

Journal of the Senate

FIFTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, April 8, 2002—2:30 p.m.

The Senate was called to order by President Dave Kerr.

The roll was called with thirty senators present.

Senators Allen, Barnett, Brungardt, Corbin, Donovan, Feleciano, Gilstrap, Goodwin, Oleen and Steineger were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

I had prepared a different prayer

But it's raining as I speak

and everyone's rejoicing

The river's rising and the creek.

But even more important

The ground is getting soaked

Which keeps some farmers and some others

From almost going broke.

The drought was getting serious

But the rain keeps coming down

And you can see it on our faces

As smiles replace the frowns.

We hope you do not mind, O God,

If another prayer is spoken

Please keep it coming down,

Until the drought is broken.

I pray in the name of Christ.

Amen.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 659, An act concerning surplus real estate of state agencies; amending K.S.A. 2001 Supp. 75-6609 and repealing the existing section, by Committee on Federal and State Affairs.

SB 660, An act concerning the state board of tax appeals; membership; amending K.S.A. 2001 Supp. 74-2433 and repealing the existing section, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Ways and Means: **SB 658**.

CHANGE OF REFERENCE

The President withdrew **SB 646** from the calendar under the heading of General Orders, and rereferred the bill to the Committee on Transportation.

MESSAGE FROM THE GOVERNOR

SB 397, SB 416, SB 548, SB 630 approved on April 5, 2002.

Sub SB 256 approved on April 8, 2002.

April 5, 2002

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as Governor of the State of Kansas as of April 5, 2002, pursuant to law.

BILL GRAVES
Governor

Executive Director, Kansas State Historical Society, Mary R. Allman, pursuant to the authority vested in me by KSA 75-2701, effective June 3, 2002, to serve at the pleasure of the Governor.

COMMUNICATIONS FROM STATE OFFICERS

STATE OF THE JUDICIARY

Kay McFarland, Chief Justice, submitted pursuant to K.S.A. 20-320, the Annual Report of the Chief Justice of the Kansas Supreme Court.

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

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2706, HB 2714.**

Passage of **SB 481**, as amended.

Adoption of **SCR 1626.**

The House nonconcur in Senate amendments to **HB 2690** and requests a conference and has appointed Representatives Wilk, Neufeld and Nichols as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2729** and requests a conference and has appointed Representatives Lane, P. Long and Ruff as conferees on the part of the House.

The House concurs in Senate amendments to **HB 2677** and requests the Senate to return the bill.

The House concurs in Senate amendments to **HB 2781** and requests the Senate to return the bill.

Announcing, the House accedes to the request of the Senate for a conference on **SCR 1614** and has appointed Representatives Wilk, Neufeld and Ballard as conferees on the part of the House.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2706, HB 2714 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR

On motion of Senator Vratil the Senate nonconcurred in the House amendments to **H Sub for Sub SB 296** and requested a conference committee be appointed.

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

On motion of Senator Brownlee the Senate nonconcurred in the House amendments to **SB 481** 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 Morris, the Senate acceded to the request of the House for a conference on **HB 2690.**

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

On motion of Senator Brownlee, the Senate acceded to the request of the House for a conference on **HB 2729**.

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

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **SB 457** be amended on page 3, in line 23, by striking "decreased" and inserting "increased"; also in line 23, by striking "\$5,198,845" and inserting "\$5,344,457"; in line 27, by striking "decreased" and inserting "increased"; also in line 27, by striking "\$5,486,474" and inserting "\$5,708,966";

On page 6, in line 20, by striking "\$671,259" and inserting "\$670,112";

On page 7, after line 42, by inserting the following:

"(b) On the effective date of this act, the expenditure limitation established by section 110(b) of chapter 144 of the 2001 Session Laws of Kansas on expenditures for official hospitality from the operating expenditures account of the health care stabilization fund is hereby increased from \$300 to \$400.";

On page 9, after line 39, by inserting the following:

"(c) On the effective date of this act, the director of accounts and reports shall transfer \$451,301.88 from the automated tax systems fund of the department of revenue to the state general fund: *Provided*, That the amount transferred from the automated tax systems fund of the department of revenue to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.";

On page 11, after line 24, by inserting the following:

"Intergovernmental transfer administration fund No limit

(c) On the effective date of this act, of the \$134,903,477 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 129(a) of chapter 144 of the 2001 Session Laws of Kansas from the state general fund from the long term care account, the sum of \$808,190 is hereby lapsed.";

Also on page 11, in line 31, by striking "\$21,585,927" and inserting "\$27,702,319"; in line 34, by striking "\$7,647,755" and inserting "\$5,987,980"; in line 41, by striking "\$635,987" and inserting "\$475,987";

On page 14, after line 8, by inserting the following:

"(y) 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 committee insurance fund..... No limit

(z) On the effective date of this act, of the \$58,603,619 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 130(a) of chapter 144 of the 2001 Session Laws of Kansas from the state general fund in the youth services aid and assistance account, the sum of \$1,659,775 is hereby lapsed.";

Also on page 14, after line 12, by inserting the following:

"Operating expenditures (including official hospitality)..... \$105,000
General state aid \$2,212,000";

Also on page 14, in line 23, by striking "\$14,140,000" and inserting "\$13,704,589"; after line 34, by inserting the following:

"(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2002, by section 137(b) of chapter 144 of the 2001 Session Laws of Kansas on the heritage trust fund for state operations is hereby increased from \$92,650 to \$106,491.";

On page 17, in line 10, by striking "increased" and inserting "decreased"; also in line 10, by striking "\$221,716,555" and inserting "\$216,799,442"; after line 14, by inserting the following:

"Sec. 47.

STATE BOARD OF REGENTS

(a) 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 other than refunds authorized by law shall not exceed the following:

KAN-ED fund	No limit
ROTC service scholarship program fund	No limit
ROTC service scholarship repayment fund	No limit

Sec. 48.

STATE LIBRARY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2002, by section 133(a) of chapter 144 of the 2001 Session Laws of Kansas on the amount of moneys appropriated in the grants to libraries and library systems account of the state general fund to be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555 and amendments thereto, is hereby increased from \$2,569,665 to \$2,819,665.

Sec. 49.

OMBUDSMAN OF CORRECTIONS

(a) On the effective date of this act, of the \$166,700 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 157(a) of chapter 144 of the 2001 Session Laws of Kansas from the state general fund in the adult corrections oversight account, the sum of \$7,444 is hereby lapsed.

Sec. 50.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2002, by section 114(c) of chapter 144 of the 2001 Session Laws of Kansas on the non-retirement administration fund of the above agency is hereby decreased from \$255,000 to \$187,590.

(b) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the special 2003 death and disability plan employer contribution fund to the state general fund. On the effective date of this act, all liabilities of the special 2003 death and disability plan employer contribution fund are hereby transferred to and imposed on the state general fund.

Sec. 51.

DEPARTMENT OF HUMAN RESOURCES

(a) On the effective date of this act, the director of accounts and reports shall transfer \$190,841 from the special employment security fund to the state general fund: *Provided*, That the amount transferred from the special employment security fund of the department of human resources to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 52.

STATE FAIR BOARD

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$300,000 from the state fair capital improvement fund to the state fair fee fund.

Sec. 53. (a) On the effective date of this act, no expenditures shall be made from any moneys appropriated for any state agency from the state general fund or any special revenue fund for fiscal year 2002 by chapter 144 or chapter 216 of the 2001 Session Laws of Kansas or by this or other appropriation act of the 2002 regular session of the legislature for purchase of office furniture or office equipment.

(b) On and after the effective date of this act, no expenditures shall be made from any moneys appropriated for any state agency from the state general fund or any special revenue fund for fiscal year 2002 by chapter 144 or chapter 216 of the 2001 Session Laws of Kansas or by this or other appropriation act of the 2002 regular session of the legislature for purchase of vehicles.”;

And by renumbering sections accordingly;

Also on page 17, in line 16, by striking “years” and inserting “year”; also in line 16, by striking “and June 30, 2003,”; in line 24, by striking “years” and inserting “year”; also in line 24, by striking “and”; in line 25, by striking “June 30, 2003,”;

On page 1, in the title, in line 30, by striking “and” and inserting a comma; also in line 30, after “transportation” by inserting: “, state board of regents, state library, ombudsman of corrections, Kansas public employees retirement system, department of human resources and state fair board”;

and the bill be passed as amended.

Also **SB 640** be amended on page 1, in line 20, by striking “and”; in line 21, before “appropriations” by inserting “ June 30, 2004, June 30, 2005, June 30, 2006, and June 30, 2007,”; in line 41, by striking “\$2,292,548” and inserting “\$2,309,884”;

On page 4, in line 37, by striking “\$1,796,380” and inserting “\$1,756,380”; in line 42, before the period, by inserting: “: *And provided further*, That expenditures shall be made from this account for gubernatorial transition expenditures: *And provided further*, That expenditures made for gubernatorial transition expenditures shall not exceed \$150,000”;

On page 8, after line 4, by inserting the following:

“(c) On the effective date of this act, the director of accounts and reports is hereby authorized to transfer an amount certified by the attorney general, not to exceed \$100,000, from the crime victims compensation fund to the crime victims assistance fund.”;

On page 9, in line 10, by striking “\$310,080” and inserting “\$338,557”;

On page 11, in line 36, by striking “July” and inserting “October”;

On page 12, after line 6, by inserting the following:

“(d) On July 1, 2002, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,000,000 from the workers’ compensation fund of the insurance department to the state general fund: *Provided further*, That the amount transferred from the workers’ compensation fund of the insurance department to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.”;

On page 13, in line 25, before the period, by inserting: “: *And provided further*, That notwithstanding the provisions of K.S.A. 2001 Supp. 20-2207, and amendments thereto, expenditures are authorized to be made from this fund for operating expenses that are not related to publications activities”;

On page 14, in line 38, by striking “\$81,079,774” and inserting “\$78,900,471”;

On page 16, after line 23, by inserting the following:

“Special 2003 death and disability plan employer contributions fund..... \$0”;

Also on page 16, in line 37, by striking “\$6,450,776” and inserting “\$6,573,276”;

On page 17, in line 2, by striking “\$242,228” and inserting “\$192,228”; after line 3, by inserting the following:

“(d) On July 1, 2002, the director of accounts and reports shall transfer the amount in each account of each special revenue fund of each state agency that is appropriated for the fiscal year ending June 30, 2003, by this or other appropriation act of the 2002 regular session of the legislature and that is budgeted for payment of the cost of the plan of death and long-term disability benefits under K.S.A. 74-4927 and amendments thereto, as certified by the director of the budget to the director of accounts and reports, for the period from July 1, 2002, through December 31, 2002, from such special revenue fund, or account thereof, to the special 2003 death and disability plan employer contributions fund: *Provided*, That the aggregate amount transferred from all such special revenue funds and accounts to the special 2003 death and disability plan employer contributions fund during fiscal year 2003 pursuant to this subsection shall not exceed \$1,600,000: *Provided further*, That, at the

same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department.”;

And by relettering subsections accordingly;

Also on page 17, in line 4, by striking “July 1” and inserting “October 31”; in line 6, by striking “July 1” and inserting “October 31”; in line 8, by striking all after “fund”; by striking all in line 9; in line 10, by striking all before the period;

On page 20, by striking all in lines 38 through 40; in line 41, by striking “(g)” and inserting “(f)”;

On page 22, in line 38, by striking “\$2,107,824” and inserting “\$2,007,824”; in line 41, by striking “\$3,687,233” and inserting “\$3,387,233”;

On page 23, by striking all in line 25;

On page 31, after line 20, by inserting the following:

“(k) On July 1, 2002, the director of accounts and reports shall transfer \$36,291 from the property contingency fund of the department of administration to the state general fund: *Provided*, That the amount transferred from the property contingency fund of the department of administration to the state general fund pursuant to this section is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(l) On July 1, 2002, the director of accounts and reports shall transfer \$75,000 from the state workers compensation self insurance fund of the department of administration to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state workers compensation self insurance fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state workers compensation self insurance fund of the department of administration to the state general fund is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(m) On July 1, 2002, the director of accounts and reports shall transfer \$112,500 from the equipment lease purchase program administration clearing fund of the department of administration to the state general fund: *Provided*, That the amount transferred from the equipment lease purchase program administration clearing fund of the department of administration to the state general fund pursuant to this section is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(n) On July 1, 2002, the director of accounts and reports shall transfer \$150,000 from the flexible spending fund of the department of administration to the state general fund: *Provided*, That the amount transferred from the flexible spending fund of the department of administration to the state general fund pursuant to this section is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.”;

Also on page 31, in line 25, by striking “\$1,939,644” and inserting “\$1,807,834”;

On page 34, in line 37, by striking “\$7,873,333” and inserting “\$7,873,459”;

On page 35, by striking all in lines 10 through 39;

On page 36, after line 16, by inserting the following:

“(b) Notwithstanding the provisions of K.S.A. 74-8711 and amendments thereto, each monthly transfer credited for the fiscal year ending June 30, 2003, from the lottery operating fund to the state gaming revenues fund pursuant to subsection (d) of K.S.A. 74-8711 and amendments thereto, shall be in an amount equal to not less than 31.60% of the total

monthly revenues from the sales of lottery tickets and shares less estimated returned tickets.”;

On page 38, in line 19, by striking “\$15,320,885” and inserting “\$15,375,885”;

On page 39, in line 1, preceding the period, by inserting: “: *And provided further*, That during fiscal year 2003, expenditures made by the department of commerce and housing from the operating grant (including official hospitality) account of the state economic development initiatives fund shall be made for the purpose of achieving the following outcome measures:

Measure	Budget Year Projection FY 2003
Jobs created by projects utilizing KDOC&H assistance	6,718
Jobs retained by projects utilizing KDOC&H assistance	5,975
Payroll generated by projects utilizing KDOC&H assistance.....	\$386,675,162
Capital investment in Kansas resulting from projects utilizing KDOC&H assistance	\$976,281,392
Funds leveraged through match in projects utilizing KDOC&H assistance	\$38,630,900
Individuals trained through workforce development programs.....	10,600
Sales generated by projects utilizing KDOC&H assistance.....	\$66,780,000
Increase in visitation resulting from KDOC&H tourism promotion efforts.....	319,463
Tourism revenue generated as a result of KDOC&H tourism promotion	\$28,461,828
Kansans served with counseling, technical assistance, or business services	5,362
Number of communities receiving community assistance services.....	334
Number of Kansans with improved housing situations resulting from KDOC&H assistance	417”;

On page 43, by striking all in lines 18 through 23; in line 24, by striking “(i)” and inserting “(h)”;

On page 44, in line 3, by striking “\$12,207,251” and inserting “\$12,591,251”; after line 3, by inserting the following:

“*Provided*, That any amount above \$12,207,251 shall not be appropriated unless an equal amount in prior year encumbrances on the operations, assistance and grants (including official hospitality) account of the economic development initiatives fund are released: *Provided further*, That any such additional appropriations shall not total more than \$384,000.”;

On page 45, in line 21, by striking “\$60,000” and inserting “\$60,899”;

On page 47, in line 28, before the period, by inserting: “: *Provided, however*, That expenditures from this fund shall not exceed the limitation established by section 19(b) of 2002 Senate Bill No. 41 or other appropriation act of the 2002 regular session of the legislature except upon approval of the state finance council”;

On page 48, after line 29, by inserting the following:

“(d) On July 1, 2002, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$30,000 from the coordinated public transportation assistance fund of the department of transportation to the veterans’ home fee fund of the above agency: *Provided*, That expenditures from such transfer shall be used only for the purchase of a wheel-chair lift van for the veterans’ home.”;

Also on page 48, in line 34, by striking “\$20,018,483” and inserting “\$17,362,552”;

On page 50, after line 30, by inserting the following:

“Vital statistics maintenance fee fund..... No limit”;

On page 55, after line 34, by inserting the following:

“Oz theme park fund

On page 56, in line 21, by striking “\$1,000,000” and inserting “\$500,000”; in line 29, by striking “\$1,500,000” and inserting “\$500,000”;

On page 58, after line 25, by inserting the following:

“(n) During the fiscal year ending June 30, 2003, one or more transfers of money shall be made from one or more special revenue funds of the department of health and environment to an account or accounts of the state general fund of such department as determined by the secretary of health and environment: *Provided*, That notwithstanding any other provision of law to the contrary, such moneys may be used for operating expenditures for the above agency: *Provided, however*, That such transfers from such special revenue fund shall not exceed \$2,600,000: *Provided further*, That no such transfers shall be made from the aboveground petroleum storage tank release trust fund or the underground petroleum storage tank release trust fund.”;

Also on page 58, in line 30, by striking “\$498,701” and inserting “\$775,139”;

On page 59, in line 14, by striking “\$3,468,084” and inserting “\$7,888,092”;

On page 60, in line 24, by striking “\$2,200,320” and inserting “\$2,110,560”; in line 30, by striking “\$3,062,845” and inserting “\$3,240,000”; in line 39, by striking “\$128,570,861 and inserting “\$49,962,327”;

On page 62, in line 11, by striking “\$7,446,983” and inserting “\$77,787,357”; after line 12, by inserting the following:

“LTC-FE IGT fund..... No limit

Provided, That all expenditures from the LTC-FE IGT fund shall be used to eliminate the waiting list for HCBS/FE waiver services.

Senior care act IGT fund..... No limit

Provided, That all expenditures from the senior care act IGT fund shall be used to eliminate the waiting list for senior care act services.”;

Also on page 62, in line 29, by striking “\$96,142,912” and inserting “\$95,623,349”; in line 43, by striking “\$84,581,475” and inserting “\$58,316,131”;

On page 65, in line 16, by striking “\$74,201,154” and inserting “\$70,722,322”; in line 34, by striking “\$51,551,482” and inserting “\$51,540,230”; in line 38, by striking “\$19,217,984” and inserting “\$8,823,702”; in line 42, by striking “\$290,444,391” and inserting “\$295,168,019”;

On page 69, in line 16, by striking “\$62,529,094” and inserting “\$99,185,730”; in line 26, by striking “\$600,000” and inserting “\$450,000”; in line 30, by striking “\$2,500,000” and inserting “\$1,800,000”;

On page 70, in line 7, by striking “\$2,000,000” and inserting “\$1,000,000”; in line 12, by striking “\$4,000,000” and inserting “\$3,000,000”;

On page 72, in line 22, by striking “\$19,992” and inserting “\$70,913”; in line 28, by striking “\$8,887,716” and inserting “\$9,100,046”;

On page 73, in line 7, by striking “\$1,693,752,000” and inserting “\$1,789,496,000”; in line 10, before the period, by inserting: “: *Provided further*, That any unencumbered balance in the general state aid account 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”; in line 11, by striking “\$125,798,000” and inserting “\$125,895,000”; in line 28, by striking “\$253,411,766” and inserting “\$252,186,766”;

On page 74, in line 8, before the period, by inserting: “*Provided, however*, That expenditures for fully-trained reading recovery teacher leaders considered to be special teachers shall not exceed \$180,000”; in line 9, by striking “\$4,667,000” and inserting “\$4,292,000”;

On page 77, in line 35, by striking “\$400,000” and inserting “\$300,000”; in line 39, by striking “\$3,000,000” and inserting “\$2,875,000”; in line 43, by striking “\$6,000,000” and inserting “\$4,500,000”;

On page 78, by striking all in lines 4 through 8 and inserting the following:
“Special education services aid..... \$1,225,000”;

Also on page 78, in line 28, by striking “\$3,664,683” and inserting “\$3,817,379”; in line 30, by striking “\$2,666,968” and inserting “\$2,811,571”; in line 33, by striking “\$377,682” and inserting “\$385,775”;

On page 79, in line 14, by striking “\$1,252,146” and inserting “\$1,318,180”;

On page 81, in line 29, by striking "\$5,825,865" and inserting "\$5,855,865"; after line 38, by inserting the following:

"Kansas territorial sesquicentennial commission \$50,000";

On page 83, in line 26, by striking "\$30,692,363" and inserting "\$31,949,242";

On page 86, in line 1, by striking "\$102,670,067" and inserting "\$106,888,956";

On page 89, in line 24, by striking "\$754,798" and inserting "\$785,757"; in line 29, by striking "\$17,798,500" and inserting "\$18,528,524"; in line 34, by striking "\$28,711,112" and inserting "\$29,888,728";

On page 91, in line 5, by striking "\$9,656,262" and inserting "\$10,052,324";

On page 92, in line 11, by striking "\$29,367,514" and inserting "\$30,572,053";

On page 94, in line 12, by striking "\$32,224,876" and inserting "\$33,546,613";

On page 96, in line 24, by striking "\$127,252,779" and inserting "\$132,472,183"; in line 28, by striking "\$5,970,652" and inserting "\$6,215,544";

On page 99, in line 39, by striking "\$100,573,732" and inserting "\$104,684,175";

On page 100, in line 32, before the semicolon, by inserting: "for all sales, refunds and all other collections of receipts not specifically enumerated above";

On page 101, in line 11, by striking "Print shop" and inserting "Printing services"; in line 12, by striking "supplies" and inserting "services"; in line 14, by striking "paging equipment" and inserting "graphic services; instructional services"; in line 15, by striking "computer" and inserting "computing";

On page 102, in line 41, by striking "\$63,307,080" and inserting "\$65,903,685";

On page 104, in line 40, by striking "\$3,352,583" and inserting "\$3,300,583";

On page 105, by striking all in lines 16 through 21;

On page 106, by striking all in lines 3 through 13; in line 14, by striking "\$10,176,627" and inserting "\$10,594,032"; in line 15, by striking "\$19,675,336" and inserting "\$20,499,202"; in line 17, by striking "\$81,818,611" and inserting "\$85,174,486";

On page 108, by striking all in lines 26 through 43;

On page 109, in line 1, by striking "(d)" and inserting "(c)"; in line 32, by striking "\$13,528,685" and inserting "\$13,878,685"; in line 42, after "corrections" by inserting: "And provided further, That the sum of \$350,000 shall be used to fund condition violator grants";

On page 110, in line 20, by striking "\$349,250" and inserting "\$2,409,250"; in line 21, by striking "\$36,228" and inserting "\$449,228";

On page 111, in line 2, by striking "\$32,649,433" and inserting "\$33,640,393"; in line 20, by striking "\$10,934,876" and inserting "\$12,232,876"; in line 26, by striking "\$20,246,952" and inserting "\$21,062,952";

On page 115, in line 33, by striking "\$30,708,893" and inserting "\$30,508,893";

On page 116, in line 43, by striking "\$6,419,187" and inserting "\$5,319,187";

On page 117, in line 5, before "That" by inserting: "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: And provided further,": in line 11, by striking "\$6,500,000" and inserting "\$6,000,000";

On page 118, in line 31, by striking "\$46,120" and inserting "\$46,705";

On page 119, after line 32, by inserting the following:

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

2002 ice storm disaster relief

For the fiscal year ending June 30, 2002..... \$450,000

For the fiscal year ending June 30, 2003..... \$5,488,000

For the fiscal year ending June 30, 2004..... \$1,172,000

(c) During the fiscal years ending June 30, 2003, and June 30, 2004, all expenditures from the 2002 ice storm disaster relief account of the state general fund shall be subject to 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.;

And by relettering subsections accordingly;

On page 122, by striking all in lines 4 through 7; in line 8, by striking "(d)" and inserting "(c)"; in line 39, by striking "\$26,027,734" and inserting "\$26,027,733";

On page 125, after line 11, by inserting the following:

"Special services fund..... \$260,000";

On page 126, after line 4, by inserting the following:

"(j) On July 1, 2002, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$260,000 from the state highway fund of the department of transportation to the special services fund of the Kansas highway patrol.";

On page 129, in line 36, by striking "\$183,524" and inserting "\$175,786";

On page 131, in line 6, by striking "costs" and inserting "cost";

On page 133, in line 4, by striking "\$242,552" and inserting "\$242,522";

On page 135, in line 11, by striking "\$1,042,500" and inserting "\$2,720,000"; in line 24, by striking all after "account"; by striking all in lines 25 through 30; in line 31, by striking all before the period;

On page 136, in line 23, by striking "\$310,000" and inserting "\$250,000"; in line 43, by striking "be made only" and inserting "not exceed \$2,504 except";

On page 140, by striking all in lines 19 through 21 and inserting the following:

"(h) During the fiscal year ending June 30, 2003, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2003, from the water marketing fund to the state general fund, in accordance with the provisions of the state water plan storage act, and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs and for administration and enforcement costs of the state associated with the state water plan storage act, and amendments thereto.

(i) The above agency is authorized to make expenditures from moneys appropriated to the above agency from the state general fund or from any special revenue fund for fiscal year 2003 as authorized by chapter 144 or chapter 216 of the 2001 Session Laws of Kansas or by this or other appropriation act of the 2002 regular session of the legislature to use an 800 megahertz radio system tower or towers in Mead county to facilitate placement of an early warning system.";

On page 140, in line 26, by striking "\$4,219,114" and inserting "\$4,008,099";

On page 147, in line 22, by striking "29.0" and inserting "27.0"; in line 31, by striking "961.4" and inserting "941.4";

On page 156, in line 13, by striking "\$26,246,722" and inserting "\$27,340,335.50";

On page 157, in line 2, by striking "\$16,740,646" and inserting "\$17,438,174.50"; in line 37, by striking "2002" and inserting "2004"; in line 43, by striking "2003" and inserting "2005";

On page 158, in line 6, by striking "2004" and inserting "2006"; in line 17, by striking "no transfers shall be made pursuant to this section during"; in line 18, by striking all before the period and inserting: "the director of accounts and reports shall transfer on each such date during state fiscal year 2003 the amount of \$17,500,000; and the director of accounts and reports shall transfer on each such date during state fiscal year 2004 the amount of \$23,750,000"; in line 21, preceding the period, by inserting " , except that all such transfers during the fiscal years ending June 30, 2003, and June 30, 2004, shall be considered revenue transfers from the state general fund";

On page 166, after line 6, by inserting the following:

"Sec. 77. On July 1, 2002, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2003, by chapter 144 or chapter 216 of the 2001 Session Laws of Kansas or by this or other appropriation act of the 2002 regular session of the legislature and that is budgeted for purchase of office furniture or office equipment as certified by the director of the budget to the director of accounts and reports for fiscal year 2003, is hereby lapsed from each such account: *Provided*, That the aggregate amount lapsed from such accounts of the state general fund for fiscal year 2003 by this subsection shall not exceed \$6,000,000: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of

accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

Sec. 78. During the fiscal year ending June 30, 2003, no expenditures shall be made from any moneys appropriated for any state agency from the state general fund or any special revenue fund for fiscal year 2003 by chapter 144 or chapter 216 of the 2001 Session Laws of Kansas or by this or other appropriation act of the 2002 regular session of the legislature for purchase of office furniture or office equipment.

Sec. 79. On July 1, 2002, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2003, by chapter 144 or chapter 216 of the 2001 Session Laws of Kansas or by this or other appropriation act of the 2002 regular session of the legislature and that is budgeted for payment of the expenses for official travel out-of-state, as certified by the director of the budget to the director of accounts and reports for fiscal year 2003, the amount equal to 20% of the amount certified by the director of the budget is hereby lapsed from such account: *Provided*, That the aggregate amount lapsed from such accounts of the state general fund for fiscal year 2003 by this subsection shall not exceed \$1,000,000: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

Sec. 80. On July 1, 2002, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2003, by chapter 144 or chapter 216 of the 2001 Session Laws of Kansas or by this or other appropriation act of the 2002 regular session of the legislature and that is budgeted for purchase of vehicles as certified by the director of the budget to the director of accounts and reports for fiscal year 2003, is hereby lapsed from each such account: *Provided*, That the aggregate amount lapsed from such accounts of the state general fund for fiscal year 2003 by this subsection shall not exceed \$5,000,000: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department: *And provided further*, That this section shall not apply to the purchase of vehicles by the Kansas highway patrol.

Sec. 81. During the fiscal year ending June 30, 2003, no expenditures shall be made from any moneys appropriated for any state agency from the state general fund or any special revenue fund for fiscal year 2003 by chapter 144 or chapter 216 of the 2001 Session Laws of Kansas or by this or other appropriation act of the 2002 regular session of the legislature for purchase of vehicles: *Provided*, That this section shall not apply to the purchase of vehicles by the Kansas highway patrol.

Sec. 82. On July 1, 2002, of the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2002, by chapter 144 or chapter 216 of the 2001 Session Laws of Kansas or by this or other appropriation act of the 2002 regular session of the legislature and that is budgeted for fiscal year 2003 for purchase of general supplies for the state agency, the amount equal to 10% of the amount budgeted for fiscal year 2003 in each such account of the state general fund for purchase of general supplies for the state agency, as certified by the director of the budget to the director of accounts and reports for fiscal year 2003, is hereby lapsed: *Provided*, That the aggregate amount lapsed from all such accounts of the state general fund for fiscal year 2003 by this subsection shall not exceed \$2,500,000: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

Sec. 83. During the fiscal year ending June 30, 2003, no expenditures shall be made from any moneys appropriated for any state agency from the state general fund or any special revenue fund for fiscal year 2003 by chapter 144 or chapter 216 of the 2001 Session Laws of Kansas or by this or other appropriation act of the 2002 regular session of the legislature for printing of annual reports in color.

Sec. 84. (a) On or after the effective date of this act and during the fiscal year ending June 30, 2003, the director of accounts and reports shall not make any transfer directed to

be made by either (f)(2) of K.S.A. 2001 Supp. 75-4265 and amendments thereto or by section 59 of chapter 216 of the 2001 Session Laws of Kansas.

(b) Commencing on the effective date of this act, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2003, the director of accounts and reports shall transfer all amounts of money that would have been directed by subsection (f)(2) of K.S.A. 2001 Supp. 75-4265 and amendments thereto to be transferred to the senior services trust fund, state medicaid match fund—department on aging, state medicaid match fund—SRS, and the long-term care loan and grant fund, established by K.S.A. 2001 Supp. 75-4266 and amendments thereto, on the dates when such transfers would have been made under such statute, in accordance with and subject to the following: (1) All such amounts of money shall be transferred to either the SRS—IGT fund of the department of social and rehabilitation services or to the aging—IGT fund of the department on aging; and (2) of the amount transferred from the intergovernmental transfer fund of the department on aging on each date that such a transfer is made pursuant to this section, 63.10% shall be transferred to the SRS—IGT fund of the department of social and rehabilitation services and 36.90% shall be transferred to the aging—IGT fund of the department on aging: *Provided*, That the aggregate of all amounts transferred from the intergovernmental transfer fund of the department on aging to the SRS—IGT fund of the department of social and rehabilitation services pursuant to this subsection shall not exceed \$52,829,575: *Provided further*, That the aggregate of all amounts transferred from the intergovernmental transfer fund of the department on aging to the aging—IGT fund of the department on aging pursuant to subsection shall not exceed \$38,893,420.

(c) On the effective date of this act, the director of accounts and reports shall transfer \$63,525,790 from the senior services trust fund to the aging—IGT fund of the department on aging.

(d) During the fiscal year ending June 30, 2003, if the revenues received for fiscal year 2003 under the intergovernmental transfer program exceed \$83,000,000, excluding any amounts transferred to the intergovernmental transfer administration fund pursuant to subsection (f) of K.S.A. 2001 Supp. 75-4265, and amendments thereto, then the secretary of aging shall certify amounts to be transferred from the senior services trust fund to the LTC—FE IGT fund and the senior care act IGT fund in accordance with following: (1) Of the additional amount received in excess of \$83,000,000, excluding any amounts transferred to the intergovernmental transfer administration fund pursuant to subsection (f) of K.S.A. 2001 Supp. 75-4265, and amendments thereto, the secretary of aging shall certify the amount equal to 71.96% of such additional amount to be transferred to the LTC—FE IGT fund of the department on aging; and (2) of the additional amount received in excess of \$83,000,000, excluding any amounts transferred to the intergovernmental transfer administration fund pursuant to subsection (f) of K.S.A. 2001 Supp. 75-4265, and amendments thereto, the secretary of aging shall certify the amount equal to 28.04% of such additional amount to be transferred to the senior care act fund of the department on aging: *Provided*, That, upon receipt of each such certification from the secretary of aging, the director of accounts and reports shall transfer the amounts specified in accordance with such certification: *Provided, however*, That the aggregate of all amounts transferred from the senior services trust fund to the LTC—FE IGT fund pursuant to such certifications shall not exceed \$1,010,172: *Provided further*, That the aggregate of all amounts transferred from the senior services trust fund to the senior care act fund pursuant to such certifications shall not exceed \$393,720.

Sec. 85. On July 1, 2002, of the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2003, by chapter 144 or chapter 216 of the 2001 Session Laws of Kansas or by this or other appropriation act of the 2002 regular session of the legislature and that is budgeted for fiscal year 2003 for payment of color printing expenditures for annual reports, as certified by the director of the budget to the director of accounts and reports, is hereby lapsed: *Provided*, That the aggregate amount lapsed from all such accounts of the state general fund for fiscal year 2003 by this subsection shall not exceed \$1,000,000: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts

and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department.”;

And by renumbering sections accordingly;

On page 1, in the title, in line 10, by striking “and” and inserting a comma; also in line 10, before “for” by inserting “June 30, 2004, June 30, 2005, June 30, 2006, and June 30, 2007,”; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

Sub SB 256; SB 375, SB 440, SB 443 reported correctly enrolled, properly signed and presented to the Governor on April 5, 2002.

On motion of Senator Umbarger the Senate adjourned until 2:30 p.m., Tuesday, April 9, 2002.

HELEN A. MORELAND, *Journal Clerk.*

PAT SAVILLE, *Secretary of Senate.*

