctional facility—institutional library services grant fund—federal .....	No limit
Hutchinson correctional facility—alien incarceration grant fund—federal .....	No limit
Lansing correctional facility—general fees fund .....	No limit
Lansing correctional facility—inmate canteen fund.....	No limit
Lansing correctional facility—inmate benefit fund.....	No limit
Lansing correctional facility—institutional library services grant fund—federal .....	No limit
Lansing correctional facility—alien incarceration grant fund—federal....	No limit
Ellsworth correctional facility—general fees fund.....	No limit
Ellsworth correctional facility—inmate canteen fund.....	No limit
Ellsworth correctional facility—inmate benefit fund.....	No limit
Ellsworth correctional facility—institutional library services grant fund—federal .....	No limit
Ellsworth correctional facility—alien incarceration grant fund—federal .....	No limit
Winfield correctional facility—general fees fund.....	No limit
Winfield correctional facility—inmate canteen fund.....	No limit
Winfield correctional facility—inmate benefit fund.....	No limit
Winfield correctional facility—institutional library services grant fund—federal .....	No limit
Winfield correctional facility—alien incarceration grant fund—federal....	No limit
Norton correctional facility—general fees fund .....	No limit
Norton correctional facility—inmate canteen fund .....	No limit
Norton correctional facility—inmate benefit fund .....	No limit
Norton correctional facility—institutional library services grant fund—federal .....	No limit
Norton correctional facility—alien incarceration grant fund—federal ....	No limit
El Dorado correctional facility—general fees fund .....	No limit
El Dorado correctional facility—inmate canteen fund.....	No limit
El Dorado correctional facility—inmate benefit fund .....	No limit
El Dorado correctional facility—institutional library services grant fund—federal .....	No limit
El Dorado correctional facility—alien incarceration grant fund—federal .....	No limit
Larned correctional mental health facility—general fees fund .....	No limit
Larned correctional mental health facility—inmate canteen fund .....	No limit
Larned correctional mental health facility—inmate benefit fund .....	No limit
Larned correctional mental health facility—institutional library services grant fund—federal .....	No limit
Larned correctional mental health facility—justice assistance—federal fund.....	No limit
Larned correctional mental health facility—alien incarceration grant fund—federal .....	No limit

(c) During the fiscal year ending June 30, 2002, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2002, from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2002 from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the legislative research department.



(d) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$108,015 from the state of Kansas—department of corrections inmate benefit fund to the supervision fees fund.

(e) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$106,000 from the correctional industries fund to the Lansing correctional facility—general fees fund.

(f) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$147,000 from the correctional industries fund to the Norton correctional facility—general fees fund.

(g) In addition to the other purposes for which expenditures may be made by the department of corrections from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of corrections for fiscal year 2002 from the moneys appropriated from the state general fund or any special revenue fund to provide information, each time that the department of corrections is going to establish, directly or indirectly, a new residential facility or a new day reporting center within a local government, regarding the proposed location of such residential facility or day reporting center to the governing body of the local government: *Provided*, That, if the governing body of the local government objects to the proposed location of such residential facility or day reporting center and the governing body actively assists the secretary of corrections in identifying a suitable location for such residential facility or day reporting center within the local government, with consideration of the site selection criteria established for such residential facility or day reporting center and applicable zoning and other land-use restrictions of the local government, then, prior to establishing such residential facility or day reporting center, the secretary of corrections shall actively consider the views of the governing body of the local government and the affected residents of the local government and shall act in the best interests of the state with regard to establishing such residential facility or day reporting center: *Provided, however*, That no such objections by the governing body or the residents of a local government shall prohibit establishment of such residential facility or day reporting center within a local government: *Provided further*, That, as used in this subsection, "local government" means any city, county or other taxing subdivision of the state having general governance authority.

Sec. 149.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures ..... \$33,221,882

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$646,074 except upon approval of the state finance council: *Provided further*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Management information systems..... \$1,067,607

*Provided*, That any unencumbered balance in the management information systems account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$127,408 except upon approval of the state finance council.

Topeka juvenile correctional facility operations ..... \$11,955,934

*Provided*, That any unencumbered balance in the Topeka juvenile correctional facility operations subaccount of the facilities operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated to the Topeka juvenile correctional facility operations account for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$118,180 except upon approval of the state finance council: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*,

That such educational services contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 and amendments thereto.

Atchison juvenile correctional facility operations..... \$6,274,654

*Provided*, That any unencumbered balance in the Atchison juvenile correctional facility operations subaccount of the facilities operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated to the Atchison juvenile correctional facility operations account for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$30,400 except upon approval of the state finance council: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 and amendments thereto.

Beloit juvenile correctional facility operations..... \$5,544,379

*Provided*, That any unencumbered balance in the Beloit juvenile correctional facility operations subaccount of the facilities operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated to the Beloit juvenile correctional facility operations account for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$55,042 except upon approval of the state finance council: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 and amendments thereto.

Larned juvenile correctional facility operations..... \$4,555,511

*Provided*, That any unencumbered balance in the Larned juvenile correctional facility operations subaccount of the facilities operations account in excess of \$100 as of June 30, 2001, is hereby reappropriated to the Larned juvenile correctional facility operations account for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$9,265 except upon approval of the state finance council.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Title XIX fund.....	No limit
Title IV-E fund.....	No limit
Juvenile justice delinquency prevention—federal fund.....	No limit
Juvenile detention facilities fund.....	\$3,482,618
Juvenile justice fee fund.....	No limit
Kansas juvenile delinquency prevention trust fund.....	No limit
Juvenile justice federal fund.....	No limit
Juvenile justice community planning fund.....	No limit
Byrne grant—federal fund.....	No limit
Construction of juvenile correctional facilities fund—VOI/TIS.....	No limit
Topeka juvenile correctional facility fee fund.....	No limit
Topeka juvenile correctional facility improvement fund.....	No limit
Topeka juvenile correctional facility—elementary and secondary education fund—federal.....	No limit
Topeka juvenile correctional facility—canteen fund.....	No limit
Topeka juvenile correctional facility—patient benefit fund.....	No limit
Atchison juvenile correctional facility fee fund.....	No limit
Atchison juvenile correctional facility—elementary and secondary education fund—federal.....	No limit
Atchison juvenile correctional facility—canteen fund.....	No limit
Atchison juvenile correctional facility—patient benefit fund.....	No limit
Beloit juvenile correctional facility fee fund.....	No limit

Beloit juvenile correctional facility—elementary and secondary education fund—federal .....	No limit
Beloit juvenile correctional facility—canteen fund.....	No limit
Beloit juvenile correctional facility—patient benefit fund .....	No limit
Larned juvenile correctional facility fee fund .....	No limit

(c) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$90,000 from the alcohol and drug abuse block grant federal fund of the department of social and rehabilitation services to the juvenile justice federal fund of the juvenile justice authority.

(d) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$46,120 from the alcohol and drug abuse block grant federal fund of the department of social and rehabilitation services to the Beloit juvenile correctional facility fee fund of the juvenile justice authority.

(e) During the fiscal year ending June 30, 2002, the superintendent of the Topeka juvenile correctional facility, upon the approval of the director of accounts and reports, shall transfer \$4,000 from the Topeka juvenile correctional facility—canteen fund to the Topeka juvenile correctional facility—patient benefit fund.

(f) During the fiscal year ending June 30, 2002, the superintendent of the Atchison juvenile correctional facility, upon the approval of the director of accounts and reports, shall transfer \$500 from the Atchison juvenile correctional facility—canteen fund to the Atchison juvenile correctional facility—patient benefit fund.

(g) During the fiscal year ending June 30, 2002, the superintendent of the Beloit juvenile correctional facility, upon the approval of the director of accounts and reports, shall transfer \$1,000 from the Beloit juvenile correctional facility—canteen fund to the Beloit juvenile correctional facility—patient benefit fund.

(h) During the fiscal year ending June 30, 2002, the commissioner of juvenile justice, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2002, from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to another item of appropriation for fiscal year 2002 from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice. The commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the legislative research department.

(i) On July 1, 2001, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$1,000,000 from the juvenile detention facilities fund to the state general fund.

(j) In addition to the other purposes for which expenditures may be made by the juvenile justice authority from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the juvenile justice authority for fiscal year 2002 from the moneys appropriated from the state general fund or any special revenue fund to provide information about the proposed location of a youth residential facility that is proposed to be licensed by the secretary of health and environment and to be a contract service provider for the juvenile justice authority, to the governing body of the local government in which the youth residential facility is proposed to be located: *Provided*, That, if the governing body of the local government objects to the proposed location and the governing body actively assists the commissioner of juvenile justice in identifying a suitable location for the youth residential facility within the local government, with consideration of the site selection criteria established by the juvenile justice authority and applicable zoning and other land-use restrictions of the local government, then, prior to entering into a contract for services with the specific youth residential facility, the juvenile justice authority shall actively consider the views of the governing body of the local government and the affected residents of the local government and shall act in the best interests of the state with regard to entering into a contract for services with the proposed youth residential facility: *Provided, however*, That no such objections by the governing body or the residents

of a local government shall prohibit placement of a youth residential facility within a local government: *Provided further*, That, as used in this subsection, "local government" means any city, county or other taxing subdivision of the state having general governance authority. Sec. 150.

#### ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures .....	\$4,549,979
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: <i>Provided, however</i> , That expenditures from this account for official hospitality shall not exceed \$1,250.	
Civil air patrol—operating expenditures .....	\$26,558
Additional operating expenditures .....	\$25,000

*Provided*, That expenditures may be made from the additional operating expenditures account only upon approval by the state finance council acting after receiving certification from the adjutant general that moneys have been received from the federal government to match such expenditures and acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except that such approval also may be given while the legislature is in session.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Conversion of materials and equipment fund—military division .....	No limit
Training and support of title III—federal fund .....	No limit
Emergency management—federal fund matching—equipment fund .....	No limit
Emergency management—federal fund matching—administration fund .....	No limit
Emergency management—RADEF instrument—maintenance fund .....	No limit
State disaster coordination—federal fund .....	No limit
Emergency management—nuclear civil protection—federal fund .....	No limit
Payment of death, disability, and medical benefit claims fund .....	No limit
Expenses under national guard mutual assistance compact fund .....	No limit
Nuclear safety emergency preparedness fee fund .....	No limit
Military fees fund .....	No limit

*Provided*, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury and credited to the military fees fund.

State emergency fund allocation—flood relief .....	No limit
Emergency management—fee fund .....	No limit
Armories and units general fees fund .....	No limit
Emergency management—disaster fund—federal fund .....	No limit
Civil air patrol—grants and contributions fund .....	No limit
Emergency management performance grant (EMPG) fund .....	No limit
EMPG terrorism consequence management preparedness grant (TCMPA) fund .....	No limit
NG—federal forfeiture fund .....	No limit

(c) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the EDIF—educational assistance fund of the adjutant general to the state economic development initiatives fund. On July 1, 2001, all liabilities of the EDIF—educational assistance fund of the adjutant general, including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the EDIF—educational assistance fund of the adjutant general is hereby abolished.

Sec. 151.

#### STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund

or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund..... \$2,810,408  
*Provided*, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$500.

Other federal grants fund..... No limit  
*Provided*, That the above agency is authorized to make expenditures from the other federal grants fund of any moneys credited to this fund from any individual grant if the grant is: (1) Less than \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year: *Provided, however*, That no grant that is greater than \$250,000 in the aggregate or that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year, shall be deposited in the state treasury to the credit of this fund.

Gifts, grants and donations fund..... No limit  
Hazardous material program fund..... \$406,020  
Hazardous materials emergency fund..... \$0

*Provided*, That all expenditures from the hazardous materials emergency fund shall be for the purposes of responding to emergencies related to hazardous materials: *Provided, however*, That expenditures shall be made from the hazardous materials emergency fund for the purposes of responding to an emergency related to hazardous materials only upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except that such approval also may be given while the legislature is in session: *Provided further*, That expenditures may be made from the hazardous materials emergency fund for operating expenses of the state fire marshal upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

(b) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$203,010 from the fire marshal fee fund to the hazardous material program fund of the state fire marshal.

(c) On January 1, 2002, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$203,010 from the fire marshal fee fund to the hazardous material program fund of the state fire marshal.

(d) On July 1, 2001, and on January 1, 2002, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$750,000 from the fire marshal fee fund to the hazardous materials emergency fund.

(e) During the fiscal year ending June 30, 2002, the director of the budget and the director of the legislative research department shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund during fiscal year 2002, and, upon a finding by the director of the budget in consultation with the director of the legislative research department that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2002 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2002 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the hazardous materials emergency fund to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2002 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

## Sec. 152.

## KANSAS PAROLE BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Parole from adult correctional institutions..... \$528,671

*Provided*, That any unencumbered balance in the parole from adult correctional institutions account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

## Sec. 153.

## KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures..... \$26,390,135

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$90,743 except upon approval of the state finance council: *Provided further*, That expenditures may be made from this account for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105 and amendments thereto: *And provided further*, That expenditures may be made from this account for state aircraft insurance: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000: *And provided further*, That expenditures shall be made from this account for operating expenditures of the Kansas highway patrol to provide leadership, coordination and technical assistance to other state public safety agencies in implementing the conversion to 800 megahertz radio systems for those agencies.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund..... No limit

*Provided*, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury and credited to the general fees fund, except as otherwise provided by law: *Provided further*, That the Kansas highway patrol shall deposit the proceeds from the sale of personal sidearms to retiring troopers and other retiring sworn officers of the Kansas highway patrol, which sales upon retirement are hereby authorized, in the state treasury to the credit of this fund: *Provided, however*, That each such sale of a retiring sworn officer's personal sidearm upon retirement shall be for an amount of not less than the replacement cost of the sidearm: *And provided further*, That the Kansas highway patrol is hereby authorized to sell and a trooper or other sworn officer of the Kansas highway patrol who resigns from the Kansas highway patrol to accept employment with a local, state or federal law enforcement agency is hereby authorized to purchase such trooper or other sworn officer's personal sidearm with a trigger lock upon resignation in the same manner as prescribed in this subsection for retiring troopers and sworn officers of the Kansas highway patrol for the amount equal to the total of the cost of the sidearm plus the cost of the trigger lock: *And provided further*, That no sale of a personal sidearm shall be made to any trooper or sworn officer of the Kansas highway patrol upon resignation unless the superintendent of the Kansas highway patrol determines that the employment record and performance evaluations of each such trooper or sworn officer of the Kansas highway patrol is satisfactory: *And provided further*, That the Kansas highway patrol shall deposit the proceeds from the sale of personal sidearms and trigger locks to such resigning troopers and other sworn officers in the state treasury to the credit of this fund.

For patrol of Kansas turnpike fund..... No limit

Highway patrol motor vehicle fund..... No limit

Highway patrol—federal fund..... No limit

Kansas highway patrol state forfeiture fund..... No limit

Gifts and donations fund..... No limit

Federal forfeiture fund..... No limit

Motor carrier safety assistance program fund ..... No limit  
 Highway patrol training center clearing fund ..... No limit  
*Provided*, That expenditures may be made from the highway patrol training center clearing fund for use of the highway patrol training center by other state or local government agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state or local government agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state or local government agencies shall be deposited in the state treasury and credited to this fund.

Highway safety fund ..... No limit  
 Capitol area security fund ..... No limit  
*Provided*, That the Kansas highway patrol and any state agency which is responsible for the operation of buildings in the capitol area are hereby authorized to negotiate contracts for building security services: *Provided further*, That any such contract shall provide for reimbursement of the Kansas highway patrol for services rendered pursuant to such contract and such reimbursement shall be credited to the capitol area security fund.

Vehicle identification number fee fund ..... No limit  
 Interagency motor vehicle fuel sales fund ..... No limit  
*Provided*, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to other state agencies: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be credited to this fund.

Motor carrier inspection fund ..... \$9,873,155  
 Highway patrol training center fund ..... \$1,280,210

(c) On July 1, 2001, the director of accounts and reports shall transfer \$218,474 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program fund of the Kansas highway patrol.

(d) On January 1, 2002, the director of accounts and reports shall transfer \$218,474 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program fund of the Kansas highway patrol.

(e) On July 1, 2001, October 1, 2001, January 1, 2002, and April 1, 2002, the director of accounts and reports shall transfer \$2,491,461 from the state highway fund of the department of transportation to the motor carrier inspection fund of the Kansas highway patrol for the purpose of financing the motor carrier inspection program of the Kansas highway patrol.

(f) On July 1, 2001, the director of accounts and reports shall transfer \$150,000 from the state highway fund of the department of transportation to the highway safety fund of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(g) On July 1, 2001, the director of accounts and reports shall transfer \$206,200 from the state highway fund of the department of transportation to the general fees fund of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

Sec. 154.

ATTORNEY GENERAL—KANSAS BUREAU  
 OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures ..... \$12,462,791

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*,

That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided, further*, That expenditures from this account for official hospitality shall not exceed \$750.

Debt service payment—purchase of headquarters building at 1620 S.W.

Tyler Street in Topeka ..... \$116,703

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state forfeiture fund .....	No limit
Kansas bureau of investigation federal forfeiture fund.....	No limit
Kansas bureau of investigation federal grants fund .....	No limit
Private detective fee fund .....	\$46,442
Forensic laboratory and materials fee fund.....	No limit

*Provided*, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation incurred for laboratory tests conducted for noncriminal justice entities, including governmental agencies and private organizations, which testing activity is hereby authorized: *Provided, however*, That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to subsection (a) of K.S.A. 28-176 and amendments thereto shall be for the purposes authorized by subsection (c) of K.S.A. 28-176 and amendments thereto: *Provided further*, That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees for laboratory tests conducted for such noncriminal justice entities: *And provided further*, That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting laboratory tests for such noncriminal justice entities: *And provided further*, That all fees received for such laboratory tests, including all moneys received pursuant to subsection (a) of K.S.A. 28-176 and amendments thereto shall be deposited in the state treasury and credited to this fund.

KBI general fees fund ..... No limit

*Provided*, That expenditures may be made from the KBI general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials: *Provided, however*, That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; (4) sale and distribution of crime prevention materials: *Provided further*, That all fees received for such activities shall be deposited in the state treasury and credited to this fund: *And provided further*, That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury and credited to this fund: *And provided further*, That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury to the credit of this fund: *And provided further*, That expenditures from any moneys received from the division of alcoholic beverage control and credited



to the KBI general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures.

Record check fee fund..... No limit  
*Provided*, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*, That all moneys received for such fees shall be deposited in the state treasury and credited to the record check fee fund: *Provided further*, That expenditures from the record check fee fund may be made only for the expenses of conducting criminal history record checks.

Sec. 155.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures..... \$752,732

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$34,707 except upon approval of the state finance council.

Regional council grants..... \$79,008

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

EMS—federal fund..... No limit

Rural health options grant fund..... No limit

Emergency medical services operating fund..... \$1,998

*Provided*, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury and credited to the emergency medical services operating fund.

Sec. 156.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures..... \$515,922

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided further*, That the Kansas sentencing commission shall hold hearings, receive information and otherwise analyze the issues and interests related to risk and needs assessment tools and processes of the following agencies or entities during the 2001 interim: Office of judicial administration, representatives of the community corrections programs, the department of corrections and the Kansas parole board: *And provided further*, That the Kansas sentencing commission shall review the best practices for risk and needs assessment instruments and hear testimony and reports from each of the specified entities or agencies during the 2001 interim: *And provided further*, That the Kansas sentencing commission shall periodically report to the joint committee on corrections and juvenile justice oversight and issue a final report to the legislature by February 1, 2002, on a plan for the adoption of a dynamic and uniform risk and needs assessment tool: *And provided further*, That the final report shall include an assessment of the costs and potential funding sources to validate and implement the risk and needs assessment tool identified in the plan.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
Juvenile justice—federal fund.....	No limit
Statistical analysis—federal fund.....	No limit
Drug abuse fund—federal.....	No limit
Sentencing commission forfeiture fund.....	No limit

Sec. 157.

#### OMBUDSMAN OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Adult corrections oversight.....	\$166,700
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*Provided*, That any unencumbered balance in the adult corrections oversight account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$11,503 except upon approval of the state finance council.

Sec. 158.

#### KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures.....	\$10,083,111
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$243 except upon approval of the state finance council: *Provided further*, That expenditures may be made from this account for expenses incurred in holding the annual meeting: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$2,000: *And provided further*, That the above agency may negotiate and enter into contracts to carry out its functions at the annual meeting: *And provided further*, That such contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dairy division fee fund.....	\$109,694
Meat and poultry inspection fee fund.....	\$78,036
Wheat quality survey fund.....	\$29,000
Entomology fee fund.....	\$125,686
Laboratory equipment fund.....	No limit
Water structures—state highway fund.....	\$92,205
Soil amendment fee fund.....	\$2,390
Agricultural liming materials fee fund.....	\$35,787
Weights and measures fee fund.....	\$103,866
Water appropriation certification fund.....	\$303,733
Water rights information system fees fund.....	No limit

*Provided*, That the secretary of agriculture is hereby authorized to fix, charge and collect fees for water data provided at the request of non-state government agencies and the general public: *Provided further*, That such fees shall be fixed in order to recover all of the direct data processing expenses incurred in preparation of requested water data: *And provided further*, That such fees shall be deposited in the state treasury and credited to the water rights information system fees fund: *And provided further*, That expenditures may be made from this fund to pay the costs incurred by the division of water resources for data processing services to prepare requested water data.

Agriculture seed fee fund.....	\$69,216
Chemigation fee fund.....	\$99,313
Agriculture statistics fund.....	No limit
Petroleum inspection fee fund.....	\$582,731
Water transfer hearing fund.....	No limit
Grain commodity commission services fund.....	No limit

Kansas agricultural remediation board fund.....	\$150,000
Kansas agricultural remediation fund.....	No limit
Warehouse fee fund.....	\$565,475
Grain inspection fee fund.....	\$0
U.S. geological survey cooperative gage agreement fund.....	No limit

*Provided*, That the secretary of agriculture is hereby authorized to enter into a cooperative gage agreement with the United States geological survey: *Provided further*, That all moneys collected for the construction or operation of river water intake gages shall be deposited in the state treasury and credited to the U.S. geological survey cooperative gage agreement fund: *And provided further*, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gages.

Agricultural chemical fee fund.....	\$313,978
Feeding stuffs fee fund.....	\$526,943
Fertilizer fee fund.....	\$546,921
Livestock remedies fee fund.....	\$16,297
Pesticide use fee fund.....	\$497,229
Grade A milk fee fund.....	\$285,704
Geographic information system fee fund.....	No limit
Seed examination fee fund.....	\$0
Egg fee fund.....	\$87,385
Meat and poultry inspection fund (federal).....	No limit
EPA pesticide performance partnership grant fund.....	No limit
FEMA dam safety.....	No limit
Pest detection and survey—federal fund.....	No limit
USDA NASS postage fund.....	No limit
FDA tissue residue fund—federal.....	No limit
Conversion of materials and equipment fund.....	No limit
Publications fee fund.....	No limit

*Provided*, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of "Insects in Kansas": *Provided further*, That, notwithstanding the provisions of K.S.A. 75-1005 and amendments thereto to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of the publication "Insects in Kansas": *And provided further*, That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of the publication: *And provided further*, That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds of any kind from the federal government or any of its agencies or from any other source whatsoever for the printing, publication and distribution of "Insects of Kansas": *And provided further*, That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose, shall be deposited in the state treasury and credited to this fund.

Other grants fund.....	No limit
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*Provided*, That, the above agency is authorized to make expenditures from the other grants fund of any moneys credited to this fund from any individual grant if the grant is: (1) Less than \$250,000 in the aggregate, and (2) does not require the matching expenditure of any moneys in the state treasury during fiscal year 2002 other than moneys appropriated by this act: *Provided, however*, That no grant that: (1) Is greater than \$250,000 in the aggregate, (2) requires the matching expenditure of any moneys in the state treasury during fiscal year 2002 other than moneys appropriated by this act, or (3) is a grant for the farmers' assistance, counseling and training program, shall be deposited to the credit of this fund.

Civil litigation fee fund.....	No limit
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*Provided*, That the above agency is authorized to make expenditures from the civil litigation fee fund for costs or other expenses associated with investigation and litigation regarding fraudulent meat sales: *Provided further*, That a portion of the moneys received by the state from fines and other moneys collected as a result of the settlement of fraudulent meat sales cases, as determined by the secretary of agriculture and the attorney general, shall be deposited in the state treasury to the credit of this fund by the attorney general.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2002, for the water plan project or projects specified, the following:

Floodplain management .....	\$136,647
Interstate water issues .....	\$243,905
Subbasin water resources management.....	\$651,597

(d) On July 1, 2001, the director of accounts and reports shall transfer \$86,509 from the state highway fund of the department of transportation to the water structures—state highway fund of the Kansas department of agriculture.

(e) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the water plan special revenue fund of the Kansas department of agriculture to the state water plan fund. On July 1, 2001, all liabilities of the water plan special revenue fund of the Kansas department of agriculture, including any outstanding encumbrances, are hereby transferred to and imposed on the state water plan fund and the water plan special revenue fund of the Kansas department of agriculture is hereby abolished.

Sec. 159.

#### KANSAS ANIMAL HEALTH DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures .....	\$631,729
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$299 except upon approval of the state finance council.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Animal disease control fund.....	No limit
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*Provided*, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Animal dealers fee fund .....	No limit
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*Provided*, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300.

Veterinary inspection fee fund .....	No limit
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Livestock market brand inspection fee fund.....	No limit
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Livestock brand fee fund .....	No limit
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*Provided*, That expenditures from the livestock brand fee fund for official hospitality shall not exceed \$250.

Livestock brand emergency revolving fund.....	No limit
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County option brand fee fund.....	No limit
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Livestock and pseudorabies indemnity fund.....	No limit
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Legal services fund .....	No limit
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*Provided*, That all moneys received by the animal health department from other state agencies pursuant to one or more interagency agreements for the provision of legal services, which agreements are hereby authorized and directed to be entered into, shall be credited to the legal services fund: *Provided further*, That all expenditures from the legal services fund shall be for contractual legal services to be provided to the animal health department and such other state agencies pursuant to such interagency agreements.

Sec. 160.

#### STATE FAIR BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2001, the following:

Operating expenditures .....	\$134,000
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds

authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

- State fair fee fund..... No limit
- Provided*, That expenditures from the state fair fee fund for official hospitality shall not exceed \$10,000.
- State fair special cash fund..... No limit

(c) Upon request of the state fair board, the attorney general shall provide legal services for the board during fiscal year 2002.

(d) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the EDIF—operating expenditures fund of the state fair board, to the state economic development initiatives fund. On July 1, 2001, all liabilities of the EDIF—operating expenditures fund of the state fair board, including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the EDIF—operating expenditures fund of the state fair board is hereby abolished.

(e) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the economic development fund of the state fair board, to the state economic development initiatives fund. On July 1, 2001, all liabilities of the economic development fund of the state fair board, including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the economic development fund of the state fair board is hereby abolished.

Sec. 161.

STATE CONSERVATION COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

- Operating expenditures..... \$614,765

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Land reclamation fee fund..... No limit
- Riparian & wetland areas project—federal fund..... No limit
- Watershed protect approach/WTR RSRCE MGT fund..... No limit
- Conversion of materials and equipment fund..... No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2002, for the following water plan project or projects specified, the following:

- Land treatment cost share..... \$4,450,000

*Provided*, That expenditures from the land treatment cost share account shall be for cost-sharing grants for construction of enduring water conservation structures on privately and publicly owned land in conservation districts which are needed for development and improvement of the quality and quantity of Kansas water resources: *Provided further*, That an amount of not to exceed \$2,720,000 of the initial allocation among conservation districts for such grants for fiscal year 2002 shall be on the basis of allocating 60% of the amount equally among all conservation districts and allocating 40% of the amount to be initially allocated proportionally among all conservation districts on the basis of an index composed of the measurement of nonfederal rural acreage, erosion potential and rainfall in all conservation districts, as determined by the state conservation commission: *And provided further*, That the balance of the initial allocation for such grants for fiscal year 2002 shall be allocated to conservation districts on a priority basis, as determined by the state conservation commission and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise shall not exceed the amount equal to 3% of the approved budget amount for fiscal year 2002 for the land treatment cost-share programs account: *And provided further*, That all expenditures from this account shall be in accord-

ance with K.S.A. 2-1915 and amendments thereto: *And provided further*, That an amount not to exceed \$850,000 be allocated for fiscal year 2002 to conservation districts for cost-sharing grants to reduce water use and improve irrigation water use efficiency, with 50% of the total amount provided to projects capable of achieving a water use efficiency level of 92% or greater.

Nonpoint source pollution assistance .....	\$3,150,000
Conservation district aid .....	\$1,038,000
Multipurpose small lakes .....	\$230,000
Watershed dam construction .....	\$805,000

*Provided*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the state conservation commission: *Provided, however*, That expenditures from this account for such engineering contracts for watershed planning shall not exceed \$50,000.

Kansas water quality buffer initiatives .....	\$265,134
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*Provided*, That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices under the governor's water quality initiative: *Provided further*, That such expenditures may be made from this account from the approved budget amount for fiscal year 2002 in accordance with contracts, which are hereby authorized to be entered into by the executive director of the state conservation commission on behalf of the commission, for such grants or incentives: *And provided further*, That such contracts may provide for such expenditures from the approved budget amount for fiscal year 2002 to be made pursuant to encumbrances for expenditures after June 30, 2002: *Provided, however*, That expenditures from this account for contractual educational and technical assistance for fiscal year 2002 shall not exceed \$40,000.

Riparian and wetland program .....	\$250,000
Water rights purchase .....	\$69,433

(d) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the water plan special revenue fund of the state conservation commission to the state water plan fund. On July 1, 2001, all liabilities of the water plan special revenue fund of the state conservation commission, including any outstanding encumbrances, are hereby transferred to and imposed on the state water plan fund and the water plan special revenue fund of the state conservation commission is hereby abolished.

(e) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2002, in the land treatment cost share account the amount equal to the unencumbered balance as of June 30, 2001, in the land treatment cost-share programs account of the state water plan fund.

(f) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2002, in the nonpoint source pollution assistance account the amount equal to the unencumbered balance as of June 30, 2001, in the non-point source pollution account of the state water plan fund.

Sec. 162.

#### KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Water resources operating expenditures .....	\$1,477,589
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*Provided*, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided however*, That expenditures from such reappropriated balance shall not exceed \$2,321 except upon approval of the state finance council: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$250.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2001, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Conversion of materials and equipment fund .....	No limit
Local water project match fund .....	No limit

*Provided*, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury to the credit of the local water project match fund: *Provided further*, That all moneys credited to this fund shall be used to match state funds for water projects using federal cost-share funds. Water supply storage assurance fund ..... No limit

*Provided*, That any moneys deposited to the credit of the water supply storage assurance fund which are received from a water assurance district shall be credited to a separate subaccount: *Provided further*, That moneys in such subaccounts may be transferred to the water marketing fund for (1) payment to the federal government of annual capital costs of water supply storage in federal reservoirs under the water assurance program act, (2) payment and reimbursement to the water marketing fund for water supply storage space previously paid for with revenue from the water marketing fund, if such storage space has been transferred to the water assurance program, (3) payment to the federal government of annual operation, maintenance and repair costs associated with the water supply storage space dedicated for the use of water assurance districts, and (4) payment and reimbursement to the water marketing fund and the state general fund for costs incurred by the state for the administration and enforcement of applicable state laws governing the operations and management of the water assurance program as provided in contracts with water assurance districts: *And provided further*, That no additional water supply storage space shall be purchased in Milford, Perry or Tuttle Creek reservoirs during fiscal year 2002.

State conservation storage water supply fund ..... \$0  
 Water marketing fund ..... No limit  
 Federal grants and receipts fund ..... No limit  
 General fees fund ..... No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*, That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*, That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury and credited to this fund.

Water conservation projects fund ..... \$0  
 Water plan projects fund ..... No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2002, for the state water plan project or projects specified, the following:

Assessment and evaluation .....	\$200,000
Federal cost-share programs .....	\$250,000
GIS data access and support center.....	\$143,773
GIS data base development .....	\$250,000
MOU—storage operations and maintenance.....	\$437,833
Ogallala aquifer institute.....	\$45,000
PMIB loan payment for storage.....	\$263,991
Public information .....	\$30,000
Stream gauging program.....	\$416,000
Technical assistance to water users .....	\$440,795
Water planning process.....	\$55,552
Water resource education .....	\$60,000
Weather modification program.....	\$178,000

(d) During the fiscal year ending June 30, 2002, the director of the Kansas water office, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2002 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2002 from the state water plan fund for the Kansas water office: *Provided, however*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

(e) During the fiscal year ending June 30, 2002, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office from the state water plan fund to the water plan projects fund of the Kansas water office, except that such transfers shall only be made upon the approval of the director of the budget. The director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the legislative research department.

(f) During the fiscal year ending June 30, 2002, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office sufficient funds to maintain the cash flow of the water marketing fund upon approval of such loan by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto. No loan shall be made unless the terms thereof have been approved by the director of the budget. A copy of the terms of the loan shall be submitted to the director of the legislative research department. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loan. Each such loan shall be repaid without interest within one year from the date of the loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification by the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(g) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$250,000 from the state general fund to the state water plan fund.

(h) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$55,229 from the water marketing fund to the state general fund.  
Sec. 163.

#### DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2002, the following:

Operating expenditures .....	\$4,305,369
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That no expenditures shall be made from the operating expenditures account for the purchase of state aircraft insurance: *And Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund .....	\$23,732,695
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*Provided*, That additional expenditures may be made from the wildlife fee fund for fiscal year 2002 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2002: *And provided further*, That the secretary of wildlife and parks shall report



all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$8,000.

Parks fee fund ..... \$4,880,243

*Provided*, That additional expenditures may be made from the parks fee fund for fiscal year 2002 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2002: *And provided further*, That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund ..... \$1,092,472

*Provided*, That additional expenditures may be made from the boating fee fund for fiscal year 2002 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2002: *And provided further*, That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Central aircraft fund ..... No limit

*Provided*, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies, and for the purchase of state aircraft insurance: *Provided further*, That the secretary of wildlife and parks is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*, That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*, That all fees received for such services shall be credited to this fund: *And provided further*: That all expenditures for salaries and wages for pilots for fiscal year 2002 shall be paid from this fund.

Wildlife and parks nonrestricted fund ..... No limit

*Provided*, That all moneys received under K.S.A. 32-990, 32-991, 32-992, 32-993, 32-994 and 32-1173, and amendments thereto, other than moneys restricted by K.S.A. 32-990, 32-991, 32-992, 32-993, 32-994 and 32-1173, and amendments thereto, shall be deposited in the state treasury and credited to the wildlife and parks nonrestricted fund: *Provided further*, That expenditures from this fund may be made for federal aid eligible expenditures at the discretion of the secretary of wildlife and parks.

Prairie spirit rails-to-trails fee fund ..... No limit

Nongame wildlife improvement fund ..... No limit

Wildlife conservation fund ..... No limit

Federally licensed wildlife areas fund ..... No limit

State agricultural production fund ..... No limit

Land and water conservation fund—state ..... No limit

Land and water conservation fund—local ..... No limit

Development and promotions fund ..... No limit

Department of wildlife and parks private gifts and donations fund ..... No limit

Fish and wildlife restitution fund ..... No limit

Parks restitution fund ..... No limit

Nonfederal grants fund ..... No limit

Federal grants fund ..... No limit

Suspense fund ..... No limit

Employee maintenance deduction clearing fund ..... No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2002, for the water plan project or projects specified, the following:

Stream monitoring ..... \$50,000

(d) On July 15, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount not to exceed \$40,982 specified by the secretary of

wildlife and parks from the wildlife fee fund of the department of wildlife and parks to the El Dorado correctional facility—general fees fund of the department of corrections.

(e) In addition to the other purposes for which expenditures may be made by the department of wildlife and parks from the moneys appropriated in the parks fee fund for fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures may be made from the parks fee fund for fiscal year 2002 for operating expenditures and capital improvement projects for the purposes of maintaining and repairing the Prairie Spirit rail trail in Allen, Anderson and Franklin counties, including, but not limited to, the expenses of operating of park equipment by employees of the department of wildlife and parks that are assigned to the state park system.

(f) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the water plan special revenue fund of the department of wildlife and parks to the state water plan fund. On July 1, 2001, all liabilities of the water plan special revenue fund of the department of wildlife and parks are hereby transferred to and imposed on the state water plan fund and the water plan special revenue fund of the department of wildlife and parks is hereby abolished.

(g) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the EDIF—local government outdoor recreation grants fund of the department of wildlife and parks to the state economic development initiatives fund. On July 1, 2001, all liabilities of the EDIF—local government outdoor recreation grants fund of the department of wildlife and parks, including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the EDIF—local government outdoor recreation grants fund of the department of wildlife and parks is hereby abolished.

(h) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the economic development initiatives grant fund of the department of wildlife and parks to the state economic development initiatives fund. On July 1, 2001, all liabilities of the economic development initiatives grant fund of the department of wildlife and parks, including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the economic development initiatives grant fund of the department of wildlife and parks is hereby abolished.

Sec. 164.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund.....	No limit
Special city and county highway fund.....	No limit
County equalization and adjustment fund.....	\$2,500,000
Highway special permits fund.....	No limit
Highway bond debt service fund.....	No limit
Rail service improvement fund.....	No limit
Rail service assistance program loan guarantee fund.....	No limit
Railroad rehabilitation loan guarantee fund.....	No limit

*Provided*, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount which the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2002, in satisfaction of liabilities arising from the unconditional guarantee of payment which was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420 and amendments thereto and guaranteed pursuant to K.S.A. 75-5031 and amendments thereto.

Interagency motor vehicle fuel sales fund..... No limit  
*Provided*, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas highway patrol: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for

motor vehicle fuel sold to the Kansas highway patrol: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be credited to this fund.

Coordinated public transportation assistance fund.....	No limit
Public use general aviation airport development fund .....	No limit
Highway bond proceeds fund .....	No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2002, from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2002 other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Agency operations.....	\$216,874,370
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*Provided*, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$1,000: *Provided, however*, That expenditures may be made from this account for state aircraft insurance: *Provided further*, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e and amendments thereto.

Conference fees.....	No limit
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*Provided*, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: *Provided further*, That such fees shall be deposited in the state treasury and credited to the conference fees account of the state highway fund: *And provided further*, That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance.....	No limit
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Claims .....	No limit
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Payments for city connecting links.....	\$3,360,000
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Federal local aid programs .....	No limit
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Pre-1992 bond services fees.....	No limit
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Construction, remodeling and special maintenance projects for buildings.....	\$7,273,802
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*Provided*, That expenditures may be made from the construction, remodeling and special maintenance projects for buildings account of the state highway fund of amounts in unexpended balances as of June 30, 2001, in capital improvement project accounts of projects approved for prior fiscal years: *Provided further*, That expenditures from this account of amounts in such unexpended balances shall be in addition to any expenditure limitation imposed on this account for fiscal year 2002.

Other capital improvements.....	No limit
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*Provided*, That the secretary of transportation is authorized to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) On April 1, 2002, the director of accounts and reports shall transfer from the motor pool service fund of the department of administration to the state highway fund of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611 and amendments thereto.

(d) During the fiscal year ending June 30, 2002, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund, the director of accounts and reports shall transfer from the state highway fund to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(e) Any transfer of money during the fiscal year ending June 30, 2002, from the state highway fund to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for the fiscal year ending June 30, 2002.

(f) Any transfer of money during the fiscal year ending June 30, 2002, from the state highway fund to the highway bonds debt service fund shall be in addition to any expenditure limitation imposed on the state highway fund for the fiscal year ending June 30, 2002.

(g) For the fiscal year commencing on and after July 1, 2001, the department of transportation shall prepare and submit along with the documents required under K.S.A. 75-3717, and amendments thereto, additional documents that present the revenues, transfers, and expenditures that are considered to be in support of the comprehensive transportation program authorized by K.S.A. 2000 Supp. 68-2314a *et seq.* The documents shall include both reportable as well as nonreportable and off-budget items that reflect the revenues, transfers and expenditures associated with the comprehensive transportation program.

(h) *Kansas savings incentive program.* (1) In addition to other expenditures authorized by law, expenditures may be made from the agency operations account of the state highway fund appropriated by this act for the fiscal year ending June 30, 2002, by the department of transportation for the following purposes: (A) Salary bonus payments to permanent full-time or regular part-time employees of the state agency at the discretion of the agency head, (B) purchase or other acquisition of technology equipment which was included in the budget estimates for fiscal year 2002 submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (C) professional development training including official hospitality: *Provided*, That all such expenditures from such fund for the fiscal year 2002 shall be in addition to any expenditure limitation imposed on the agency operations account of the state highway fund for fiscal year 2002: *Provided, however*, That the total amount of such expenditures from the agency operations account of the state highway fund for fiscal year 2002 shall not exceed the amount equal to 50% of the unexpended portion of the amount authorized to be expended from the agency operations account of the state highway fund for fiscal year 2001 for agency operations, as determined by the director of accounts and reports: *Provided further*, That the total net amount of any such salary bonus payments to any individual employee during fiscal year 2002 shall not exceed \$1,000: *And provided further*, That the provisions of this subsection (g)(1) shall apply only to: (A) That portion of the moneys in the agency operations account of the state highway fund from which expenditures may be made for agency operations, and (B) shall not include that portion of moneys which may be expended for other operating expenses in the regular maintenance subprogram.

(2) Any unencumbered balance in excess of \$100 as of June 30, 2001, in any account of any special revenue fund of the department of transportation, which was appropriated by subsection (g)(2) of section 68 of chapter 130 of the 2000 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2001 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2002, for the purposes authorized in subsection (g)(1) of this section. All expenditures from any such account of any such special revenue fund shall be in addition to any expenditure limitation imposed on such special revenue fund for the fiscal year ending June 30, 2002.

(3) No salary bonus payment paid pursuant to this section during fiscal year 2002 shall be compensation, within the meaning of K.S.A. 74-4901 *et seq.*, and amendments thereto, for any purpose under the Kansas public employees retirement system and shall not be subject to deductions for employee contributions thereunder. Each salary bonus payment paid under this section shall be a bonus, as defined by 29 C.F.R. 778, and shall be in addition to the regular earnings which that employee may be entitled or for which the employee may become eligible.

Sec. 165. *Position limitations.* (a) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2002, made in this or other appropriation act of the 2001 regular session of the legislature for the following agencies shall not exceed the following, except upon approval of the state finance council or pursuant to subsection (b):

Attorney General.....	95.5
Secretary of State .....	57.0
State Treasurer.....	55.5
Insurance Department.....	157.0

*Provided*, That any attorney positions established in the insurance department for the purpose of defense of the workers compensation fund shall be in addition to any limitation imposed on the full-time and regular part-time equivalent number of positions, excluding seasonal and temporary positions, paid from appropriations made for fiscal year 2002 for the department of insurance.

Health Care Stabilization Fund Board of Governors .....	16.0
Judicial Council .....	4.0
Kansas Human Rights Commission.....	37.0
State Corporation Commission.....	210.0
Citizens' Utility Ratepayer Board .....	4.0
Department of Administration .....	879.4
State Board of Tax Appeals.....	31.0
Department of Revenue.....	1,162.0
Kansas Lottery .....	89.0
Kansas Racing and Gaming Commission—state racing operations.....	43.0
Kansas Racing and Gaming Commission—state gaming agency .....	21.0
Department of Commerce and Housing .....	149.0
Kansas, Inc. ....	4.0
Department of Human Resources .....	964.3
Kansas Commission on Veterans Affairs.....	555.8
Department of Health and Environment.....	854.0
Department on Aging.....	157.0
Department of Social and Rehabilitation Services .....	3,878.5
Kansas Neurological Institute .....	655.5
Larned State Hospital .....	744.8
Osawatomie State Hospital.....	477.4
Parsons State Hospital and Training Center.....	513.0
Rainbow Mental Health Facility .....	132.4
State Library .....	27.0
Kansas Arts Commission .....	8.0
Kansas State School for the Blind.....	93.5
Kansas State School for the Deaf .....	173.5
State Historical Society .....	136.5
State Board of Regents .....	30.0
Department of Corrections.....	3,132.5
Juvenile Justice Authority.....	614.0
Adjutant General.....	215.0
State Fire Marshal .....	46.0
Kansas Parole Board.....	4.0
Kansas Highway Patrol .....	823.8
Attorney General—Kansas Bureau of Investigation.....	200.0
Emergency Medical Services Board .....	13.0
Kansas Sentencing Commission.....	11.0
Ombudsman of Corrections .....	3.5
Kansas Department of Agriculture.....	301.5
Kansas Animal Health Department.....	31.0
State Fair Board .....	22.0
Kansas Wheat Commission.....	8.0
State Conservation Commission.....	13.5
Kansas Water Office.....	22.5
Department of Wildlife and Parks .....	406.5
Department of Transportation .....	3,247.5

(b) During the fiscal year ending June 30, 2002, the secretary of social and rehabilitation services may increase the position limitation for the department of social and rehabilitation services or for any institution or facility under the general supervision and management of the secretary of social and rehabilitation services by making a corresponding decrease in the position limitation for either the department of social and rehabilitation services or any

institution or facility under the general supervision and management of the secretary of social and rehabilitation services. The secretary of social and rehabilitation services shall certify each such increase and corresponding decrease to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the legislative research department and the division of the budget.

(c) During the fiscal year ending June 30, 2002, any full-time and regular part-time positions of the Kansas highway patrol that are for capitol area police officers and capitol area security guards, that are assigned to security for state-owned and controlled properties located in Shawnee county under contracts with other state agencies shall be in addition to any limitation on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the Kansas highway patrol for fiscal year 2002, made in this or other appropriation act of the 2001 regular session of the legislature: *Provided*, That the Kansas highway patrol shall prepare and submit a report on all such positions assigned to provide security under such contracts to the legislative budget committee prior to the 2002 regular session of the legislature.

(d) During the fiscal year ending June 30, 2002, the secretary of social and rehabilitation services may authorize the total number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, for the department of social and rehabilitation services that are paid from appropriations for department of social and rehabilitation services for fiscal year 2002 made in this or other appropriation act of the 2001 regular session of the legislature, to temporarily exceed the limitation on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, established for fiscal year 2002 for the department of social and rehabilitation services so long as the total number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, for the department of social and rehabilitation services does not exceed such limitation as of June 30, 2002. The secretary of social and rehabilitation services shall certify each such authorization to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the legislative research department and the division of the budget.

(e) During the fiscal year ending June 30, 2002, the attorney general may authorize full-time other unclassified positions and regular part-time other unclassified positions, for the Kansas bureau of investigation that are paid from appropriations for the attorney general—Kansas bureau of investigation for fiscal year 2002 made in this or other appropriation act of the 2001 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2002 for the attorney general—Kansas bureau of investigation. The attorney general shall certify each such authorization for other unclassified positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the legislative research department and the division of the budget.

Sec. 166. *Kansas savings incentive program.* (a) In addition to other expenditures authorized by law, expenditures may be made from any account of the state general fund reappropriated by this act for the fiscal year ending June 30, 2002, for any state agency named in this act for the following purposes: (1) Salary bonus payments to permanent full-time or regular part-time employees of the state agency at the discretion of the agency head, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for fiscal year 2002 submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (3) professional development training including official hospitality: *Provided, however*, That the total of all such expenditures from such account of the state general fund for the fiscal year 2002 shall not exceed the amount equal to 50% of the amount of the unencumbered balance as of June 30, 2001, in such account of the state general fund that is reappropriated for fiscal year 2002 and that is in excess of the amount authorized to be expended for fiscal year 2002 from such reappropriated balance, as determined by the director of accounts and reports: *Provided further*, That the total net amount of any such salary bonus payments to any individual employee during fiscal year 2002 that are paid under subsection (b) or this subsection shall not exceed \$1,000: *And provided further*, That the provisions of this subsection shall apply only to that portion of any such account from

which expenditures may be made for state operations: *And provided further*, That all such expenditures from the reappropriated balance in any such account for the fiscal year 2002 shall be in addition to any expenditure limitation imposed on expenditures from the reappropriated balance in any such account for fiscal year 2002.

(b) In addition to other expenditures authorized by law, expenditures may be made from any special revenue fund appropriated by this act for the fiscal year ending June 30, 2002, for a state agency named in this act for the following purposes: (1) Salary bonus payments to permanent full-time or regular part-time employees of the state agency at the discretion of the agency head, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for fiscal year 2002 submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (3) professional development training including official hospitality: *Provided*, That all such expenditures from such fund for the fiscal year 2002 shall be in addition to any expenditure limitation imposed on such fund or any account thereof for fiscal year 2002: *Provided, however*, That the total amount of such expenditures from such fund for fiscal year 2002 shall not exceed the amount equal to 50% of the unexpended portion of the amount authorized to be expended from such fund for fiscal year 2001 for state operations, as determined by the director of accounts and reports, or, in the case of no limit appropriations, as determined by the director of the budget: *Provided further*, That the total net amount of any such salary bonus payments to any individual employee during fiscal year 2002 that are paid under subsection (a) or this subsection shall not exceed \$1,000: *And provided further*, That the provisions of this subsection shall apply only to: (1) That portion of the moneys in each account of a special revenue fund from which portion expenditures may be made for state operations, and (2) that portion of the moneys in a special revenue fund, that does not have any such accounts specified in this or other appropriation act, from which portion expenditures may be made for state operations.

(c) (1) Any unencumbered balance in excess of \$100 as of June 30, 2001, in any account of the state general fund of any state agency named in this act, which was reappropriated by subsection (c)(1) of section 70 of chapter 130 of the 2000 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2001 regular session of the legislature, is hereby reappropriated for the fiscal year ending June 30, 2002, and may be expended for the purposes authorized in subsections (a) and (b).

(2) Any unencumbered balance in excess of \$100 as of June 30, 2001, in any account of any special revenue fund of any state agency named in this act, which was appropriated by subsection (c)(2) of section 70 of chapter 130 of the 2000 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2001 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2002, and may be expended for the purposes authorized in subsections (a) and (b). All expenditures from any such account of any such special revenue fund shall be in addition to any expenditure limitation imposed on such special revenue fund for fiscal year 2002.

(d) No salary bonus payment paid pursuant to this section during fiscal year 2002 shall be compensation, within the meaning of K.S.A. 74-4901 *et seq.*, and amendments thereto, for any purpose under the Kansas public employees retirement system and shall not be subject to deductions for employee contributions thereunder. Each salary bonus payment paid under this section shall be a bonus, as defined by 29 C.F.R. 778, and shall be in addition to the regular earnings which that employee may be entitled or for which the employee may become eligible.

(e) The provisions of this section shall not apply to any state agency named in section 99 of this act or to the department of transportation.

Sec. 167. On July 1, 2001, K.S.A. 2000 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts which in the aggregate equal 4.5% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of

chapter 79 of Kansas Statutes Annotated and acts amendatory thereof and supplemental thereto during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: (1) The transfers on January 15 and July 15 of each year shall be in equal amounts which in the aggregate equal 3.630% of such taxes credited to the state general fund during the preceding calendar year; and (2) the amount of the transfer on each such date during state fiscal year ~~2001-2002~~ shall be ~~equal to 93.5% of the amount transferred on the same date during state fiscal year 2000~~ *\$28,951,485.50*. All such transfers are subject to reduction under K.S.A. 75-6704 and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) Sixty-five percent of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201 and amendments thereto on July 1 of the preceding year; and (2) thirty-five percent of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 168. On July 1, 2001, K.S.A. 2000 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts which in the aggregate equal 3.5% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated and acts amendatory thereof and supplemental thereto during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that: (a) The transfers on July 15 and December 10 of each year shall be in equal amounts which in the aggregate equal 2.823% of such taxes credited to the state general fund during the preceding calendar year; and (b) the amount of the transfer on each such date during state fiscal year ~~2001-2002~~ shall be ~~equal to 93.5% of the amount transferred on the same date during state fiscal year 2000~~ *\$18,465,844*. All such transfers are subject to reduction under K.S.A. 75-6704 and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 169. On July 1, 2001, K.S.A. 2000 Supp. 79-3425i is hereby amended to read as follows: 79-3425i. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; and (2) ~~the amount of the transfer on each such date during state fiscal year 2000 shall not exceed the amount equal to 101.7% of the amount transferred on the same date during state fiscal year 1999, and the amount of the transfer on each such date during state fiscal year 2001-2002 shall not exceed \$5,171,594.50~~ *\$5,590,913*. All transfers under this section shall be considered to be demand transfers from the state general fund.

Sec. 170. On July 1, 2001, K.S.A. 2000 Supp. 79-34,147 is hereby amended to read as follows: 79-34,147. (a) (1) On July 1, 1999, and quarterly thereafter the secretary of revenue shall certify to the director of accounts and reports the amount equal to 7.628% of the total revenues received by the secretary from the taxes imposed under the Kansas retailers' sales tax act and deposited in the state treasury and credited to the state general fund during the preceding three calendar months.

(2) On July 1, 2001, and quarterly thereafter, the secretary of revenue shall certify to the director of accounts and reports the amount equal to 9.5% of the total revenues received by the secretary from the taxes imposed under the Kansas retailers' sales tax act and de-



posited in the state treasury and credited to the state general fund during the preceding three calendar months.

(3) On July 1, 2002, and quarterly thereafter, the secretary of revenue shall certify to the director of accounts and reports the amount equal to 11% of the total revenues received by the secretary from the taxes imposed under the Kansas retailers' sales tax act and deposited in the state treasury and credited to the state general fund during the preceding three calendar months.

(4) On July 1, 2003, and quarterly thereafter, the secretary of revenue shall certify to the director of accounts and reports the amount equal to 11.25% of the total revenues received by the secretary from the taxes imposed under the Kansas retailers' sales tax act and deposited in the state treasury and credited to the state general fund during the preceding three calendar months.

(5) On July 1, 2004, and quarterly thereafter, the secretary of revenue shall certify to the director of accounts and reports the amount equal to 12% of the total revenues received by the secretary from the taxes imposed under the Kansas retailers' sales tax act and deposited in the state treasury and credited to the state general fund during the preceding three calendar months.

(b) Upon receipt of each certification under subsection (a), the director of accounts and reports shall transfer from the state general fund to the state highway fund an amount equal to the amount so certified, on each July 1, October 1, January 1 and April 1, except that ~~(1)(A) the amount of the transfer on each such date during state fiscal year 2000 shall not exceed the amount equal to 101.7% of the amount of the transfer on each such date during state fiscal year 1999 and (B) the aggregate amount of all such transfers during state fiscal year 2000 shall not exceed \$62,240,428; and (2) the amount of the transfer on each such date during state fiscal year 2001 shall not exceed \$12,927,149.75~~ *\$30,277,162*. All transfers made pursuant to this section are subject to reduction under K.S.A. 75-6704, and amendments thereto.

(c) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 171. (a) In addition to the other purposes for which expenditures may be made by the governor's department from the governor's department account of the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the governor's department from the governor's department account of the state general fund for fiscal year 2002:

(1) For an additional amount of biweekly compensation for the governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,671.00 per biweekly pay period for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001, and

(2) for an additional amount of biweekly compensation for the governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,726.07 per biweekly pay period for each biweekly pay period commencing on or after December 9, 2001, which is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the governor for the biweekly pay periods which commence on or after June 10, 2001 and which are chargeable to fiscal year 2002.

(b) In addition to the other purposes for which expenditures may be made by the lieutenant governor from the operations account of the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the lieutenant governor from the operations account of the state general fund for fiscal year 2002:

(1) For an additional amount of biweekly compensation for the lieutenant governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$1,038.33 per biweekly pay period for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001, and

(2) for an additional amount of biweekly compensation for the lieutenant governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$1,053.91 per biweekly pay period for each biweekly pay period commencing on or after December 9, 2001, which is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (b) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the lieutenant governor for the biweekly pay periods which commence on or after June 10, 2001, and which are chargeable to fiscal year 2002.

(c) In addition to the other purposes for which expenditures may be made by the secretary of state from the operating expenditures account of the state general fund for the fiscal year ending June 30, 2002 expenditures shall be made by the secretary of state from the operating expenditures account of the state general fund for fiscal year 2002:

(1) For an additional amount of biweekly compensation for the secretary of state equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$2,851.83 per biweekly pay period for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001, and

(2) for an additional amount of biweekly compensation for the secretary of state equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$2,894.60 per biweekly pay period for each biweekly pay period commencing on or after December 9, 2001, which is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (c) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the secretary of state for the biweekly pay periods which commence on or after June 10, 2001, and which are chargeable to fiscal year 2002.

(d) In addition to the other purposes for which expenditures may be made by the attorney general from the operating expenditures account of the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the attorney general from the operating expenditures account of the state general fund for fiscal year 2002:

(1) For an additional amount of biweekly compensation for the attorney general equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,279.52 per biweekly pay period for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001, and

(2) for an additional amount of biweekly compensation for the attorney general equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,328.71 per biweekly pay period for each biweekly pay period commencing on or after December 9, 2001, which is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (d) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the attorney general for the biweekly pay periods which commence on or after June 10, 2001, and which are chargeable to fiscal year 2002.

(e) In addition to the other purposes for which expenditures may be made by the state treasurer from the operating expenditures account of the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the state treasurer from the operating expenditures account of the state general fund for fiscal year 2002:

(1) For an additional amount of biweekly compensation for the state treasurer equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$2,851.83 per biweekly pay period for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001, and

(2) for an additional amount of biweekly compensation for the state treasurer equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$2,894.60 per biweekly pay period for each biweekly pay period commencing on or after December 9, 2001, which is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (e) for such purposes shall be made in the same manner and at the same times that biweekly compensation

is payable to the state treasurer for the biweekly pay periods which commence on or after June 10, 2001, and which are chargeable to fiscal year 2002.

(f) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance department service regulation fund for the fiscal year ending June 30, 2002, expenditures shall be made by the insurance department from the insurance department service regulation fund for fiscal year 2002:

(1) For an additional amount of biweekly compensation for the commissioner of insurance equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$2,851.83 per biweekly pay period for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001, and

(2) for an additional amount of biweekly compensation for the commissioner of insurance equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$2,894.60 per biweekly pay period for each biweekly pay period commencing on or after December 9, 2001, which is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (f) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the commissioner of insurance for the biweekly pay periods which commence on or after June 10, 2001, and which are chargeable to fiscal year 2002.

(g) (1) In addition to the other purposes for which expenditures may be made by each state agency from appropriations made for the fiscal year ending June 30, 2002, expenditures shall be made by each state agency from the appropriations made for fiscal year 2002:

(A) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$77.59 per calendar day for each member of a board for any calendar day occurring on or after June 10, 2000, and before December 9, 2001, for which per diem compensation is payable to such member of a board under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2002 and

(B) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$78.75 per calendar day for each member of a board for any calendar day occurring on or after December 9, 2001, for which per diem compensation is payable to such member of a board under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (g) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such member of a board for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 10, 2001, is payable and which are chargeable to fiscal year 2002.

(2) As used in this subsection (g), (A) "state agency" means any state agency of the executive branch of state government (i) which has appropriations made for the fiscal year ending June 30, 2002, by this act or any other appropriation act of the 2001 regular session of the legislature, and (ii) which is, or which makes expenditures for, any board; and

(B) "board" means any board, commission, committee, task force, panel or other body in the executive branch of state government, including any advisory body, having one or more members who are entitled to receive per diem compensation for attendance at meetings of such body, or attendance at meetings authorized by such body of a subcommittee or other subsidiary group of such body, as provided in K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto.

(h) In addition to the other purposes for which expenditures may be made by the Kansas turnpike authority for the period commencing June 10, 2001, and ending June 30, 2002, expenditures shall be made by the Kansas turnpike authority for such period:

(1) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$77.59 per calendar day for each member of the Kansas turnpike authority for any calendar day occurring on or after June 10, 2000, and before December

9, 2001, for which per diem compensation is payable to such member of the Kansas turnpike authority under K.S.A. 68-2003 and amendments thereto who is entitled, in accordance with K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$78.75 per calendar day for each member of the Kansas turnpike authority for any calendar day occurring on or after December 9, 2001, for which per diem compensation is payable to such member of the Kansas turnpike authority under K.S.A. 68-2003 and amendments thereto who is entitled, in accordance with K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (h) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such member of the Kansas turnpike authority for the appropriate pay periods for which such per diem compensation for calendar days occurring on or after June 10, 2001, and prior to July 1, 2002, is payable by the Kansas turnpike authority.

(i) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2002:

(1) (A) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$77.59 per calendar day for each member of the legislature for service at the regular session or any special session of the legislature for any calendar day occurring on or after June 10, 2001, and before December 9, 2001; and

(B) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$78.75 per calendar day for each member of the legislature for service at the regular session or any special session of the legislature for any calendar day occurring on or after December 9, 2001, which is chargeable to fiscal year 2002; and

(2) (A) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$77.59 per calendar day for each member of the legislature and for any other public officer or person for any calendar day occurring on or after June 10, 2001, and before December 9, 2001, for which per diem compensation is payable from appropriations for the legislature to such member of the legislature, public officer or person under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2002; and

(B) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$78.75 per calendar day for each member of the legislature and for any other public officer or person for any calendar day occurring on or after December 9, 2001, for which per diem compensation is payable from appropriations for the legislature to such member of the legislature, public officer or person under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (i) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislature, public officials and persons for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 10, 2001, is payable and which are chargeable to fiscal year 2002.

(j) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2002 for an additional amount of biweekly compensation for the following legislative officers equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation per biweekly pay period for such legislative officers as follows:

(1) For the president of the senate and the speaker of the house of representatives equal to the amount required to provide (A) an aggregate amount of \$472.51 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001, and (B) an aggregate amount of \$479.60 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 9, 2001, which is chargeable to fiscal year 2002;

(2) for the speaker pro tem of the house of representatives, the vice president of the senate, the assistant majority leaders of the senate and house of representatives, and the assistant minority leaders of the senate and house of representatives equal to the amount required to provide (A) an aggregate amount of \$241.17 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001, and (B) an aggregate amount of \$244.79 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 9, 2001, which is chargeable to fiscal year 2002;

(3) for the chairperson of the senate committee on ways and means and the chairperson of the house of representatives committee on appropriations equal to the amount required to provide (A) an aggregate amount of \$379.99 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001, and (B) an aggregate amount of \$385.69 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 9, 2001, which is chargeable to fiscal year 2002;

(4) for the majority leaders of the senate and house of representatives equal to the amount required to provide (A) an aggregate amount of \$426.29 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001, and (B) an aggregate amount of \$432.68 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 9, 2001, which is chargeable to fiscal year 2002; and

(5) for the minority leaders of the senate and house of representatives equal to the amount required to provide (A) an aggregate amount of \$426.29 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001, and (B) an aggregate amount of \$432.68 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 9, 2001, which is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (j) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to such legislative officers under K.S.A. 46-137b and amendments thereto for the biweekly pay periods which commence on or after June 10, 2001, and which are chargeable to fiscal year 2002.

(k) In addition to the other purposes for which expenditures may be made by the legislative coordinating council from the legislative coordinating council—operations account of

the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the legislative coordinating council from the legislative coordinating council—operations account of the state general fund for fiscal year 2002 for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (1) an aggregate amount of compensation of \$77.59 per calendar day for each member of the legislative coordinating council for any calendar day occurring on or after June 10, 2001, and before December 9, 2001, for which per diem compensation is payable from appropriations for the legislative coordinating council under K.S.A. 46-1209 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (2) an aggregate amount of compensation of \$78.75 per calendar day for each member of the legislative coordinating council for any calendar day occurring on or after December 9, 2001, for which per diem compensation is payable from appropriations for the legislative coordinating council under K.S.A. 46-1209 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2001: *Provided*, That all expenditures under this subsection (k) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislative coordinating council for the biweekly pay periods for which such per diem compensation is payable for calendar days occurring on or after June 10, 2001, and which are chargeable to fiscal year 2002.

(l) In addition to the other purposes for which expenditures may be made by the division of post audit from the operations (including legislative post audit committee) account of the state general fund for the fiscal year ending June 30, 2001, expenditures shall be made by the division of post audit from the operations (including legislative post audit committee) account of the state general fund for fiscal year 2001:

(1) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$77.59 per calendar day for each member of the legislative post audit committee for any calendar day occurring on or after June 10, 2001, and before December 9, 2001, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1104 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (B) an aggregate amount of compensation of \$78.75 per calendar day for each member of the legislative post audit committee for any calendar day occurring on or after December 9, 2001, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1104 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2002; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$77.59 per calendar day for each member of the contract audit committee for any calendar day occurring on or after June 10, 2001, and before December 9, 2001, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1120 and amendments thereto to such member as provided in K.S.A. 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (B) an aggregate amount of compensation of \$78.75 per calendar day for each member of the contract audit committee for any calendar day occurring on or after December 9, 2001, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1120 and amendments thereto to such member as provided in K.S.A. 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (l) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislative post audit committee or contract audit committee for the biweekly pay periods for which such per diem compensation is

payable for calendar days occurring on or after June 10, 2001, and which are chargeable to fiscal year 2002.

(m) In addition to the other purposes for which expenditures may be made by the judicial branch from the judiciary operations account of the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the judicial branch from the judiciary operations account of the state general fund for fiscal year 2002:

(1) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$77.59 per calendar day for each member of the advisory council on dispute resolution for any calendar day occurring on or after June 10, 2001, and before December 9, 2001, for which per diem compensation is payable to such member of the advisory council on dispute resolution under K.S.A. 5-505 and amendments thereto who is entitled, in accordance with subsection (e) of K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (B) an aggregate amount of compensation of \$78.75 per calendar day for each member of the advisory council on dispute resolution for any calendar day occurring on or after December 9, 2001, for which per diem compensation is payable to such member of the advisory council on dispute resolution under K.S.A. 5-505 and amendments thereto who is entitled, in accordance with subsection (e) of K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2002; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$77.59 per calendar day for each retired justice or judge who performs judicial service or duties under K.S.A. 20-2616 and amendments thereto for each calendar day occurring on or after June 10, 2001, and before December 9, 2001, for which per diem compensation is payable to such retired justice or judge under K.S.A. 20-2616 and amendments thereto, and (B) an aggregate amount of compensation of \$78.75 per calendar day for each retired justice or judge who performs judicial service or duties under K.S.A. 20-2616 and amendments thereto for each calendar day occurring on or after December 9, 2001, for which per diem compensation is payable to such retired justice or judge under K.S.A. 20-2616 and amendments thereto, and is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (m) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the advisory council on dispute resolution or to such retired justices or judges for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 10, 2001, is payable and which are chargeable to fiscal year 2002.

(n) In addition to the other purposes for which expenditures may be made by the judicial council from the operating expenditures account of the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the judicial council from the operating expenditures account of the state general fund for fiscal year 2001 for:

(1) an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$77.59 per calendar day for each member of the judicial council and for each regularly appointed member of a special committee of the judicial council who is not a member of the judicial council for any calendar day occurring on or after June 10, 2000, and before December 9, 2001, for which per diem compensation is payable to such member of the judicial council or a special committee thereof under K.S.A. 20-2206 and amendments thereto at the rate of compensation in accordance with K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto; and

(2) an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$78.75 per calendar day for each member of the judicial council and for each regularly appointed member of a special committee of the judicial council who

is not a member of the judicial council for any calendar day occurring on or after December 9, 2001, for which per diem compensation is payable to such member of the judicial council or a special committee thereof under K.S.A. 20-2206 and amendments thereto at the rate of compensation in accordance with K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and is chargeable to fiscal year 2001: *Provided*, That all expenditures under this subsection (n) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the judicial council or special committees thereof for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 10, 2001, is payable and which are chargeable to fiscal year 2002.

Sec. 172. (a) The governor is hereby authorized and directed to modify the pay plan for fiscal year 2001 in accordance with this subsection and to adopt such pay plan as so modified. The existing pay plan for fiscal year 2001 shall be modified to provide for base salary increases for troopers and other sworn officers and employees of the Kansas highway patrol, excluding the colonel, lieutenant colonel, capital police officer, capital police sergeant, capital police lieutenant and MCI inspector I job classes, in accordance with the recommendations of the director of personnel services (1) which are developed after receiving the results of the classification and job rate study conducted by the director of personnel services comparing the salaries paid to Kansas highway patrol troopers to the salaries paid to law enforcement officers of other law enforcement agencies in Kansas and in other states pursuant to subsection (e), (2) which are in addition to the base pay increases recommended and provided for by the governor in the governor's budget report submitted to the legislature during the 2001 regular session, and (3) which are funded, with associated employer contributions, within the aggregate amount that is authorized to be transferred to the highway patrol salary increase fund established by this section, to be effective for biweekly pay periods commencing on or after December 10, 2001. The pay plan adopted by the governor under this subsection shall be the pay plan for the classified service under the Kansas civil service act. Such pay plan shall be subject to modification and approval as provided under K.S.A. 75-2938 and amendments thereto.

(b) There is appropriated for the Kansas highway patrol from the following special revenue fund or funds for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Highway patrol salary increase fund ..... \$294,315

*Provided*, That all expenditures from the highway patrol salary increase fund shall be for the base salary increases of officers and employees of the Kansas highway patrol provided for by the pay plan modifications prescribed by subsection (a), including associated employer contributions.

(c) Upon recommendation of the director of the budget, to pay the costs of the base salary increases of officers and employees of the Kansas highway patrol provided for by the pay plan modifications prescribed by subsection (a), including associated employer contributions, for the fiscal year ending June 30, 2002, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized and directed to approve the transfer of moneys by revenue transfer from the amounts appropriated by this or other appropriation act of the 2001 regular session of the legislature for the Kansas highway patrol for fiscal year 2002 from the state general fund and from other special revenue funds to the highway patrol salary increase fund: *Provided*, That the aggregate of all such amounts transferred to the highway patrol salary increase fund pursuant to this section shall not exceed \$294,315.

(d) The superintendent of the Kansas highway patrol shall prepare and submit a budget estimate for such salary increases specified in subsection (c), and all amendments and revisions of such estimates, to the director of the budget on forms prescribed by the director of the budget. At the same time as the superintendent submits such estimate, and all amendments and revisions thereof, each state agency shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the legislative research department.



(e) In addition to the other purposes for which expenditures may be made by the department of administration from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of administration for fiscal year 2002 from the moneys appropriated from the state general fund or any special revenue fund for a classification and job rate study by the director of personnel services comparing the salaries paid to Kansas highway patrol troopers and other sworn officers and employees of the Kansas highway patrol to the salaries paid to law enforcement officers of other law enforcement agencies in Kansas and in other states: *Provided*, That the director of personnel services shall submit the report of such study to the governor and to the legislative budget committee on or before October 1, 2001.

Sec. 173. *Appeals to exceed position limitations.* (a) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2002, made in this act or in any other appropriation act of the 2001 regular session of the legislature may be exceeded upon approval of the state finance council.

(b) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2003, made in this act or in any other appropriation act of the 2001 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 174. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the state economic development initiatives fund, the children's initiatives fund or the state water plan fund or to any account thereof.

Sec. 175. *Savings.* (a) Any unencumbered balance as of June 30, 2001, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2001 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2002, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2002, in any special revenue fund, or account thereof, of any state agency named in section 99 of this act which is not otherwise specifically appropriated or limited for fiscal year 2003 by this or other appropriation act of the 2001 or 2002 regular session of the legislature, is hereby appropriated for fiscal year 2003 for the same use and purpose as the same was heretofore appropriated.

(c) This section shall not apply to the state economic development initiatives fund, the children's initiatives fund or the state water plan fund or any account of any of such funds.

Sec. 176. *Federal grants.* (a) During the fiscal year ending June 30, 2002, each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated to that state agency by this or other appropriation act of the 2001 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2002, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(b) During the fiscal year ending June 30, 2003, each federal grant or other federal receipt which is received by a state agency named in section 99 of this act and which is not otherwise appropriated to that state agency for fiscal year 2003 by this or other appropriation act of the 2001 or 2003 regular session of the legislature, is hereby appropriated for fiscal year 2003 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, for fiscal year 2003, until the governor has authorized the state agency to make expenditures from such federal grant or other federal receipt for fiscal year 2003.

(c) (1) In addition to the other purposes for which expenditures may be made by any state agency which is named in this act and which is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2001 by chapter 130 or chapter 183 of the 2000 Session Laws of Kansas or by this or other appropriation act of the 2001 regular session of the legislature to apply for and receive federal grants during fiscal year 2001, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(2) In addition to the other purposes for which expenditures may be made by any state agency which is named in this act and which is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2002 by this or other appropriation act of the 2001 regular session of the legislature to apply for and receive federal grants during fiscal year 2002, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 177. Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2001 regular session of the legislature, and having an unencumbered balance as of June 30, 2001, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2002, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

Sec. 178. Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2001 regular session of the legislature and having an unencumbered balance as of June 30, 2001, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2002, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 179. Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2001 regular session of the legislature and having an unencumbered balance as of June 30, 2001, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2002, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 180. Any transfers of money during the fiscal year ending June 30, 2002, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121 and amendments thereto shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2002.

Sec. 181. On July 1, 2001, K.S.A. 2000 Supp. 79-2959, 79-2964, 79-3425i and 79-34,147 are hereby repealed.”;

On page 1, in the title, by striking all in lines 12 through 15 and inserting new material to read as follows:

“AN ACT making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing; amending K.S.A. 2000 Supp. 79-2959, 79-2964, 79-3425i and 79-34,147 and repealing the existing sections.”;

And your committee on conference recommends the adoption of this report.

KENNY A. WILK  
MELVIN J. NEUFELD  
ROCKY NICHOLS  
*Conferees on part of House*

STEPHEN R. MORRIS  
DAVID ADKINS  
PAUL FELECIANO, JR.  
*Conferees on part of Senate*

Senator Morris moved the Senate adopt the Conference Committee Report on **SB 57**.

On roll call, the vote was: Yeas 22, Nays 17, Present and Passing 1, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Brungardt, Corbin, Donovan, Emler, Harrington, Jackson, Jenkins, Jordan, Kerr, Morris, Oleen, Praeger, Salmans, Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil.

Nays: Barone, Brownlee, Clark, Downey, Feleciano, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Lee, Lyon, O'Connor, Pugh, Steineger, Tyson, Wagle.

Present and Passing: Gooch.

The Conference Committee report was adopted.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote no on the conference committee report for **SB 57**.

Yesterday, the Consensus Estimating Group announced that the forecast for this and next year's budget was \$185.5 million below expectations.

That is a deficit of 2% in our \$9 billion state budget, and 4% in our general fund, mainly because we have given tax cuts to powerful special interest groups.

This budget repeats those past mistakes like a kindergartner repeats his ABC's. This budget is Another Bad Creation.

I will not support a budget that eliminates the 2.5% step movement for state employees, who rely on our guarantee of an annual increase in their pay. I will not support a budget that falls short of adequate funding for the Board of Regents and for local health departments.

This budget seems to ignore the \$185.5 million budget deficit, and is another example of how we reached this crisis. It fails to give us the long-term view we need, making it Another Bad Creation.—ANTHONY HENSLEY

Senator Lee requests the record to show she concurs with the "Explanation of Vote" offered by Senator Hensley on **SB 57**.

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Senate Substitute for HB 2035**, submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee of the Whole amendments, as follows:

On page 1, in line 16, by striking "New"; in line 17, by striking "New"; in line 19, by striking all following "the"; in line 20, by striking all preceding the period and inserting "state board of regents"; in line 35, by striking "New"; also in line 35, by striking all following "of"; in line 36, by striking "erate and maintain" and inserting "this act is to provide for"; in line 38, by striking all following the period; by striking all in lines 39 through 42 and inserting "For that purpose, the state board of regents shall contract in accordance with this act for the creation, operation and maintenance of such network, to be known as the KAN-ED network.";

On page 2, by striking all in lines 10 through 43;

On page 3, by striking all in lines 1 through 12; in line 13, by striking all preceding "shall" and inserting:

"Sec. 4. (a) The board";

Also on page 3, in line 15, by striking "and" and inserting ". The board"; in line 16, preceding the period, by inserting "and shall adopt priorities for implementation of such access"; in line 17, by striking "ITEC" and inserting "The board"; in line 19, by striking "or cable" and inserting ", cable or other communications"; in line 20, by striking ". ITEC" and inserting "and priorities. The board"; in line 22, by striking "and standards" and inserting ", standards and priorities. Not less than 75% of all schools which have applied to the board to participate in the network, 75% of all libraries which have applied to the board to participate in the network and 75% of all hospitals which have applied to the board to participate in the network shall have access to the network by July 1, 2004"; in line 23, by striking "ITEC" and inserting "The board"; in line 25, by striking "KAN-ED"; also in line 25, following the period, by inserting "Such contracts shall be let by competitive bids as provided by K.S.A. 75-3739, and amendments thereto."; in line 26, by striking "ITEC" and inserting "The board"; in line 31, by striking "ITEC" and inserting "The board"; in line 35, by striking "ITEC" and inserting "The board"; in line 39, by striking "other"; in line 42, following the period, by inserting "Such advisory committees, to the extent appropriate, shall include both communications services providers and participants knowledgeable about topics such as network facilities and services, network content and user training, and such other topics as may be necessary or useful.";

On page 4, in line 3, by striking "ITEC" and inserting "On or before July 1, 2002, and thereafter as the board deems appropriate, the board shall adopt rules and regulations to implement and administer the provisions of this act.

(h) The board";

Also on page 4, in line 8, by striking "(h)" and inserting "(i)"; in line 11, by striking "ITEC" and inserting "the board"; in line 12, by striking all following "duties"; by striking all in line 13; in line 14, by striking all preceding "this" and inserting "pursuant to"; in line 15, by striking "New Sec. 7." and inserting "Sec. 5."; in line 16, by striking all following the period; by striking all in line 17 and inserting "The board shall remit to the state treasurer all moneys received by or on behalf of the board for the purposes of this act. Upon receipt of the remittance, the state treasurer shall deposit the entire amount in the state treasury and credit it to the KAN-ED fund."; in line 30, by striking "ITEC" and inserting "the board"; in line 32, by striking "New Sec. 8. (a)" and inserting "Sec. 6."; also in line 32, by striking "ITEC" and inserting "the board"; in line 34, by striking all following "report"; by striking all in line 35; in line 36, by striking all preceding "shall"; in line 37, by striking "ITEC" and inserting "the board"; in line 40, by striking all preceding "are"; in line 41, by striking all following the period; by striking all in lines 42 and 43;

On page 5, by striking all in lines 1 through 4; in line 5, by striking "New Sec. 9." and inserting "Sec. 7."; by striking all in lines 10 through 31; by renumbering section 12 as section 8;

In the title, in line 12, by striking all following "hospitals"; in line 13, by striking all preceding the period;

And your committee on conference recommends the adoption of this report.

KARIN BROWNLEE  
NICK JORDAN  
JIM BARONE  
*Conferees on part of Senate*

TOM SLOAN  
CARL DEAN HOLMES  
LAURA MCCLURE  
*Conferees on part of House*

Senator Brownlee moved the Senate adopt the Conference Committee Report on **S Sub for HB 2035**.

On roll call, the vote was: Yeas 37, Nays 3, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huel-

skamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Wagle.

Nays: O'Connor, Umbarger, Vratil.

The Conference Committee report was adopted.

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2114**, submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee amendments, as follows:

On page 9, in line 1, before the period, by inserting ", except that on and after January 1, 2003, the amount of such bond shall be \$30,000"; in line 33, after the period by inserting "On or after January 1, 2003, the amount of cash, negotiable bonds of the United States or of the state of Kansas or negotiable certificates of deposit of any bank organized under the laws of the United States or of the state of Kansas deposited with the state treasurer shall be in an amount of no less than \$30,000.";

And your committee on conference recommends the adoption of this report.

LESLIE D. DONOVAN, SR.

LARRY D. SALMANS

U.L. GOOCH

*Conferees on part of Senate*

ROBERT TOMLINSON

STANLEY DREHER

NANCY A. KIRK

*Conferees on part of House*

Senator Donovan moved the Senate adopt the Conference Committee Report on **HB 2114**.

On roll call, the vote was: Yeas 38, Nays 2, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Nays: Huelskamp, Schmidt.

The Conference Committee report was adopted.

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2131**, submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee amendments, as follows:

On page 9, in line 14, by striking "paying" and inserting "Paying"; in line 22, by striking "\$300,000 or 43%" and inserting "\$250,000 or 36%";

On page 13, after line 23, by inserting:

"Sec. 7. K.S.A. 2000 Supp. 65-3424m is hereby amended to read as follows: 65-3424m.

(a) The county official, or the official of a designated city, responsible for solid waste management in each county shall report to the secretary any known waste tire accumulation within the county not later than three months after the accumulation becomes known, if unknown before July 1, 1996.

(b) After July 1, ~~2001~~ 2003, each county shall be responsible for abatement of any waste tire accumulation within the county.";

By renumbering the remaining sections accordingly;

On page 14, in line 17, before "and" by inserting ", 65-3424m";

In the title, in line 13, before "and" by inserting ", 65-3424m";

And your committee on conference recommends the adoption of this report.

ROBERT TYSON  
 MARK TADDIKEN  
 JANIS K. LEE  
*Conferees on part of Senate*

JOANN LEE FREEBORN  
 BILL LIGHT  
 DANIEL J. THIMESCH  
*Conferees on part of House*

Senator Tyson moved the Senate adopt the Conference Committee Report on **HB 2131**.

On roll call, the vote was: Yeas 37, Nays 3, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gooch, Goodwin, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Nays: Gilstrap, Haley, Steineger.

The Conference Committee report was adopted.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2134**, submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee amendments, as follows:

On page 12, in line 6, by striking all after the period; in line 7, by striking all before "If"; also in line 7, after "approve" by inserting "or deny";

And your committee on conference recommends the adoption of this report.

ROBERT TYSON  
 MARK TADDIKEN  
 JANIS K. LEE  
*Conferees on part of Senate*

JOANN LEE FREEBORN  
 BILL LIGHT  
 DANIEL J. THIMESCH  
*Conferees on part of House*

Senator Tyson moved the Senate adopt the Conference Committee Report on **HB 2134**.

On roll call, the vote was: Yeas 37, Nays 3, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gooch, Goodwin, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Nays: Gilstrap, Haley, Steineger.

The Conference Committee report was adopted.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2303**, submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed as Senate Substitute for House Bill No. 2303, as follows:

On page 36, in line 36, by striking "(e)(2)(F)" and inserting "(e)(2)(G)"; in line 41, by striking "(e)(2)(F)" and inserting "(e)(2)(G)";

On page 37, in line 5, by striking "(e)(2)(F)" and inserting "(e)(2)(G)"; in line 21, by striking "(G)" and inserting "(H)";

And your committee on conference recommends the adoption of this report.

KARIN BROWNLEE  
NICK JORDAN  
JIM BARONE  
*Conferees on part of Senate*

AL LANE  
PEGGY LONG  
CANDY L. RUFF  
*Conferees on part of House*

Senator Brownlee moved the Senate adopt the Conference Committee Report on **S Sub for HB 2303**.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huel-skamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The Conference Committee report was adopted.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HCR 5008**, submits the following report:

The Senate recedes from all of its amendments to the bill;

And your committee on conference recommends the adoption of this report.

ROBERT TYSON  
SUSAN WAGLE  
JANIS K. LEE  
*Conferees on part of Senate*

JOANN LEE FREEBORN  
DON MYERS  
VAUGHN L. FLORA  
*Conferees on part of House*

Senator Tyson moved the Senate adopt the Conference Committee Report on **HCR 5008**.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huel-skamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The Conference Committee report was adopted.

#### REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **HB 2219**, as amended by House Committee, be passed.

Committee on **Ways and Means** recommends **HB 2573**, as amended by House Committee of the Whole, be passed.

#### REPORT ON ENGROSSED BILLS

**SB 53, SB 56, SB 280, SB 309** reported correctly engrossed April 5, 2001.

**REPORT ON ENROLLED BILLS**

**SR 1836, SR 1837, SR 1838, SR 1839, SR 1840** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on April 5, 2001.

**COMMITTEE OF THE WHOLE**

On motion of Senator Oleen, the Senate resolved itself into Committee of the Whole for consideration of bills on the calendar under the heading of General Orders with Senator Schmidt in the chair.

On motion of Senator Schmidt the following report was adopted:

Recommended **HB 2493** be passed.

The committee report on **HB 2067** recommending a **S Sub for HB 2067** be adopted, and the substitute bill be passed.

**SCR 1604** be adopted.

**HB 2480** be amended by adoption of the committee amendments, be further amended by motion of Senator Huelskamp as amended by Senate Committee, on page 8, after line 19, by inserting:

“(c) Nothing in this paragraph (15) shall be deemed or construed to authorize the promulgation or adoption of any regulation which preempts, supersedes or is inconsistent with any provision of Kansas law concerning requirements for notification of, or obtaining consent from, a parent, guardian or other legal custodian of a minor relating to any matter pertaining to the health and medical treatment for such minor.”, and **HB 2480** be passed as further amended.

The following amendments offered to **HB 2480** were rejected:

Senator Pugh moved to amend the bill as amended by Senate Committee, on page 8, after line 32, by inserting the following”:

“New Sec. 3. The commissioner shall not adopt rules and regulations which are inconsistent with Kansas law nor by rule and regulation, or otherwise, hold that Kansas statutes are preempted or otherwise nullified by any of the provisions of the Gramm-Leach-Bliley act of 1999 (public law 106-102).”;

And by renumbering the remaining sections accordingly

The motion failed and the amendment was rejected.

Senator Corbin moved to amend the bill as amended by Senate Committee, on page 8, in line 20, after “to” by inserting “section 1 of”; after line 32, by inserting a new section to read as follows:

“Sec. 1. K.S.A. 40-252d is hereby amended to read as follows: 40-252d. (a) For tax year 1998, each company required to pay a tax on premiums under subsections A, C, D or F of K.S.A. 40-252 and amendments thereto shall be allowed as a credit against such tax 25% of the salaries paid to Kansas employees, and for tax years 1999 2001 and thereafter, each company required to pay a tax on premiums under subsections A, C, D or F of K.S.A. 40-252 and amendments thereto shall be allowed as a credit against such tax 30% 15% of the salaries paid to Kansas employees. Before taking into account any other credit or offset against the tax on premiums imposed under K.S.A. 40-252 and amendments thereto, the credit allowed under this section may not reduce such tax by more than 1% of premiums taxable thereunder for tax year 1998 or by more than 1.25% 1.125% of premiums taxable thereunder for tax years 1999 2001 and thereafter, or 1% of premiums taxable thereunder for tax years 2001 and thereafter if such credit is calculated in accordance with the provisions of subsection (c).

(b) As used in this section, unless the context otherwise requires:

(1) “Affiliate” means an insurance company which, directly or indirectly, through one or more intermediaries, controls, is controlled by or is under common control with another insurance company. “Affiliate” also includes any company or business entity other than an insurance company which, directly or indirectly, through one or more intermediaries, controls, is controlled by or is under common control with an insurance company and which performs insurance company operations for an insurance company. For purposes of this definition, control exists if any company or business entity, directly or indirectly, owns, holds



with the power to vote or holds proxies representing all the voting stock or other voting securities of any other company or business entity.

(2) "Insurance company" or "company" means any entity subject to a tax on premiums under subsections A, C, D or F of K.S.A. 40-252 and amendments thereto, including the attorney-in-fact authorized by and acting for the subscribers of a reciprocal insurer or inter-insurance exchange under powers of attorney. For the purpose of this section, a reciprocal and its attorney-in-fact will be considered a single entity.

(3) "Insurance company operations" means one or more or any combination of the following functions or services performed in connection with the development, sale and administration of products giving rise to receipts subject to a tax on premiums under subsection A, C, D or F of K.S.A. 40-252 and amendments thereto: Actuarial, medical, legal, investments, accounting, auditing, underwriting, policy issuance, information, policyholder services, premium collection, claims, advertising and publications, public relations, human resources, marketing, sales office staff, training of sales and service personnel, and clerical, managerial and other support for any such functions or services.

(4) "Kansas employees" means persons who are employed in Kansas and who are common law employees of an insurance company or its affiliate. "Kansas employees" does not include independent contractors or any person to the extent such person's compensation is based on commissions.

(5) "Salaries" means gross compensation paid to Kansas employees as reported to the State of Kansas for income tax purposes for the calendar year for which a tax on premiums is imposed under K.S.A. 40-252 and amendments thereto, but only to the extent compensation is paid for insurance company operations performed in Kansas for an insurance company or its insurance company affiliates subject to the tax on premiums under subsection A, C, D or F of K.S.A. 40-252 and amendments thereto. "Salaries" does not include compensation based on commissions.

(c) For an insurance company having affiliates:

(1) Salaries paid by a noninsurance company affiliate shall be allocated among insurance company affiliates pursuant to the agreement between or among the insurance company and its affiliates.

(2) The gross amount of all premiums of an insurance company subject to tax under subsection A, C, D or F of K.S.A. 40-252 and amendments thereto and those of its insurance company affiliates subject to such tax may be aggregated. In addition, all salaries paid to Kansas employees may be aggregated. Subject to the limitation on the salary credit set forth in subsection (a) of this section, the total allowable salary credit may be determined as if all the aggregated premiums were received and all the aggregated salaries were paid by one insurance company. Once the total allowable salary credit is determined for all insurance company affiliates, the total credit may be allocated among the insurance company and its insurance company affiliates at the discretion of the insurance company on a per insurance company basis, subject to the limitation on the salary credit as set forth in subsection (a) of this section.

(d) The computation of salaries, the allowable salary credit and the allocation of the credit among insurance company affiliates shall be made on forms supplied by the commissioner of insurance.

(e) For purposes of calculating any tax due under K.S.A. 40-253 and amendments thereto from a taxpayer not organized under the laws of this state, the credit allowed by this section shall be treated as a tax paid under K.S.A. 40-252 and amendments thereto.;"

By renumbering existing sections accordingly;

Also, on page 8, in line 33, by striking "40-2404 is" and inserting "40-252d and 40-2404 are";

In the title, after "ACT" by inserting "relating to insurance companies; concerning premium tax credits;"; in line 11, after "K.S.A." by inserting "40-252d and"; in line 12, by striking "section" and inserting "sections"

The motion failed and the amendment was rejected.

**FINAL ACTION OF BILLS AND CONCURRENT RESOLUTIONS**

On motion of Senator Oleen an emergency was declared by a 2/3 constitutional majority, and **SCR 1604**; **S Sub for HB 2067**; **HB 2480**, **HB 2493** were advanced to Final Action and roll call.

**SCR 1604.** A proposition to amend sections 6 and 7 of article 3 of the constitution of the state of Kansas, relating to nonpartisan selection of district judges and the creation of commission for evaluating judicial performance, was considered on final action.

On roll call, the vote was: Yeas 17, Nays 23, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Brungardt, Downey, Emler, Gooch, Goodwin, Jenkins, Jordan, Kerr, Lee, Morris, Oleen, Praeger, Teichman, Vratil.

Nays: Barone, Brownlee, Clark, Corbin, Donovan, Feleciano, Gilstrap, Haley, Harrington, Hensley, Huelskamp, Jackson, Lyon, O'Connor, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Tyson, Umbarger, Wagle.

A two-thirds constitutional majority having failed to vote in favor of the resolution **SCR 1604** was not adopted.

## EXPLANATION OF VOTE

MR. PRESIDENT: I vote yes on **SCR 1604**. I respect the hard work of the Kansas Citizens Justice Initiative whose final report recommends the measures embodied in this resolution. I particularly support the enhanced judicial evaluation procedure which is included in this resolution. While I believe most elected jurists serve our state's citizens with great skill and honor, I support allowing Kansans the opportunity to vote on this important issue.—DAVID ADKINS

**S Sub HB 2067.** An act concerning providers of care services; relating to employment of persons convicted or adjudicated of certain offenses; amending K.S.A. 39-970 and K.S.A. 2000 Supp. 65-5117 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39, Nays 1, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Nays: Haley.

The substitute bill passed.

## EXPLANATION OF VOTE

MR. PRESIDENT: While I whole-heartedly *AGREE* with the underlying premise of **S Sub for HB 2067** (and would *not* be the 21st vote against the bill), the Kansas Legislature is short-sighted by continuing to ignore extreme cruelty to animal issues.

Be it microwaving the family kitten; kicking a dog into a bloody pulp just to hear the yelps; frying goldfish; organizing cock fights or hurting search and rescue dogs. . . this legislature had a prime opportunity to regulate and punish this psychotic behavior in this bill.

What will it take before we finally listen and join the majority of states that treat these actors as felons?—DAVID HALEY

**HB 2480.** An act concerning unfair trade practices; relating to privacy of consumer financial and health information; amending K.S.A. 40-2404 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39, Nays 1, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Nays: Corbin.

The bill passed, as amended.

**HB 2493**, An act concerning the state fair; relating to acquisition, construction, equipping, furnishing, renovation, reconstruction and repair of the Kansas state fairgrounds, was considered on final action.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelkamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed.

On motion of Senator Oleen the Senate adjourned until 10:00 a.m., Friday, April 6, 2001.

HELEN A. MORELAND, *Journal Clerk*.

PAT SAVILLE, *Secretary of Senate*.

