

# Journal of the House

## FIFTY-FIFTH DAY

---

HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, March 30, 2006, 9:45 a.m.

The House met pursuant to adjournment with Speaker Mays in the chair.  
The roll was called with 125 members present.

Rep. C. Frank Miller sang the "Holy City."

Last night I lay a sleeping,  
There came a dream so fair,  
I stood in old Jerusalem  
Beside the temple there.  
I heard the children singing,  
And ever as they sang,  
Methought the voice of angels  
From Heav'n in answer rang;  
Methought the voice of angels  
From Heav'n in answer rang:-  
"Jerusalem! Jerusalem!  
Lift up your gates and sing,  
Hosanna in the highest  
Hosanna to your King!"

And then methought my dream was chang'd,  
The streets no longer rang,  
Hush'd were the glad hosannas  
The little children sang.  
The sun grew dark with mystery,  
The morn was cold and chill,  
As the shadow of a cross arose  
Upon a lonely hill,  
As the shadow of a cross arose  
Upon a lonely hill.  
"Jerusalem! Jerusalem!  
Hark! How the angels sing,  
Hosanna in the highest,  
Hosanna to your King."  
And once again the scene was chang'd,  
New earth there seem'd to be,  
I saw the Holy City  
Beside the tideless sea;  
The light of God was on its streets,  
The gates were open wide,  
And all who would might enter,  
And no one was denied.  
No need of moon or stars by night,  
Or sun to shine by day,

It was the new Jerusalem,  
That would not pass away,  
It was the new Jerusalem,  
That would not pass away.  
“Jerusalem! Jerusalem!  
Sing, for the night is o’er!  
Hosanna in the highest,  
Hosanna for evermore!  
Hosanna in the highest,  
Hosanna for evermore!”

*(words by Frederick E. Weatherly, music by Michael Maybrick.)*

The Pledge of Allegiance was led by Rep. Yoder.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Federal and State Affairs: **HB 3020**.

#### MESSAGE FROM THE SENATE

The Senate concurs in House amendments to **H. Sub. for SB 93**, and requests return of the bill.

The Senate concurs in House amendments to **SB 414**.

The Senate adopts conference committee report on **Sub. HB 2513**.

The Senate adopts conference committee report on **HB 2590**.

The Senate adopts conference committee report on **HB 2592**.

The Senate adopts conference committee report on **HB 2709**.

The Senate adopts conference committee report on **HB 2752**.

The Senate adopts conference committee report on **HB 2798**.

The Senate adopts conference committee report on **HB 2899**.

#### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Hawk, **HR 6021**, by Reps. Hawk and Hill, as follows, was introduced and adopted:

HOUSE RESOLUTION No. 6021—

A RESOLUTION congratulating and commending Major General Thomas Romig.

WHEREAS, Major General Thomas Romig, the 36th Judge Advocate General of the United States Army, has completed a distinguished 34-year career serving this nation and the legal profession, particularly during operations in support of the global war on terrorism and Operation Iraqi Freedom; and

WHEREAS, United States Senator Pat Roberts recognized and paid tribute to Major General Romig on June 14, 2005, in the Congressional Record of the United States Senate. As the Judge Advocate General from October 1, 2001, to October 1, 2005, General Romig served as the chief military legal officer for the United States Army and as legal advisor to the Chief of Staff of the Army and to the Secretary of the Army. Since the tragedy of September 11, 2001, he has been at the forefront of the most pressing issues affecting our nation and the military today. Our nation, the Army and the Judge Advocate General’s Corps have benefited immeasurably from his leadership; and

WHEREAS, General Romig was born in 1948 in Manhattan, Kansas, and graduated from Manhattan High School and Kansas State University. He was commissioned through the Reserve Officers Training Corps program and entered active duty in October 1971. Graduating from the Infantry Officer Basic and Airborne Courses, he started a distinguished career that included selection to the funded legal education program at Santa Clara Law School, service as a prosecutor with the 2nd Armored Division, Staff Judge Advocate 32nd Army Air Defense Command, Staff Judge Advocate United States Army V Corps, and eventually as Assistant Judge Advocate General for both Civil Law and Litigation, and for Military Law and Operations; and

WHEREAS, General Romig has attained the pinnacle of his profession to be selected to serve in the top Army legal pentagon position four years ago when the attacks on September 11, 2001, stunned the nation and the world. As a soldier, he was foremost among those who insisted that we respect the rule of law in dealing with the difficult situations following September 11. In countless meetings, he displayed the courage of his convictions and never remained silent when he had a duty to speak. As a soldier and a lawyer, he will be remembered as the soldier's advocate at a time that our Army was undergoing an unprecedented transformation of historic dimensions: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we congratulate and commend Major General Thomas Romig, a native son of the great state of Kansas, for his distinguished and meritorious service to this nation and its people as the 36th Judge Advocate General of the United States Army; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives provide an enrolled copy of this resolution to Major General Thomas Romig, 6805 Old Stone Fence Road, Fairfax Station, VA 22039.

Rep. Hill addressed a few remarks to the members of the House and welcomed the Romig family.

There being no objection, the following remarks of Rep. Hawk are spread upon the journal:

It is my honor and privilege, along with Representative Don Hill, to present Major General Thomas Romig, the 36th Judge Advocate General of the United States Army, to you this morning. I would also like to introduce his family and friends who are here to celebrate his retirement and distinguished career with the United State Army the past 34 years.

They are: his wife, Pam; mother Ruth Swart; sister Margaret Janulis; brother and sister-in-law Mike and Diane Shilling; uncle Pete Lufburrow and high school and college classmate Bob Stamey.

As you noticed in the reading of the resolution, General Romig is a true American hero. On November 7, 2003 he faced tragedy in Tikrit, Iraq. Flying in two Black Hawk's, he and his staff came under fire. In that tragedy, the second helicopter was shot down and he lost his Chief Warrant Officer along with five other brave soldiers.

General Romig took over as the 36th Judge Advocate General in the dark days following the attack on the Pentagon of 9/11. It is a tribute to his character and resilience that he was able to maintain his advocacy for the rule of law and to stand up for the country and its soldiers as the Army was undergoing an unprecedented transformation during the past four years.

As a lifelong friend and classmate, I am so very proud of you General Romig and offer my congratulations for your meritorious service to our country.

Major General Romig also addressed a few remarks to the members of the House.

#### **INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Holland, **HR 6022**, by Rep. Holland, as follows, was introduced and adopted:

HOUSE RESOLUTION No. 6022—

A RESOLUTION congratulating and commending the Baldwin High School boys and girls cross country teams and Coach Mike Spielman for winning first place in a sweeping victory at the state meet for both respective teams.

WHEREAS, The Baldwin High School Bulldogs cross country boys and girls teams won the 2005 Kansas State High School Activities Association Class 4A State Championships with victories in the state meets at Wamego last October; and

WHEREAS, The boys cross country team defeated Abilene with 51 points to 63 points to continue their eighth straight victory at state in a series of triumphs going back to 1998; and

WHEREAS, The girls cross country team prevailed, achieving first place with a score of 70 points to Wamego's 100 points to bring them their third first place title in the last four years; and

WHEREAS, Coach Mike Spielman was named 2005 All-Area Boys Cross Country Coach of the Year in recognition of his guidance of the Bulldog cross country athletes toward their fullest potential; and

WHEREAS, The members of these outstanding cross country teams have received state-wide recognition for their fine sportsmanship and athletic abilities; and

WHEREAS, The teams also had the enthusiastic support of the school's administrators, the faculty, the students, the players' parents and many citizens in their community: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That the Baldwin High School boys and girls cross country teams and Coach Mike Spielman be congratulated and commended for winning the 2005 Kansas State High School Activities Association Class 4A State Championships; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives provide an enrolled copy of this resolution to Superintendent James White, Principal Allen Poplin and to Coach Mike Spielman in recognition of these achievements, all addressed to Mr. James White, Superintendent, Baldwin City, USD 348, P.O. Box 67, Baldwin City, KS 66006-0067.

There being no objection, the following remarks of Rep. Holland are spread upon the journal:

Ladies and Gentlemen, I am extremely pleased to stand before you today to present to you the 2005 Baldwin High School Boys and Girls Cross Country teams. Both teams won their respective 2005 4A state championships in October last year. But the reason why these teams are here before you today is that both teams have continued a most impressive streak of athletic accomplishment at Baldwin High School. The girls' cross country team has won three 4A state championships in the past four years, and the boys' cross country team has won the last eight 4A state championships starting in 1998. This achievement is in no small part due to the outstanding coaching talents and abilities of Mike and Angela Spielman, the team's coaches.

At this time I would like to introduce the young women and men of the Baldwin High School cross country teams. The girls cross country team members include Kelsey Verhaeghe, Madison Shoemaker, Corinna Papps, Heather Garcia, Calleigh Durr, Amanda VanderTuig, Amy Craig, and Jessica Hill.

The Boys cross country team members include Chris Elniff - All Area Runner of the Year as recognized by the Lawrence Journal World, Grant Catloth - First Team All Area, Keith Cowart - First Team All Area, Spencer Wilson - Second Team All Area, Aaron Karlin - Honorable Mention All Area, Caj Kueffer - Honorable Mention All Area, Nathan Dick, Alex Johnson, and Dustin Schiller.

Ladies and Gentlemen, Please join me in congratulating the 2005 Baldwin High School Boys and Girls Cross Country teams!

#### **INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Pottorff, **HR 6023**, by Rep. Pottorff, as follows, was introduced and adopted:

HOUSE RESOLUTION No. 6023—

A RESOLUTION in memory of Frank C. McMaster.

WHEREAS, Frank C. McMaster died December 17, 2005, in Wichita at age 78. A Wichita attorney, he represented the 70th representative district as a Republican from 1969 to 1974. His service in the House of Representatives included vice-chairperson of the Judiciary Committee and membership on the Local Government and Transportation and Utilities Committees; and

WHEREAS, Mr. McMaster was born in Wichita on June 9, 1927. He served in the United States Navy during World War II and then attended the University of Kansas where

he received a bachelor of arts degree in 1950 and a juris doctor degree in 1952. He practiced law in Wichita where he was a founding member of the St. Thomas Aquinas Catholic Church; and

WHEREAS, He was preceded in death by his wife, Margaret, of 49 years. Surviving family members include four children, Dr. John F. McMaster, Dr. Susan McMaster, Kevin McMaster and James McMaster and eight grandchildren: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we honor the memory of this fine Kansan for the public service he gave to his state, and extend our deepest sympathy to his family and friends.

Rep. Pottorff introduced the following members of the family of Frank C. McMaster who served in the House from the 70th District from 1969-1974: John, his son, who addressed a few remarks to the members of the House; his daughter, Nancy; and his grandson, Austin, who was serving as a page in the House.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2894.** An act concerning hunting and fishing; relating to licenses for veterans; amending K.S.A. 32-919 and K.S.A. 2005 Supp. 32-906 and 32-988 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 4; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Davis, DeCastro, Decker, Dillmore, Edmonds, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: Dahl, Faber, Goico, Krehbiel.

Absent or not voting: None.

The bill passed, as amended.

**HCR 5042.** A concurrent resolution urging support of the "25 by '25" initiative, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 121; Nays 4; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Bethell, Brown, Brunk, Burgess, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Beamer, Burroughs, Faber, Landwehr.

Present but not voting: None.

Absent or not voting: None.

The resolution was adopted, as amended.

**HCR 5044.** A concurrent resolution relating to teacher training regarding ESOL and culturally responsive pedagogy, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 13; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Bethell, Brunk, Burgess, Carlin, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Haylett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelsey, Kilpatrick, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Owens, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Beamer, Brown, Burroughs, Carlson, Carter, Huebert, Kelley, Kiegerl, Kinzer, Masterson, Otto, Peck, Pilcher-Cook.

Present but not voting: None.

Absent or not voting: None.

The resolution was adopted.

**H. Sub. for SB 47.** An act concerning juveniles; relating to the reduction of racial, geographic and other biases in the juvenile justice system; amending K.S.A. 75-7038, 75-7043, 75-7046 and 75-7048 and K.S.A. 2005 Supp. 75-7007 and 75-7056 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Haylett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

#### EXPLANATION OF VOTE

MR. SPEAKER: This explanation of vote is intended to call to the attention of the body the importance of the passage of **H. Sub. for SB 47**, which truly exhibits the need for and the commitment to the collaborative approach to remedying specific challenges that exist in our juvenile justice system and in our communities. Placing a focus on addressing and reducing racial, geographic and other biases that may exist in our juvenile justice system, will prove hugely beneficial to Kansas communities, the youth and families that live and work within these communities. I respectfully ask you to join me in voting yes on **H. Sub. for SB 47**.—MELODY MCCRAY MILLER

**H. Sub. for SB 51.** An act concerning certain crimes; creating the crime of trafficking in counterfeit drugs; providing penalties therefor; providing reporting certain persons with unlawful immigration status to the United States immigration and naturalization service, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Master-son, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed, as amended.

**H. Sub. for Sub. SB 85.** An act concerning postsecondary education; relating to certain Kansas educational institutions; requiring the provision of educational benefits for certain students who have been placed in foster care; providing for payment of tuition for such students; relating to interest earnings on certain special revenue funds of state educational institutions under the control and supervision of the state board of regents; amending K.S.A. 76-719 and K.S.A. 2005 Supp. 76-762 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Master-son, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed, as amended.

**H. Sub. for SB 243.** An act concerning public assistance; relating to persons convicted of a controlled substance related felony, was considered on final action.

On roll call, the vote was: Yeas 94; Nays 31; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Bethell, Burgess, Carlin, Colloton, Cox, Craft, Crow, Dahl, DeCastro, Decker, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henry, Hill, Holland,

C. Holmes, M. Holmes, Horst, Huff, Humerickhouse, Huntington, D. Johnson, E. Johnson, Kelsey, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Long, Loyd, Mah, Mays, McCreary, McKinney, McLeland, Menghini, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Vickrey, Weber, Wilk, Williams, Winn, Wolf, Yonally.

Nays: Beamer, Brown, Brunk, Burroughs, Carlson, Carter, Davis, Dillmore, Freeborn, Henderson, Huebert, Hutchins, Huy, Kelley, Kiegerl, Kilpatrick, Kinzer, Loganbill, Lukert, Mast, Masterson, Merrick, F. Miller, Oharah, Olson, Otto, Siegfried, Trimmer, Ward, Watkins, Yoder.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

**SB 297.** An act concerning alcoholic liquor; amending K.S.A. 2005 Supp. 41-308a, 41-719 and 41-2645 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 63; Nays 62; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Bethell, Brown, Carlson, Carter, Colloton, Cox, Crow, Davis, DeCastro, Faber, Flaharty, Garcia, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henry, Hill, Holland, Horst, Huff, Humerickhouse, Huntington, D. Johnson, Kilpatrick, Kirk, Krehbiel, Kuether, Loyd, Mah, Mays, McLeland, Menghini, Merrick, M. Miller, O'Malley, O'Neal, Owens, Pilcher-Cook, Pottorff, Powell, Powers, Roth, Schwab, Schwartz, S. Sharp, Shultz, Sloan, Storm, Svaty, Tafanelli, Treaster, Vickrey, Watkins, Wilk, Winn, Wolf, Yoder, Yonally.

Nays: Beamer, Brunk, Burgess, Burroughs, Carlin, Craft, Dahl, Decker, Dillmore, Edmonds, Faust-Goudeau, Feuerborn, Flora, Freeborn, Gatewood, George, Henderson, C. Holmes, M. Holmes, Huebert, Hutchins, Huy, E. Johnson, Kelley, Kelsey, Kiegerl, Kinzer, Knox, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mast, Masterson, McCreary, McKinney, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Oharah, Olson, Otto, Pauls, Peck, Peterson, Phelps, Proehl, Ruff, Ruiz, Sawyer, B. Sharp, Siegfried, Swenson, Thull, Trimmer, Ward, Weber, Williams.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: Legalizing the shipping of wine into Kansas will have a minimal impact on the amount of wine shipped into our state. What **SB 297** does accomplish is that Kansas wineries will be able to expand their markets and Kansas will be able to start receiving taxes on wine being shipped into the state. I vote yes on **SB 297**.—JOE MCLELAND

MR. SPEAKER: I vote yes on **SB 297**. This bill will increase tax revenues for the entire state on transactions already occurring but avoiding taxation. It increases the markets for our own vineyards, while allowing Kansans who are touring out-of-state vineyards to conveniently ship a few bottles home. It seems to me a win-win policy.—TERRIE HUNTINGTON, KEVIN YODER, JASON P. WATKINS, PAT COLLOTON, KAY WOLF, LANA GORDON, ANN E. MAH, RAY MERRICK, DAVID HUFF

**H. Sub. for SB 396.** An act concerning the Kansas commission on veterans affairs; establishing a veterans claims assistance program and a service grant program; prescribing guidelines and limitations; powers, duties and functions for the commission and veterans service organizations; establishing an advisory board; providing for annual reporting to and study and review by the legislative budget committee, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Ed-



monds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Master-son, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

**SB 421.** An act concerning the Kansas funeral picketing act; amending K.S.A. 21-4015 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Master-son, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

#### EXPLANATION OF VOTE

MR. SPEAKER: Having spent a great part of my life in the military defending our way of life, freedom and liberty are extremely important to me. Presently, there are individuals who, I believe, have confused license with liberty. Within the spirit of liberty is the freedom to privacy. A civilized society must protect one's privacy to mourn, to pay homage to a fallen comrade, to protect individuals who may be experiencing some of their saddest, most grievous, darkest moments in life. The Supreme Court has recognized valid "time and place" restrictions on speech and this bill is in keeping with their ruling. I vote yes on **SB 421**.—  
DONALD L. DAHL

**SB 549.** An act concerning libraries; creating the state library of Kansas board and providing for the powers and duties thereof; abolishing the state library advisory commission and the Kansas library network board; concerning the basis for property tax levies of public libraries; enacting the children's internet protection act; prohibiting certain acts and providing remedies for violations; amending K.S.A. 75-2546, 75-2548, 75-2549, 75-2549b, 75-2550, 75-2550a, 75-2551, 75-2552, 75-2576, 75-2577 and 79-2930 and K.S.A. 2005 Supp. 75-2562 and repealing the existing sections; also repealing K.S.A. 75-2578, 75-2579, 75-2580, 75-2581, 75-2582, 75-2583, 75-2584 and 75-2586, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 19; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlson, Carter, Dahl, Davis, DeCastro, Decker, Edmonds, Faber, Faust-Goudeau, Feuerborn, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Knox, Krehbiel, Landwehr, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Williams, Winn, Wolf, Yoder.

Nays: Carlin, Colloton, Cox, Craft, Crow, Dillmore, Flaharty, Flora, Henderson, Huff, Huntington, Kirk, Kuether, Lane, Roth, Sloan, Storm, Wilk, Yonally.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

**H. Sub. for SB 577**, An act concerning the Kansas health policy authority; relating to administration of the health care database; designation of statistical agent for insurer experience data plans; amending K.S.A. 2005 Supp. 40-2251 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

**SB 578**, An act concerning animals; imposing limitations on ownership and possession of certain animals; requiring registration; providing criminal penalties, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 24; Present but not voting: 0; Absent or not voting: 0.

Yeas: Ballard, Beamer, Bethell, Brunk, Burroughs, Carlin, Carlson, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, George, Goico, Grange, Grant, Hawk, Henderson, Hill, Holland, C. Holmes, M. Holmes, Horst, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelsey, Kirk, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mays, McCreary, McKinney, McLeland, Menghini, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, O'Malley, O'Neal, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Trimmer, Vickrey, Ward, Weber, Wilk, Williams, Winn, Wolf, Yonally.

Nays: Aurand, Brown, Burgess, Carter, Freeborn, Gordon, Hayzlett, Henry, Huebert, Kelley, Kiegerl, Kilpatrick, Kinzer, Knox, Mast, Masterson, Merrick, Neufeld, Oharah, Powell, S. Sharp, Tafanelli, Watkins, Yoder.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

**SCR 1618**, A concurrent resolution memorializing the President and Congress regarding federal funding of education, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 7; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Brown, Carter, Huebert, Kinzer, Neufeld, Pilcher-Cook, Siegfried.

Present but not voting: None.

Absent or not voting: None.

The resolution was adopted, as amended.

**SCR 1619**, A concurrent resolution requesting the creation of a task force to study the design and implementation of an electronic motor vehicle financial security verification system for real time verification of compliance with the financial security requirements of the Kansas automobile injury reparations act, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 7; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Burroughs, Huebert, Kelley, Landwehr, Mast, Pilcher-Cook, Watkins.

Present but not voting: None.

Absent or not voting: None.

The resolution was adopted, as amended.

#### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. D. Johnson, the House concurred in Senate amendments to **HB 2833**, An act concerning the Kansas veterinary practice act; amending K.S.A. 47-824, 47-834 and 47-840 and K.S.A. 2005 Supp. 47-816 and 47-825 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 121; Nays 4; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: M. Holmes, Merrick, Neufeld, Powell.

Present but not voting: None.

Absent or not voting: None.

On motion of Rep. Cox, the House concurred in Senate amendments to **HB 2874**, An act relating to transmission of money; providing for the regulation thereof; amending K.S.A. 9-508, 9-509, 9-510, 9-511, 9-512 and 9-513 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

On motion of Rep. Jim Morrison, the House concurred in Senate amendments to **S. Sub. for HB 2649**, An act enacting the pain patient's quality of care act; amending K.S.A. 60-4403, 65-2837 and 65-2838 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

On motion of Rep. Jim Morrison, the House concurred in Senate amendments to **HB 2285**, An act concerning health care; relating to the board of examiners for hearing instruments; membership, powers and duties; relating to licensure, disciplinary actions, fees and penalties; amending K.S.A. 74-5801, 74-5802, 74-5804, 74-5805, 74-5806, 74-5807, 74-5808, 74-5809, 74-5810a, 74-5811, 74-5812, 74-5813, 74-5814, 74-5815, 74-5816, 74-5818, 74-5819, 74-5820, 74-5821 and 74-5823 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 120; Nays 5; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurland, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kirk, Knox, Krehbiel, Kuether, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Freeborn, Kinzer, Landwehr, Pilcher-Cook, Schwab.

Present but not voting: None.

Absent or not voting: None.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 35**, 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 as House Substitute for Senate Bill No. 35, as follows:

On page 1, by striking all in lines 14 through 43;

On page 2, by striking all in lines 1 through 43 and inserting the following:

“Section 1. (a) As used in this section:

(1) “Adult cabaret” means a nightclub, bar, restaurant or similar commercial establishment which regularly features:

(A) Persons who appear in a state of nudity or semi-nudity;

(B) live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities; or

(C) films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas;

(2) “nudity” or a “state of nudity” means the showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple or the showing of the covered male genitals in a discernibly turgid state;

(3) “semi-nudity” means a state of dress in which opaque clothing fails to cover the genitals, anus, anal cleft or cleavage, pubic area, vulva, nipple and areola of the female breast below a horizontal line across the top of the areola at its highest point. Semi-nudity shall include the entire lower portion of the female breast, but shall not include any portion of the cleavage of the human female breast exhibited by wearing apparel provided the areola is not exposed in whole or part;

(4) “sexually-oriented business” means any business which offers its patrons goods of which a substantial portion are sexually-oriented materials. Any business where more than 10% of display space is used for sexually-oriented materials shall be presumed to be a sexually-oriented business;

(5) “sexually-oriented materials” means any textual, pictorial or three dimensional material that depicts nudity, sexual conduct, sexual excitement or sadomasochistic abuse in a way which is patently offensive to the average person applying contemporary adult community standards with respect to what is suitable for minors;

(6) “sign” or “outdoor advertising” means any outdoor sign, display, device, notice, bulletin, figure, painting, drawing, message, placard, poster, billboard or other thing which is designed, intended or used to advertise or inform, any part of the advertising or informative contents of which is located within an adjacent area, and is visible from the state highway.

(b) No sign or other outdoor advertising, for an adult cabaret or sexually-oriented business shall be located within one mile of any state highway except if such business is located within one mile of a state highway then the business may display a maximum of two exterior signs on the premises of the business, consisting of one identification sign and one sign solely giving notice that the premises are off limits to minors. The identification sign shall be no more than 40 square feet in size and shall include no more than the following information: Name, street address, telephone number and operating hours of the business.

(c) Signs existing at the time of the effective date of this act, which did not conform to the requirements of this section, and amendments thereto, may be allowed to continue as a nonconforming use, but should be made to conform within three years from July 1, 2006.

(d) Any owner of such a business who violates the provisions of this section shall be guilty of a class C misdemeanor. Each week a violation of this section continues to exist shall constitute a separate offense.

(e) This section is designed to protect the following public policy interests of this state, including, but not limited to:

(1) To mitigate the adverse secondary effects of sexually-oriented businesses; (2) to improve traffic safety; (3) to limit harm to minors; and (4) to reduce prostitution, crime, juvenile delinquency, deterioration in property values and lethargy in neighborhood improvement efforts.

(f) The attorney general shall represent the state in all actions and proceedings arising from this section, and amendments thereto. All costs incurred by the attorney general to defend or prosecute this section, including payment of all court costs, civil judgments and, if necessary, any attorneys fees, shall be paid from the state general fund.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.”;

In the title, by striking all in lines 9 through 11 and inserting “AN ACT relating to sexually-oriented signs; restricting location thereof on state highways.”;

And your committee on conference recommends the adoption of this report.

GARY K. HAYZLETT

JOHN FABER

MARGARET LONG

*Conferees on part of House*

LES DONOVAN

DENNIS M. WILSON

MARK GILSTRAP

*Conferees on part of Senate*

On motion of Rep. Hayzlett, the conference committee report on **H. Sub. for SB 35** was adopted.

On roll call, the vote was: Yeas 123; Nays 2; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George,

Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Cox, Sloan.

Present but not voting: None.

Absent or not voting: None.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 253**, 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 of the Whole amendments, as follows:

On page 17, by striking all in lines 6 through 43;

On page 18, by striking all in lines 1 through 35;

And by renumbering the remaining sections accordingly;

On page 1, in the title, in line 10, by striking "concerning signs;"; in line 11, by striking all after the second semicolon; in line 12, by striking all before "amending";

And your committee on conference recommends the adoption of this report.

GARY K. HAYZLETT

JOHN FABER

MARGARET LONG

*Conferees on part of House*

LES DONOVAN

DENNIS M. WILSON

MARK GILSTRAP

*Conferees on part of Senate*

On motion of Rep. Hayzlett, the conference committee report on **Sub. SB 253** was adopted.

On roll call, the vote was: Yeas 115; Nays 10; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelsey, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McLeland, Menghini, Merrick, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Huebert, Kelley, Kiegerl, Landwehr, Lane, McKinney, F. Miller, Schwab, Schwartz, Ward.

Present but not voting: None.

Absent or not voting: None.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 336**, 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 3, in line 5, by striking "archivist" and inserting "archivist"; also in line 5, by striking "archivist's" and inserting "archivist's";

And your committee on conference recommends the adoption of this report.

JENE VICKREY  
STEVE HUEBERT  
TOM SAWYER  
*Conferees on part of House*

JOHN VRATIL  
TERRY BRUCE  
GRETA GOODWIN  
*Conferees on part of Senate*

On motion of Rep. Vickrey, the conference committee report on **SB 336** was adopted.

On roll call, the vote was: Yeas 122; Nays 3; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Feuerborn, Lane, McKinney.

Present but not voting: None.

Absent or not voting: None.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 344**, 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 of the Whole amendments, as follows:

On page 1, in line 31, by striking "shall" and inserting "may";

And your committee on conference recommends the adoption of this report.

GARY K. HAYZLETT  
JOHN FABER  
MARGARET LONG  
*Conferees on part of House*

LES DONOVAN  
DENNIS M. WILSON  
MARK GILSTRAP  
*Conferees on part of Senate*

On motion of Rep. Hayzlett, the conference committee report on **SB 344** was adopted.



On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Master-son, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Pilcher-Cook.

Present but not voting: None.

Absent or not voting: None.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 350**, 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 of the Whole amendments, as follows:

On page 8, in line 13, after the comma, by inserting "the individual telecommunication service components of such packages or bundles shall remain available for purchase on an individual basis and"; in line 24, after the stricken material, by inserting ", that are nonaffiliated with the local exchange carrier,."; in line 34, by striking all after "a"; by striking all in line 35; in line 36, by striking all before "commercial" and inserting "provider of"; in line 42, after the stricken material, by inserting ", that are nonaffiliated with the local exchange carrier,.";

On page 9, by striking all in line 11; in line 12, by striking all before "commercial" and inserting "provider of"; in line 18, by striking all after "rates"; by striking all in line 19; in line 20, by striking all before "shall";

On page 10, after line 17, by inserting the following:

"(6) The commission on July 1, 2006, and on each date that any service is deregulated, shall record the rates of each service which has been price deregulated in each exchange.;"

And by renumbering subsections accordingly;

Also on page 10, in line 21, by striking "2009" and inserting "2007"; also in line 21, by striking "every three years" and inserting "annually"; in line 25, by striking "2009" and inserting "2007"; also in line 25, by striking "every three"; in line 26, by striking "years" and inserting "annually"; in line 29, after the period, by inserting "The commission shall also provide in such annual report any additional information it deems useful in determining the impact of price deregulation on consumers and the competitive environment, including, but not limited to, the rates recorded under paragraph (6) of this subsection, the current rates for services in price deregulated exchanges, changes in service offerings available in price deregulated exchanges and the change in the number of competitors in price deregulated exchanges.;" in line 32, by striking "three" and inserting "one"; in line 38, by striking "and" and inserting a comma; also in line 38, after "legislature" by inserting "and each member of the standing committees of the house of representatives and the senate which are assigned telecommunications issues";

On page 11, in line 5, after "a" by inserting "single residential"; also in line 5, after "line" by inserting "or up to four business local exchange access lines at one location"; by striking all in lines 28 through 43;

On page 12, by striking all in lines 1 through 11; after line 11, by inserting the following:

“(r) (1) Upon complaint or request, the commission may investigate a price deregulated service.

(2) The commission shall resume price cap regulation of a service provided in any exchange area by placing it in the appropriate service basket, as approved by the commission, upon a determination by the commission that the conditions in subsection (q)(1)(C) or (D) are no longer satisfied in that exchange area.

(3) The commission shall resume price cap regulation of business services in any exchange meeting the conditions of subsection (q)(1)(B) by placing it in the appropriate service basket, as approved by the commission, upon a determination by the commission that the following condition is not met: There are at least two nonaffiliated telecommunications carriers or other entities, that are nonaffiliated with the local exchange carrier, providing local telecommunications service to business customers, regardless of whether the entity provides local service in conjunction with other services in that exchange area. One of such nonaffiliated carriers or entities shall be required to be a facilities-based carrier or entity and not more than one such nonaffiliated carriers or entities shall be a provider of commercial mobile radio services in that exchange.

(4) The commission shall resume price cap regulation of residential services in any exchange meeting the conditions of subsection (q)(1)(B) by placing it in the appropriate service basket, as approved by the commission, upon a determination by the commission that the following condition is not met: There are at least two or more nonaffiliated telecommunications carriers or other entities, that are nonaffiliated with the local exchange carrier, providing local telecommunications service to residential customers, regardless of whether the entity provides local service in conjunction with other services in that exchange area. One of such nonaffiliated carriers or entities shall be required to be a facilities-based carrier or entity and not more than one such nonaffiliated carriers or entities shall be a provider of commercial mobile radio services in that exchange.”;

And your committee on conference recommends the adoption of this report.

CARL DEAN HOLMES

CARL C. KREHBIEL

ANNIE KUETHER

*Conferees on part of House*

JAY SCOTT EMLER

PAT APPLE

JANIS K. LEE

*Conferees on part of Senate*

On motion of Rep. C. Holmes, the conference committee report on **SB 350** was adopted.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Wimm, Wolf, Yoder, Yonally.

Nays: Faber.

Present but not voting: None.

Absent or not voting: None.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 388**, 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 of the Whole amendments, as follows:

On page 1, in line 23, by striking “, “biodiesel” and inserting “:

(a) “Biodiesel”;

Also on page 1, after line 26, by inserting the following:

“(b) “Kansas qualified biodiesel fuel producer” means any producer of biodiesel fuel whose principal place of business and facility for the production of biodiesel fuel are located within the state of Kansas and who has made formal application to and conformed to the requirements by the department of revenue pursuant to this act.

(c) “Secretary” means the secretary of the department of revenue of the state of Kansas.

(d) “Kansas qualified biodiesel fuel producer incentive fund” means a fund created in section 3, and amendments thereto, from which producer incentives shall be provided pursuant to this act to Kansas qualified biodiesel fuel producers.”;

Also on page 1, in line 28, before “economic” by inserting “state”; in line 30, after the period, by inserting “If sufficient moneys are not available in the state economic development initiatives fund for such transfer on April 1, 2007, then the director of accounts and reports shall transfer on such date the amount available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund.”; in line 36, after the period, by inserting “If sufficient moneys are not available in the state economic development initiatives fund for such transfer on July 1, 2007, and on the first day of any calendar quarter thereafter, in any such fiscal year, then the director of accounts and reports shall transfer on such date the amount available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund.”;

And your committee on conference recommends the adoption of this report.

GARY K. HAYZLETT

JOHN FABER

MARGARET LONG

*Conferees on part of House*

MARK TADDIKEN

ROGER C. PINE

MARCI FRANCISCO

*Conferees on part of Senate*

On motion of Rep. Hayzlett, the conference committee report on **SB 388** was adopted.

On roll call, the vote was: Yeas 105; Nays 20; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Carlson, Carter, Colton, Cox, Craft, Dahl, Davis, DeCastro, Decker, Edmonds, Faber, Faust-Goudeau, Feuerborn, Freeborn, Gatewood, George, Goico, Grange, Grant, Hawk, Hayzlett, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, D. Johnson, E. Johnson, Kelsey, Kiegerl, Kilpatrick, Kinzer, Knox, Krehbiel, Landwehr, Light, Long, Loyd, Lukert, Mah, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Watkins, Weber, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Burroughs, Carlin, Crow, Dillmore, Flaharty, Flora, Garcia, Gordon, Henderson, Huntington, Kelley, Kirk, Kuether, Lane, Loganbill, Mast, Ruiz, Siegfried, Ward, Wilk.  
 Present but not voting: None.  
 Absent or not voting: None.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2513**, 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 1, in line 23, after the semicolon, by inserting "and"; in line 26, by striking "and"; by striking all in line 27; in line 28, by striking all before the period;

And your committee on conference recommends the adoption of this report.

LES DONOVAN

DENNIS M. WILSON

MARK GILSTRAP

*Conferees on part of Senate*

GARY K. HAYZLETT

JOHN FABER

MARGARET LONG

*Conferees on part of House*

On motion of Rep. Hayzlett, the conference committee report on **Sub. HB 2513** was adopted.

On roll call, the vote was: Yeas 122; Nays 3; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Master-son, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Owens, Pauls, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Otto, Peck, Ward.

Present but not voting: None.

Absent or not voting: None.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2590**, 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 2, in line 15, following "3." by inserting "(a)"; in line 17, preceding the period by inserting "including, but not limited to, assessing civil penalties"; preceding line 18, by inserting:

"(b) No civil penalty shall be imposed pursuant to this section except upon the written order of the secretary or the secretary's duly authorized agent to a VoIP provider. Such order shall state the violation, the penalty to be imposed and the right of such VoIP provider to appeal to the secretary. Any such VoIP provider, within 20 days after notification, may

make written request to the secretary for a hearing or informal conference hearing in accordance with the provisions of the Kansas administrative procedure act. The secretary shall affirm, reverse or modify the order and shall specify the reasons therefor.

(c) Any VoIP provider aggrieved by an order of the secretary made under this section may appeal such order to the district court in the manner provided by the act for judicial review and civil enforcement of agency actions.

(d) Any civil penalty recovered pursuant to this section shall be deposited with the local collection point administrator and subsequently routed back to the corresponding PSAP and shall be used solely for those expenses allowed by this act.”;

On page 7, in line 36, by striking “mon-”; by striking all in lines 37 through 39; in line 40, by striking all before “shall” and inserting “civil penalties.

(d) No civil penalty shall be imposed pursuant to this section except upon the written order of the secretary or the secretary’s duly authorized agent to a wireless carrier. Such order shall state the violation, the penalty to be imposed and the right of such wireless carrier to appeal to the secretary. Any such wireless carrier, within 20 days after notification, may make written request to the secretary for a hearing or informal conference hearing in accordance with the provisions of the Kansas administrative procedure act. The secretary shall affirm, reverse or modify the order and shall specify the reasons therefor.

(e) Any wireless carrier aggrieved by an order of the secretary made under this section may appeal such order to the district court in the manner provided by the act for judicial review and civil enforcement of agency actions.

(f) Any civil penalty recovered pursuant to this section”;

And your committee on conference recommends the adoption of this report.

JAY SCOTT EMLER  
PAT APPLE  
JANIS K. LEE  
*Conferees on part of Senate*

CARL DEAN HOLMES  
CARL C. KREHBIEL  
ANNIE KUETHER  
*Conferees on part of House*

On motion of Rep. C. Holmes, the conference committee report on **HB 2590** was adopted.

On roll call, the vote was: Yeas 100; Nays 25; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Carlin, Colloton, Cox, Craft, Crow, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Grange, Grant, Hawk, Hayzlett, Henderson, Hill, Holland, C. Holmes, M. Holmes, Horst, Huff, Humerickhouse, Hutchins, D. Johnson, E. Johnson, Kelsey, Kiegerl, Kilpatrick, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mays, McCreary, McKinney, Menghini, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O’Malley, O’Neal, Oharah, Olson, Otto, Owens, Pauls, Peterson, Phelps, Pottorff, Powell, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Brown, Brunk, Burgess, Burroughs, Carlson, Carter, Dahl, Feuerborn, Gordon, Henry, Huebert, Huntington, Huy, Kelley, Kinzer, Mast, Masterson, McLeland, Merrick, F. Miller, Peck, Pilcher-Cook, Powers, Schwab, Ward.

Present but not voting: None.

Absent or not voting: None.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2592**, 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 2, after line 2, by inserting the following:

“(d) A municipality may require a single deposit to be paid by a customer for all utility services, except that such deposit shall not exceed an amount equal to the expected average bills for a three month period for such utility services.”

And by lettering the remaining subsection accordingly;

And your committee on conference recommends the adoption of this report.

JAY SCOTT EMLER

PAT APPLE

JANIS K. LEE

*Conferees on part of Senate*

CARL DEAN HOLMES

CARL C. KREHBIEL

ANNIE KUETHER

*Conferees on part of House*

On motion of Rep. C. Holmes, the conference committee report on **HB 2592** was adopted.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Dillmore, Lane, McKinney, Pauls, Treaster.

Present but not voting: None.

Absent or not voting: Proehl.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2709**, 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 3, after line 13, by inserting the following:

“Sec. 3. K.S.A. 2005 Supp. 66-525 is hereby amended to read as follows: 66-525. (a) For purposes of this section, a railroad right-of-way shall be considered abandoned when:

(1) The tracks, ties, and other components necessary for operation of the rail line are removed from the right-of-way following the issuance of an abandonment order by the appropriate federal or state authority;

(2) if, within two years after the exercise of such an order, removal of such components is not completed and railroad operating authority is not restored or reissued by an appropriate court or other federal or state authority; or

(3) if no rail line is placed on the right-of-way within 10 years after the right-of-way is acquired. A railroad right-of-way shall not be considered abandoned if the railroad company or any other entity continues to use the right-of-way for railroad purposes after abandonment authority has been issued.

(b) If the grantee or assignee of record of a recorded railroad right-of-way abandons such right-of-way, such grantee or assignee shall:

(1) Remove crossbucks and modify signal devices or install "exempt" signs at all locations within 90 days of abandonment; and

(2) file a release of all right, title and interest in the right-of-way with the register of deeds of the counties in which the property is located, within 180 days after being requested by any owner of property servient to the right-of-way.

(c) If a grantee or assignee of record of a railroad right-of-way refuses or neglects to file a release when required by subsection (b), the owner of the servient property may bring an action in a court of competent jurisdiction to recover from the grantee or assignee of record damages in the amount of \$500, together with costs and reasonable attorney fees for preparing and prosecuting the action. The owner may recover such additional damages as the evidence warrants, and may obtain injunctive relief to quiet the title and eject any unauthorized parties from the property.

(d) A grantee or assignee of railroad right-of-way, at any time, may file a general release of all right, title and interest in the right-of-way of one or more particular rail lines or portions thereof with the register of deeds of the county or counties in which such property is located. If such action has been taken, the grantee or assignee shall be relieved of any further obligation under this section to file individual releases of any right-of-way included in such a general release.

(e) Within 30 days after entering abandoned railroad right-of-way property upon the tax rolls pursuant to K.S.A. 79-401 *et seq.*, and amendments thereto, the county clerk of each county in which such property is so entered shall forward to the most recent railroad company holder of such property for right-of-way purposes, a certified list of the names and addresses of all property owners so entered upon the tax rolls following abandonment.

Within 30 days after receipt of such certified list by the railroad company, it shall send a notice of abandonment by first-class mail to each landowner at the address provided. The grantee or assignee of record of a recorded railroad right-of-way who abandons such right-of-way and provides the notice of such abandonment required by this subsection shall incur no civil or criminal liability for failure to notify any person who claims, or may claim, ownership of property servient to the abandoned right-of-way, nor shall such grantee or assignee incur any civil or criminal liability for notifying any person who has no legal claim to ownership of property servient to the abandoned right-of-way. The notice required by this subsection shall not create any legal right, be construed as a warranty or guarantee, nor shall such notice impair or cloud any lawful claim, right, title or interest of any person.

(f) *Except where a railroad company conveys its right, title and interest in and to railroad right-of-way which it owns in fee simple*, any conveyance by ~~any~~ a railroad company of any actual or purported right, title or interest in property acquired in strips for right-of-way to any party other than the owner of the servient estate shall be null and void, unless such conveyance is made with a manifestation of intent that the railroad company's successor shall maintain railroad operations on such right-of-way; ~~and the railroad owns marketable title for such purpose.~~

(g) As used in this section, "railroad company" has the meaning of such term as defined in K.S.A. 2005 Supp. 66-2,123, and amendments thereto.;

And by renumbering the remaining sections accordingly;

Also on page 3, in line 14, after "Supp." by inserting "66-525 and";

In the title, by striking all in lines 12 through 15 and inserting "AN ACT concerning transportation; relating to railroads; concerning certain annual reports by the department of transportation; amending K.S.A. 68-2315 and K.S.A. 2005 Supp. 66-525 and 75-5048 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

LES DONOVAN

DENNIS M. WILSON

MARK GILSTRAP

*Conferees on part of Senate*

GARY K. HAYLETT

JOHN FABER

MARGARET LONG

*Conferees on part of House*

On motion of Rep. Haylett, the conference committee report on **HB 2709** was adopted.

On roll call, the vote was: Yeas 122; Nays 3; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Haylett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Brown, Kinzer, Pilcher-Cook.

Present but not voting: None.

Absent or not voting: None.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2752**, 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 3, after line 31, by inserting the following:

“New Sec. 3. (a) Beginning with the first academic term commencing after July 1, 2007, and for each academic term thereafter, each college and university shall have in place policies and procedures requiring that all incoming students residing in student housing be vaccinated for meningitis. Such policies shall include appropriate waiver procedures for those who refuse to take the vaccine.

(b) Nothing in this section shall require or be construed to require any college or university to provide or to pay for any vaccination against meningitis.”;

And by renumbering the remaining sections accordingly;

In the title, in line 10, after “facilities” by inserting “and policies regarding vaccination for meningitis”;

And your committee on conference recommends the adoption of this report.

JIM BARNETT

VICKI SCHMIDT

DAVID HALEY

*Conferees on part of Senate*

JIM MORRISON

PEGGY MAST

NANCY A. KIRK

*Conferees on part of House*

On motion of Rep. Jim Morrison, the conference committee report on **HB 2752** was adopted.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.



Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2798**, 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 1, in line 41, after the stricken material, by inserting "The provisions of this subsection shall expire on July 1, 2016.";

And your committee on conference recommends the adoption of this report.

MARK TADDIKEN

ROGER C. PINE

MARCI FRANCISCO

*Conferees on part of Senate*

DAN JOHNSON

C. FRANK MILLER

JOSH SVATY

*Conferees on part of House*

On motion of Rep. D. Johnson, the conference committee report on **HB 2798** was adopted.

On roll call, the vote was: Yeas 109; Nays 16; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Carlin, Carlson, Carter, Colloton, Cox, Craft, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Knox, Krehbiel, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Svaty, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Wolf, Yoder, Yonally.

Nays: Burroughs, Crow, Flaharty, Flora, Kirk, Kuether, Landwehr, Lane, Menghini, M. Miller, Peterson, Ruiz, Sawyer, Storm, Swenson, Winn.

Present but not voting: None.

Absent or not voting: None.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2899**, 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 2, after line 26, by inserting the following subsection:

“(m) The livestock commissioner may adopt rules and regulations to carry out the provisions of this section.”;

And your committee on conference recommends the adoption of this report.

MARK TADDIKEN

ROGER C. PINE

MARCI FRANCISCO

*Conferees on part of Senate*

DAN JOHNSON

C. FRANK MILLER

JOSH SVATY

*Conferees on part of House*

On motion of Rep. D. Johnson, the conference committee report on **HB 2899** was adopted.

On roll call, the vote was: Yeas 81; Nays 44; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Bethell, Carlin, Colloton, Cox, Craft, Crow, Davis, DeCastro, Decker, Dillmore, Edmonds, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, George, Goico, Grant, Hawk, Henry, Hill, Holland, C. Holmes, Horst, Huff, Huntington, D. Johnson, E. Johnson, Kelsey, Kiegerl, Kilpatrick, Kirk, Krehbiel, Kuether, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mays, Menghini, F. Miller, M. Miller, Jim Morrison, Myers, O'Malley, O'Neal, Olson, Owens, Pauls, Phelps, Pottorff, Proehl, Roth, Ruff, Ruiz, Sawyer, B. Sharp, S. Sharp, Shultz, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Beamer, Brown, Brunk, Burgess, Burroughs, Carlson, Carter, Dahl, Faber, Freeborn, Gatewood, Gordon, Grange, Hayzlett, Henderson, M. Holmes, Huebert, Humerickhouse, Hutchins, Huy, Kelley, Kinzer, Knox, Landwehr, Mast, Masterson, McCreary, McKinney, McLeland, Merrick, Judy Morrison, Neufeld, Oharah, Otto, Peck, Peterson, Pilcher-Cook, Powell, Powers, Schwab, Schwartz, Siegfried, Watkins, Weber.

Present but not voting: None.

Absent or not voting: None.

On motion of Rep. Aurand, the House resolved into Committee of the Whole, with Rep. Hill in the chair.

**COMMITTEE OF THE WHOLE**

On motion of Rep. Hill, Committee of the Whole report, as follows, was adopted:

Recommended that committee report recommending a substitute bill to **H. Sub. for SB 303** be adopted; also, Rep. Flora requested the question be divided. The Rules Chair ruled the request out of order, and the substitute bill be passed.

**INTRODUCTION OF ORIGINAL MOTIONS**

Pursuant to Joint Rule 3 (f), Rep. Neufeld moved that the rules be suspended and that no copies be printed for distribution of the conference committee report on **SB 480**. The motion prevailed.

On motion of Rep. Aurand, the House recessed until 2:30 p.m.

## AFTERNOON SESSION

The House met pursuant to recess with Speaker Mays in the chair.

**MESSAGE FROM THE GOVERNOR**

**HB 2560** approved on March 30, 2006.

**MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Edmonds, the House concurred in Senate amendments to **Sub. HB 2727**, An act concerning state officers and employees; amending K.S.A. 75-5532 and 75-5534 and K.S.A. 2005 Supp. 75-5531 and 75-5533 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

Call of the House was demanded.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Master-son, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Phelps, Pilcher-Cook, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Peterson, Pottorff.

On motion of Rep. Neufeld, the House concurred in Senate amendments to **HB 2949**, An act concerning water; relating to the public water supply loan fund and purposes for disbursement therefrom; concerning the Kansas water pollution control revolving fund; relating to allocations from such fund; amending K.S.A. 65-163e and 65-3322 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Master-son, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Phelps, Pilcher-Cook, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Peterson, Pottorff.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 207**, 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 of the Whole amendments, as follows:

On page 2, after line 19, by inserting "The requirement for submitting any antifraud plan, or any amendment thereof, to the commissioner shall expire on the date specified in paragraph (2) of this subsection unless the legislature reviews and reenacts the provisions of paragraph (2) pursuant to K.S.A. 45-229 and amendments thereto."; in line 20, by striking "Antifraud plans" and inserting "Any antifraud plan, or any amendment thereof."; also in line 20, after "commissioner" by inserting "for informational purposes only";

On page 3, in line 19, after the comma by inserting "regulatory agencies of any other state, the";

And your committee on conference recommends the adoption of this report.

CLARK SHULTZ  
ERIC CARTER  
NILE DILLMORE  
*Conferees on part of House*

RUTH TEICHMAN  
DAVID WYSONG  
CHRIS STEINEGER  
*Conferees on part of Senate*

On motion of Rep. Shultz, the conference committee report on **H. Sub. for SB 207** was adopted.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Master-son, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Phelps, Pilcher-Cook, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Peterson, Pottorff.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 459**, submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

DON MYERS  
JUDY MORRISON  
GERALDINE FLAHARTY  
*Conferees on part of House*

CAROLYN MCGINN

RALPH OSTMEYER

LAURA KELLY

*Conferees on part of Senate*

On motion of Rep. Myers, the conference committee report on **SB 459** was adopted. Speaker Mays thereupon appointed Reps. Myers, Judy Morrison and Flaharty as second conferees on the part of the House.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 270**, 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 of the Whole amendments, as follows:

On page 1, after line 17, by inserting the following:

“Section 1. K.S.A. 2005 Supp. 20-2606 is hereby amended to read as follows: 20-2606.

(a) Any judge whose service is terminated prior to retirement, for any cause other than death, upon written request to the board and after 30 days after such termination, may have returned the total amount of accumulated contributions which the judge has made to the fund after the retirement system for judges has a reasonable time to process the application for withdrawal. The return of accumulated contributions to a judge shall preclude that judge from any benefits under the retirement system for judges unless and until that judge again serves in such capacity.

(b) Any incumbent judge over 70 years of age with a total service of at least eight years at the time the judge’s present term of office expires, or at the time of retirement if the judge retires before the end of the judge’s present term, shall receive retirement annuities as provided in K.S.A. 20-2608, 20-2609 and 20-2610, and any amendments thereto, unless the judge requests the return of accumulated contributions under this section.

(c) In case any judge, who has had such judge’s accumulated contributions returned under this section, serves again in such capacity, such judge may return, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, the amount refunded under this section without interest or penalty and regain such judge’s original status under the retirement system for judges.

(d) Subject to the provisions of K.S.A. 74-49,123 and amendments thereto, any member of the retirement system for judges who was previously a member of the Kansas public employees retirement system or the Kansas police and firemen’s retirement system and who forfeited service credit under either of those systems by reason of termination of employment and withdrawal of their contributions to that system, may elect to purchase service credit for the previously forfeited service credit by means of having employee contributions as provided in K.S.A. 20-2603 and amendments thereto deducted from such judge’s compensation at an additional rate of contribution, based upon such judge’s attained age at the time of purchase and using actuarial assumptions and tables in use by the retirement system at such time of purchase for such periods of service. Such additional rate of contribution shall commence at the beginning of the quarter following such election and shall remain in effect until all of the full quarters of such service have been purchased. Such member may purchase such service by means of a single lump-sum payment in lieu of employee contributions as provided in this subsection. Such service shall be recredited to that system. The amount of the lump-sum payment shall be determined by the actuary using the member’s then current annual rate of compensation *or the member’s final average salary at the time the member elects to purchase such service credit, whichever is higher*, the actuarial assumptions and tables then currently in use by that retirement system and the judge’s attained age.

Sec. 2. K.S.A. 2005 Supp. 20-2625 is hereby amended to read as follows: 20-2625. (1) Any member of the retirement system for judges may purchase, subject to the provisions of K.S.A. 74-49,123, and amendments thereto, participating credit for periods of active service in the armed forces of the United States or in the commissioned corps of the United

States public health service and for periods of service required to fulfill the requirements of section 651 of title 10, United States code, which does not exceed six years. Such judge shall be entitled to purchase one quarter of participating service credit for each year of service required to fulfill the requirements of section 651 of title 10, United States code. Such purchase shall be effected by the judge submitting proof of such service acceptable to the board and electing in writing to have employee contributions as provided in K.S.A. 20-2603 and amendments thereto deducted from such judge's compensation at an additional rate of contribution, in addition to the employee's rate of contribution as provided in K.S.A. 20-2603 and amendments thereto, based upon the judge's attained age at the time of purchase and using actuarial assumptions and tables in use by the retirement system at such time of purchase for such periods of service. Such additional rate of contribution shall commence at the beginning of the quarter following such election and shall remain in effect until all of the full quarters of such service have been purchased.

(2) Any member of the retirement system who has not retired may purchase, subject to the provisions of K.S.A. 74-49,123, and amendments thereto, participating service credit for military service as described in this section by electing to effect such purchase by means of a single lump-sum payment in lieu of employee contributions as provided in this section. The lump-sum payment shall be an amount determined by the actuary using the judge's then current annual rate of compensation *or the judge's final average salary at the time the judge elects to purchase such service credit, whichever is higher*, the actuarial assumptions and tables currently in use by the retirement system and the judge's attained age.”;

And by renumbering sections 1, 2 and 3 as sections 3, 4 and 5;

On page 2, in line 22, by striking “term” and inserting “terms”; in line 23, by striking “employment” and inserting “professional service”;

On page 5, after line 9, by inserting the following:

“Sec. 6. K.S.A. 2005 Supp. 74-4902 is hereby amended to read as follows: 74-4902. As used in articles 49 and 49a of chapter 74 and amendments thereto, unless otherwise provided or the context otherwise requires:

(1) “Accumulated contributions” means the sum of all contributions by a member to the system which are credited to the member's account, with interest allowed thereon;

(2) “acts” means the provisions of articles 49 and 49a of the Kansas Statutes Annotated and amendments thereto;

(3) “actuarial equivalent” means an annuity or benefit of equal value to the accumulated contributions, annuity or benefit, when computed upon the basis of the actuarial tables in use by the system. Whenever the amount of any benefit is to be determined on the basis of actuarial assumptions, the assumptions shall be specified in a way that precludes employer discretion;

(4) “actuarial tables” means the actuarial tables approved and in use by the board at any given time;

(5) “actuary” means the actuary or firm of actuaries employed or retained by the board at any given time;

(6) “agent” means the individual designated by each participating employer through whom system transactions and communication are directed;

(7) “beneficiary” means, subject to the provisions of K.S.A. 74-4927, and amendments thereto, any natural person or persons ~~or~~, estate *or trust, or any combination thereof*, named by a member to receive any benefits as provided for by this act. Designations of beneficiaries by a member who is a member of more than one retirement system made on or after July 1, 1987, shall be the basis of any benefits payable under all systems unless otherwise provided by law. Except as otherwise provided by subsection (33) of this section, if there is no named beneficiary living at time of member's death, any benefits provided for by this act shall be paid to: (A) The member's surviving spouse; (B) the member's dependent child or children; (C) the member's dependent parent or parents; (D) the member's nondependent child or children; (E) the member's nondependent parent or parents; (F) the estate of the deceased member; in the order of preference as specified in this subsection;

(8) “board of trustees,” “board” or “trustees” means the managing body of the system which is known as the Kansas public employees retirement system board of trustees;

(9) "compensation" means, except as otherwise provided, all salary, wages and other remuneration payable to a member for personal services performed for a participating employer, including maintenance or any allowance in lieu thereof provided a member as part of compensation, but not including reimbursement for travel or moving expenses or on and after July 1, 1994, payment pursuant to an early retirement incentive program made prior to the retirement of the member. Beginning with the employer's fiscal year which begins in calendar year 1991 or for employers other than the state of Kansas, beginning with the fiscal year which begins in calendar year 1992, when the compensation of a member who remains in substantially the same position during any two consecutive years of participating service used in calculating final average salary is increased by an amount which exceeds 15%, then the amount of such increase which exceeds 15% shall not be included in compensation, except that (A) any amount of compensation for accumulated sick leave or vacation or annual leave paid to the member, (B) any increase in compensation for any member due to a reclassification or reallocation of such member's position or a reassignment of such member's job classification to a higher range or level and (C) any increase in compensation as provided in any contract entered into prior to January 1, 1991, and still in force on the effective date of this act, pursuant to an early retirement incentive program as provided in K.S.A. 72-5395 et seq., and amendments thereto, shall be included in the amount of compensation of such member used in determining such member's final average salary and shall not be subject to the 15% limitation provided in this subsection. Any contributions by such member on the amount of such increase which exceeds 15% which is not included in compensation shall be returned to the member. Unless otherwise provided by law, beginning with the employer's fiscal year coinciding with or following July 1, 1985, compensation shall include any amounts for tax sheltered annuities or deferred compensation plans. Beginning with the employer's fiscal year which begins in calendar year 1991, compensation shall include amounts under sections 403b, 457 and 125 of the federal internal revenue code of 1986 and, as the board deems appropriate, any other section of the federal internal revenue code of 1986 which defers or excludes amounts from inclusion in income. For purposes of applying limits under the federal internal revenue code "compensation" shall have the meaning as provided in K.S.A. 74-49,123 and amendments thereto;

(10) "credited service" means the sum of participating service and prior service and in no event shall credited service include any service which is credited under another retirement plan authorized under any law of this state;

(11) "dependent" means a parent or child of a member who is dependent upon the member for at least ½ of such parent or child's support;

(12) "effective date" means the date upon which the system becomes effective by operation of law;

(13) "eligible employer" means the state of Kansas, and any county, city, township, special district or any instrumentality of any one or several of the aforementioned or any noncommercial public television or radio station located in this state which receives state funds allocated by the Kansas public broadcasting commission whose employees are covered by social security. If a class or several classes of employees of any above defined employer are not covered by social security, such employer shall be deemed an eligible employer only with respect to such class or those classes of employees who are covered by social security;

(14) "employee" means any appointed or elective officer or employee of a participating employer whose employment is not seasonal or temporary and whose employment requires at least 1,000 hours of work per year, and any such officer or employee who is concurrently employed performing similar or related tasks by two or more participating employers, who each remit employer and employee contributions on behalf of such officer or employee to the system, and whose combined employment is not seasonal or temporary, and whose combined employment requires at least 1,000 hours of work per year, but not including: (A) Any employee who is a contributing member of the United States civil service retirement system; (B) any employee who is a contributing member of the federal employees retirement system; (C) any employee who is a leased employee as provided in section 414 of the federal internal revenue code of a participating employer; and (D) any employee or class of employees specifically exempted by law. After June 30, 1975, no person who is otherwise eligible for membership in the Kansas public employees retirement system shall be barred

from such membership by reason of coverage by, eligibility for or future eligibility for a retirement annuity under the provisions of K.S.A. 74-4925 and amendments thereto, except that no person shall receive service credit under the Kansas public employees retirement system for any period of service for which benefits accrue or are granted under a retirement annuity plan under the provisions of K.S.A. 74-4925 and amendments thereto. After June 30, 1982, no person who is otherwise eligible for membership in the Kansas public employees retirement system shall be barred from such membership by reason of coverage by, eligibility for or future eligibility for any benefit under another retirement plan authorized under any law of this state, except that no such person shall receive service credit under the Kansas public employees retirement system for any period of service for which any benefit accrues or is granted under any such retirement plan. Employee shall include persons who are in training at or employed by, or both, a sheltered workshop for the blind operated by the secretary of social and rehabilitation services. The entry date for such persons shall be the beginning of the first pay period of the fiscal year commencing in calendar year 1986. Such persons shall be granted prior service credit in accordance with K.S.A. 74-4913 and amendments thereto. However, such persons classified as home industry employees shall not be covered by the retirement system. Employees shall include any member of a board of county commissioners of any county and any council member or commissioner of a city whose compensation is equal to or exceeds \$5,000 per year;

(15) "entry date" means the date as of which an eligible employer joins the system. The first entry date pursuant to this act is January 1, 1962;

(16) "executive director" means the managing officer of the system employed by the board under this act;

(17) "final average salary" means in the case of a member who retires prior to January 1, 1977, and in the case of a member who retires after January 1, 1977, and who has less than five years of participating service after January 1, 1967, the average highest annual compensation paid to such member for any five years of the last 10 years of participating service immediately preceding retirement or termination of employment, or in the case of a member who retires on or after January 1, 1977, and who has five or more years of participating service after January 1, 1967, the average highest annual compensation paid to such member on or after January 1, 1967, for any five years of participating service preceding retirement or termination of employment, or, in any case, if participating service is less than five years, then the average annual compensation paid to the member during the full period of participating service, or, in any case, if the member has less than one calendar year of participating service such member's final average salary shall be computed by multiplying such member's highest monthly salary received in that year by 12; in the case of a member who became a member under subsection (3) of K.S.A. 74-4925 and amendments thereto, or who became a member with a participating employer as defined in subsection (3) of K.S.A. 74-4931 and amendments thereto and who elects to have compensation paid in other than 12 equal installments, such compensation shall be annualized as if the member had elected to receive 12 equal installments for any such periods preceding retirement; in the case of a member who retires after July 1, 1987, the average highest annual compensation paid to such member for any four years of participating service preceding retirement or termination of employment; in the case of a member who retires on or after July 1, 1993, whose date of membership in the system is prior to July 1, 1993, and any member who is in such member's membership waiting period on July 1, 1993, and whose date of membership in the system is on or after July 1, 1993, the average highest annual compensation, as defined in subsection (9), paid to such member for any four years of participating service preceding retirement or termination of employment or the average highest annual salary, as defined in subsection (34), paid to such member for any three years of participating service preceding retirement or termination of employment, whichever is greater; and in the case of a member who retires on or after July 1, 1993, and whose date of membership in the system is on or after July 1, 1993, the average highest annual salary, as defined in subsection (34), paid to such member for any three years of participating service preceding retirement or termination of employment. Final average salary shall not include any purchase of participating service credit by a member as provided in subsection (2) of K.S.A. 74-4919h and amendments thereto which is completed within five years of retirement. For any application to purchase



or repurchase service credit for a certain period of service as provided by law received by the system after May 17, 1994, for any member who will have contributions deducted from such member's compensation at a percentage rate equal to two or three times the employee's rate of contribution or will begin paying to the system a lump-sum amount for such member's purchase or repurchase and such deductions or lump-sum payment commences after the commencement of the first payroll period in the third quarter, "final average salary" shall not include any amount of compensation or salary which is based on such member's purchase or repurchase. Any application to purchase or repurchase multiple periods of service shall be treated as multiple applications. For purposes of this subsection, the date that such member is first hired as an employee for members who are employees of employers that elected to participate in the system on or after January 1, 1994, shall be the date that such employee's employer elected to participate in the system. In the case of any former member who was eligible for assistance pursuant to K.S.A. 74-4925 and amendments thereto prior to July 1, 1998, for the purpose of calculating final average salary of such member, such member's final average salary shall be based on such member's salary while a member of the system or while eligible for assistance pursuant to K.S.A. 74-4925 and amendments thereto, whichever is greater;

(18) "fiscal year" means, for the Kansas public employees retirement system, the period commencing July 1 of any year and ending June 30 of the next;

(19) "Kansas public employees retirement fund" means the fund created by this act for payment of expenses and benefits under the system and referred to as the fund;

(20) "leave of absence" means a period of absence from employment without pay, authorized and approved by the employer, and which after the effective date does not exceed one year;

(21) "member" means an eligible employee who is in the system and is making the required employee contributions; any former employee who has made the required contributions to the system and has not received a refund if such member is within five years of termination of employment with a participating employer; or any former employee who has made the required contributions to the system, has not yet received a refund and has been granted a vested benefit;

(22) "military service" means service in the uniformed forces of the United States, for which retirement benefit credit must be given under the provisions of USERRA or service in the armed forces of the United States or in the commissioned corps of the United States public health service, which service is immediately preceded by a period of employment as an employee or by the entering into of an employment contract with a participating employer and is followed by return to employment as an employee with the same or another participating employer within 12 months immediately following discharge from such military service, except that if the board determines that such return within 12 months was made impossible by reason of a service-connected disability, the period within which the employee must return to employment with a participating employer shall be extended not more than two years from the date of discharge or separation from military service;

(23) "normal retirement date" means the date on or after which a member may retire with full retirement benefits pursuant to K.S.A. 74-4914 and amendments thereto;

(24) "participating employer" means an eligible employer who has agreed to make contributions to the system on behalf of its employees;

(25) "participating service" means the period of employment after the entry date for which credit is granted a member;

(26) "prior service" means the period of employment of a member prior to the entry date for which credit is granted a member under this act;

(27) "prior service annual salary" means the highest annual salary, not including any amounts received as payment for overtime or as reimbursement for travel or moving expense, received for personal services by the member from the current employer in any one of the three calendar years immediately preceding January 1, 1962, or the entry date of the employer, whichever is later, except that if a member entered the employment of the state during the calendar year 1961, the prior service annual salary shall be computed by multiplying such member's highest monthly salary received in that year by 12;

(28) "retirant" means a member who has retired under this system;

(29) "retirement benefit" means a monthly income or the actuarial equivalent thereof paid in such manner as specified by the member pursuant to this act or as otherwise allowed to be paid at the discretion of the board, with benefits accruing from the first day of the month coinciding with or following retirement and ending on the last day of the month in which death occurs. Upon proper identification a surviving spouse may negotiate the warrant issued in the name of the retirant. If there is no surviving spouse, the last warrant shall be payable to the designated beneficiary;

(30) "retirement system" or "system" means the Kansas public employees retirement system as established by this act and as it may be amended;

(31) "social security" means the old age, survivors and disability insurance section of the federal social security act;

(32) "trust" means an express trust, created by a trust instrument, including a will, designated by a member to receive payment of the insured death benefit under K.S.A. 74-4927 and amendments thereto and payment of the member's accumulated contributions under subsection (1) of K.S.A. 74-4916 and amendments thereto. A designation of a trust shall be filed with the board. ~~If there is a designated trust at the time of the member's death, the insured death benefit for the member under K.S.A. 74-4927 and amendments thereto and the member's accumulated contributions under subsection (1) of K.S.A. 74-4916 and amendments thereto shall be paid to the trust in lieu of the member's beneficiary.~~ If no will is admitted to probate within six months after the death of the member or no trustee qualifies within such six months or if the designated trust fails, for any reason whatsoever, the insured death benefit under K.S.A. 74-4927 and amendments thereto and the member's accumulated contributions under subsection (1) of K.S.A. 74-4916 and amendments thereto shall be paid in accordance with the provisions of subsection (7) of this section as in other cases where there is no named beneficiary living at the time of the member's death and any payments so made shall be a full discharge and release to the system from any further claims;

(33) "salary" means all salary and wages payable to a member for personal services performed for a participating employer, including maintenance or any allowance in lieu thereof provided a member as part of salary. Salary shall not include reimbursement for travel or moving expenses, payment for accumulated sick leave or vacation or annual leave, severance pay or any other payments to the member determined by the board to not be payments for personal services performed for a participating employer constituting salary or on and after July 1, 1994, payment pursuant to an early retirement incentive program made prior to the retirement of the member. When the salary of a member who remains in substantially the same position during any two consecutive years of participating service used in calculating final average salary is increased by an amount which exceeds 15%, then the amount of such increase which exceeds 15% shall not be included in salary. Any contributions by such member on the amount of such increase which exceeds 15% which is not included in compensation shall be returned to the member. Unless otherwise provided by law, salary shall include any amounts for tax sheltered annuities or deferred compensation plans. Salary shall include amounts under sections 403b, 457 and 125 of the federal internal revenue code of 1986 and, as the board deems appropriate, any other section of the federal internal revenue code of 1986 which defers or excludes amounts from inclusion in income. For purposes of applying limits under the federal internal revenue code "salary" shall have the meaning as provided in K.S.A. 74-49,123 and amendments thereto. In any case, if participating service is less than three years, then the average annual salary paid to the member during the full period of participating service, or, in any case, if the member has less than one calendar year of participating service such member's final average salary shall be computed by multiplying such member's highest monthly salary received in that year by 12;

(34) "federal internal revenue code" means the federal internal revenue code of 1954 or 1986, as in effect on July 1, 2002, and as applicable to a governmental plan; and

(35) "USERRA" means the federal uniformed services employment and reemployment rights act of 1994 as in effect on July 1, 1998.

Sec. 7. K.S.A. 74-4906 is hereby amended to read as follows: 74-4906. (1) The board shall hold regular meetings in Topeka, Kansas, at least once each quarter, the dates, time and place to be fixed by the board. The regular meeting held in July of each year shall be the

annual meeting and the board shall elect the chairperson of the board as prescribed by subsection (c) of K.S.A. 74-4905 and amendments thereto. Special meetings may be called upon written call of the chairperson or by agreement of any five members of the board. Notice of a special meeting shall be delivered to all other trustees in person or by registered or certified United States mail not less than seven days prior to the date fixed for the meeting. Notice of any such meeting may be waived by any member either before or after such meeting and attendance at such a meeting shall constitute a waiver of notice of such meeting, unless a member participates therein solely to object to the transaction of any business because the meeting has not been legally called or convened.

(2) Five trustees shall constitute a quorum for the transaction of business, but any official action of the board shall be based upon a favorable vote by at least five trustees at a regular or special meeting of the board.

(3) Members of the Kansas public employees retirement system board of trustees shall receive compensation, ~~subsistence allowance and mileage~~ in the amount provided for members of the legislature pursuant to K.S.A. 75-3223, and amendments thereto, and shall receive ~~subsistence allowance, mileage and expenses in addition to subsistence allowance and mileage in the amount provided for a member of a board~~ pursuant to K.S.A. ~~75-3212~~ 75-3223 and amendments thereto, for each day or part thereof in which such member attended a meeting authorized by the board. Amounts paid under this subsection shall be paid from the expense reserve fund provided for in section (d) of K.S.A. 74-4922 and amendments thereto.

(4) Duties performed for the system by any member of the board who is a public officer or employee shall be considered duties in connection with regular public employment of such individual, and such member shall suffer no loss in normal compensation from public funds by reason of the performances of such duties.”;

And by renumbering section 4 as section 8;

On page 7, after line 23, by inserting the following:

“Sec. 9. K.S.A. 74-4914d is hereby amended to read as follows: 74-4914d. Any additional cost resulting from the normal retirement date and retirement before such normal retirement date for security officers as provided in K.S.A. 74-4914c, and amendments thereto, and disability benefits as provided in K.S.A. 74-4914e, and amendments thereto, shall be added to the employer rate of contribution for the department of corrections as otherwise determined under K.S.A. 74-4920, and amendments thereto, except that the employer rate of contribution for the department of corrections including any such additional cost added to such employer rate of contribution pursuant to this section shall in no event exceed the employer rate of contribution for the department of corrections for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which security officers contribute during the period: (a) For the fiscal year commencing in calendar year 2006, an amount not to exceed more than 0.5% of the amount of the immediately preceding fiscal year; and (b) for the fiscal year commencing in calendar year 2007, and in each subsequent calendar year, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year.”;

And by renumbering sections 5 and 6 as sections 10 and 11;

On page 9, after line 42, by inserting the following: 2

“Sec. 12. K.S.A. 74-4919f is hereby amended to read as follows: 74-4919f. In the event that a member, who elects to repurchase previously forfeited service credit, also elects to effect such repurchase by means of a single lump-sum payment, such member may do so, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, by paying the amount determined by the actuary using the member’s then current annual rate of compensation or the member’s final average salary at the time the member elects to purchase such service credit, whichever is higher, and the actuarial assumptions and tables then currently in use by the retirement system. Any member who elects repurchase by a single lump-sum payment shall make such payment in lieu of the increased amount of the employee’s contribution rate otherwise provided for in this act.

Sec. 13. K.S.A. 74-4919h is hereby amended to read as follows: 74-4919h. (1) In addition to any military service credited under the provisions of K.S.A. 74-4913 or 74-4936 and amendments thereto, or in the event that an active contributing member does not qualify for credit for military service as defined in subsection (22) of K.S.A. 74-4902 and amend-

ments thereto, such member may purchase, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, participating credit for periods of active service in the armed forces of the United States or in the commissioned corps of the United States public health service and for periods of service required to fulfill the requirements of section 651 of title 10, United States code, which are not otherwise creditable, which when added to any creditable military service do not exceed six years. Except as provided in subsection (4)(a) for such purchase of participating credit for such periods of such military service which is the basis for military pension rights, such member shall be entitled to purchase one quarter of participating service credit for each year of service required to fulfill the requirements of section 651 of title 10, United States code. Except as otherwise provided in this section, such purchase shall be effected by the member submitting proof of such service acceptable to the board and, if first commenced prior to January 1, 1996, electing in writing to have employee contributions as provided in K.S.A. 74-4919 and amendments thereto deducted from such member's compensation at a percentage rate equal to two times or three times the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto for such periods of service. Such deductions shall commence at the beginning of the quarter following such election and shall remain in effect until all of the full quarters of such service have been purchased. Any person may make any such purchase as described in this section, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, if first commenced in calendar year 1996 or thereafter, at an additional rate of contribution, in addition to the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto, based upon the member's attained age at the time of purchase and using actuarial assumptions and tables in use by the retirement system at such time of purchase, for such periods of service, in lieu of a lump-sum amount as provided in this section. Such additional rate of contribution shall commence at the beginning of the quarter following such election and shall remain in effect until all quarters of such service have been purchased.

(2) (a) Such purchase of participating service credit must be completed prior to such member's retirement.

(b) For members purchasing such participating service credit on or after July 1, 1993, whose purchase is completed within five years before such member's retirement, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, such member shall pay the actuarially determined amount by means of a single lump-sum payment or equal annual payments which shall be completed prior to retirement. The lump-sum payment or annual payments shall be determined by the system's actuary by using the member's current annual salary at the time, actuarial assumptions and tables currently in use by the system and the member's attained age. Any member who purchases such participating service credit and who does not make the lump-sum payment or annual payments as required by this subsection shall have any previously credited service under this section voided and such member shall be refunded such member's payments previously made for such purchase plus interest. The provisions of this subsection shall not apply to any member who is employed by an institution that is closed or abolished or otherwise ceases operations or that is scheduled for such closure, abolition or cessation of operations and has a budget reduction imposed that is associated with such closure, abolition or cessation of operations, and who is laid off from employment with such institution for the reason of such closure, abolition or cessation. As used in this subsection, "institution" means Topeka state hospital or Winfield state hospital and training center; and "laid off" means, in the case of a state officer or employee in the classified service under the Kansas civil service act, being laid off under K.S.A. 75-2948 and amendments thereto and in the case of a state officer or employee in the unclassified service under the Kansas civil service act, being terminated from employment with the state agency by the appointing authority, except that "laid off" shall not include any separation from employment pursuant to budget reduction or expenditure authority reduction and reduction of F.T.E. positions under K.S.A. 75-6801 and amendments thereto.

(3) In the event such member has elected to purchase participating service credit as provided in K.S.A. 74-4919a to 74-4919e, inclusive, and any amendments thereto, the increased employee contributions and purchase of participating service credit provided herein shall not commence until after the purchase of participating service credit under K.S.A. 74-4919a to 74-4919e, inclusive, and any amendments thereto, has been completed. If a mem-

ber terminates employment before completing the purchase of all participating service credit as such member may be entitled to, such member shall only receive such credit for those full quarters as the percentage rate equal to two times or three times the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto or those full quarters as the additional rate of contribution, in addition to the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto has been deducted from such member's compensation.

(4) (a) Any member of the system who has not yet retired may purchase participating service credit for military service as described in this section which is the basis for military pension rights at an additional rate of contribution in addition to the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto, based upon the member's attained age at the time of purchase and using actuarial assumptions and tables in use by the retirement system at the time of such purchase. Such additional rate of contribution shall commence at the beginning of the quarter following such election and shall remain in effect until all quarters of such service have been purchased. Any such member may purchase, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, participating service credit for military service as described in this section by electing to effect such purchase by means of a single lump-sum payment in lieu of employee contributions as provided in this section. The lump-sum payment shall be an amount determined by the actuary using the member's then current annual rate of compensation, or if not actively employed, the member's annual rate of compensation when last participating, the actuarial assumptions and tables currently in use by the retirement system and the member's attained age.

(b) Any member of the retirement system who has not retired may purchase, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, participating service credit for military service as described in this section which is not the basis for military pension rights by electing to effect such purchase by means of a single lump-sum payment in lieu of employee contributions as provided in this section. The lump-sum payment shall be an amount determined by the actuary using the member's then current annual rate of compensation *or the member's final average salary at the time the member elects to purchase such service credit, whichever is higher, or if not actively employed, the member's annual rate of compensation when last participating*; the actuarial assumptions and tables currently in use by the retirement system and the member's attained age.

Sec. 14. K.S.A. 74-4919j is hereby amended to read as follows: 74-4919j. (1) In addition to any service credited under the provisions of K.S.A. 74-4913 or 74-4936 and amendments thereto, in the event that a member of the Kansas public employees retirement system does not qualify for credit for service as an elected official with a participating employer, such member may purchase, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, participating credit for periods of such service. Except as otherwise provided in this section, such member may purchase such service credit by submitting proof of such service acceptable to the board of trustees and, if first commenced prior to January 1, 1996, electing in writing to have employee contributions deducted as provided in K.S.A. 74-4919 and amendments thereto from such member's compensation at a percentage rate equal to two times or three times the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto for such periods of service. Such deductions shall commence at the beginning of the quarter following such election and shall remain in effect until all of the full quarters of such service have been purchased. Subject to the provisions of K.S.A. 74-49,123 and amendments thereto, any person may make any such purchase as described in this section, if first commenced in calendar year 1996 or thereafter, at an additional rate of contribution, in addition to the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto, based upon the member's attained age at the time of purchase and using actuarial assumptions and tables in use by the retirement system at such time of purchase, for such periods of service, in lieu of a lump-sum amount as provided in this section. Such additional rate of contribution shall commence at the beginning of the quarter following such election and shall remain in effect until all quarters of such service have been purchased.

(2) In the event such member has elected to purchase participating service credit as provided in K.S.A. 74-4919a to 74-4919e, inclusive, and amendments thereto, the increased employee contributions and purchase of participating service credit provided herein shall not commence until after the purchase of participating service credit under K.S.A. 74-4919a to 74-4919e, inclusive, and amendments thereto, has been completed. If a member terminates employment before completing the purchase of all participating service credit as such member may be entitled to purchase, such member shall only receive such credit for those full quarters as the percentage rate equal to two times or three times the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto or those full quarters as the additional rate of contribution, in addition to the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto for such periods of service has been deducted from such member's compensation.

(3) Subject to the provisions of K.S.A. 74-49,123 and amendments thereto, any member of the Kansas public employees retirement system who does not qualify for credit for service as an elected official with a participating employer and who has not retired may purchase participating service credit for such service as an elected official with a participating employer by making a single lump-sum payment in lieu of employee contributions as provided in this section. The lump-sum payment shall be in an amount determined by the actuary using (A) the member's then current annual rate of compensation *or the member's final average salary at the time the member elects to purchase such service credit, whichever is higher*, (B) the actuarial assumptions and tables currently in use by the system and (C) the member's attained age.

(4) Commencing on January 1, 1988, and ending on June 30, 1988, any member of the Kansas public employees retirement system who does not qualify for credit for service as an elected official with a participating employer and who has not retired may purchase participating service credit for such service as an elected official with a participating employer by making a single lump-sum amount equivalent to 4% of the compensation paid to such member for service as an elected official during such period.

Sec. 15. K.S.A. 74-4919l is hereby amended to read as follows: 74-4919l. Any member of the Kansas public employees retirement system who was previously a member of the retirement system for judges or the Kansas police and firemen's retirement system and who forfeited service credit under either of those systems by reason of termination of employment and withdrawal of their contributions to that system, may elect to purchase, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, service credit for the previously forfeited service credit by means of a single lump-sum payment and such service shall be recredited to that system. The amount of the lump-sum payment shall be determined by the actuary using the member's then current annual rate of compensation *or the member's final average salary at the time the member elects to purchase such service credit, whichever is higher*, and the actuarial assumptions and tables then currently in use by that retirement system.

Sec. 16. K.S.A. 74-4919m is hereby amended to read as follows: 74-4919m. (1) Except as otherwise provided, any active contributing member of the retirement system who at one time had the state board of regents assist such member in the purchase of retirement annuities as provided in K.S.A. 74-4925 and amendments thereto and who withdrew such member's accumulated contributions upon the termination of such employment as provided in K.S.A. 74-4925 and amendments thereto may purchase such participating service credit for such service, and any active contributing member of the retirement system may purchase participating service credit for any waiting period required pursuant to K.S.A. 74-4925, and amendments thereto, regardless of whether the state board of regents assisted such member in the purchase of retirement annuities as provided in K.S.A. 74-4925, and amendments thereto. Such member may purchase, subject to the provisions of K.S.A. 74-49,123 and amendments thereto such service credit by submitting proof of such service acceptable to the board of trustees and electing in writing to have employee contributions deducted as provided in K.S.A. 74-4919 and amendments thereto from such member's compensation at an additional rate of contribution, in addition to the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto, based upon the member's attained age at the time of purchase and using actuarial assumptions and tables in use by the retire-

ment system at such time of purchase for such periods of service. Such additional rate of contribution shall commence at the beginning of the quarter following such election and shall remain in effect until all of the full quarters of such service have been purchased.

(2) Any member of the Kansas public employees retirement system who has not retired may purchase, subject to the provisions of K.S.A. 74-49,123 and amendments thereto participating service credit for such service as described in this section with a participating employer by making a single lump-sum payment in lieu of employee contributions as provided in this section. The lump-sum payment shall be in an amount determined by the actuary using (a) the member's then current annual rate of compensation *or the member's final average salary at the time the member elects to purchase such service credit, whichever is higher*, (b) the actuarial assumptions and tables currently in use by the system and (c) the member's attained age.

Sec. 17. K.S.A. 74-4919o is hereby amended to read as follows: 74-4919o. (1) Notwithstanding the provisions of K.S.A. 74-4913 and amendments thereto and except as provided in subsection (3), any member of the Kansas public employees retirement system who was previously employed by an employer who maintained its own police and fire pension plan as a city of the first or second class and who withdrew their accumulated contributions may purchase, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, participating service credit for periods of such service prior to retirement. Such member may purchase such service credit by submitting proof of such service acceptable to the board of trustees and electing in writing to have employee contributions deducted as provided in K.S.A. 74-4919 and amendments thereto from such member's compensation at an additional rate of contribution, in addition to the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto, based upon the member's attained age at the time of purchase and using actuarial assumptions and tables in use by the retirement system at such time of purchase for such periods of service. Such additional rate of contribution shall commence at the beginning of the quarter following such election and shall remain in effect until all of the full quarters of such service have been purchased.

(2) Any member of the Kansas public employees retirement system who has not retired may purchase, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, participating service credit for such service as described in this section with a participating employer by making a single lump-sum payment in lieu of employee contributions as provided in this section. The lump-sum payment shall be in an amount determined by the actuary using (a) the member's then current annual rate of compensation *or the member's final average salary at the time the member elects to purchase such service credit, whichever is higher*, ~~or if not actively employed, the member's annual rate of compensation when last participating~~, (b) the actuarial assumptions and tables currently in use by the system and (c) the member's attained age.

(3) No member may purchase such participating service credit for any service that is subject to a retirement under any other pension plan authorized pursuant to the laws of the state of Kansas.”;

And by renumbering section 7 as section 18;

On page 10, after line 12, by inserting the following: 9

“Sec. 19. K.S.A. 74-4960a is hereby amended to read as follows: 74-4960a. (1) If any active contributing member who is appointed or employed on or after July 1, 1989, or who makes an election pursuant to K.S.A. 74-4955a and amendments thereto to be covered by the provisions of this act becomes disabled as defined in subsection (2), such member shall receive a monthly benefit equal to 50% of the member's final average salary at the time such member was disabled payable in monthly installments, accruing from the first day upon which the member ceases to draw compensation, if a report of the disability in such form and manner as the board shall prescribe is filed in the office of the executive director of the board within 220 days after the date of the commencement of such disability and if an application for such benefit in such form and manner as the board shall prescribe is filed in the office of the executive director of the board within two years of the date of the commencement of such disability, except that the board may waive such two-year requirement, if the board is presented with evidence that clearly warrants such a waiver.

(2) For the purposes of this section, "disabled" means total inability to perform permanently the duties of the position of policeman or fireman.

(3) In the event a member who is disabled and entitled to such benefits as provided in subsection (1) dies after the date of such disability, the following benefits shall be payable:

(i) Pursuant to the provisions of K.S.A. 74-49,128, and amendments thereto, to the member's spouse, if lawfully wedded to the member at the time of the member's death, and if no benefits are payable under subsection (3) of K.S.A. 74-4958a, and amendments thereto, a lump-sum benefit equal to 50% of the member's final average salary at the time such member was disabled.

(ii) To the member's spouse, if lawfully wedded to the member at the time of the member's death, an annual benefit equal to 50% of the member's benefit payable in monthly installments, to accrue from the first day of the month following the member's date of death and ending on the last day of the month in which the spouse dies. Commencing on the effective date of this act, any surviving spouse, who was receiving benefits pursuant to this section and who had such benefits terminated by reason of such spouse's remarriage, shall be entitled to once again receive benefits pursuant to this section, except that such surviving spouse shall not be entitled to recover any benefits not received after the termination of benefits by reason of such surviving spouse's remarriage but before the effective date of this act. If there is no surviving spouse, or if after the death of the spouse there remain one or more children under the age of 18 years or one or more children under the age of 23 years who is a full-time student as provided in K.S.A. 74-49,117 and amendments thereto, the spouse's benefit shall be payable, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, in equal shares to such children and each child's share shall end on the last day of the month in which such child attains the age of 18 years or dies, whichever occurs earlier or in which such child attains the age of 23 years, if such child is a full-time student as provided in K.S.A. 74-49,117 and amendments thereto. Commencing on the effective date of this act, any child who was receiving benefits pursuant to this section and who had such benefits terminated by reason of such child's marriage, shall be entitled to once again receive benefits pursuant to this section subject to the limitations contained in this section, except that such child shall not be entitled to recover any benefits not received after the termination of benefits by reason of such child's marriage but before the effective date of this act.

(4) Any member who was employed for compensation by an employer other than the member's participating employer and whose disability was incurred in the course of such other employment shall not be eligible for any of the benefits provided in subsection (1) or (3).

(5) If a member becomes totally and permanently disabled and no benefits are payable under subsection (1), the sum of the member's accumulated contributions shall be paid to the member.

(6) Any member receiving benefits under this section shall submit to medical examination, not more frequent than annually, by one or more physicians or any other practitioners of the healing arts holding a valid license issued by the state board of healing arts to practice a branch of the healing arts, as the board of trustees may direct. If upon such medical examination, the examiner's report to the board states that the member is physically able and capable of resuming employment with the same or a different participating employer, the disability benefits shall terminate. A member who has been receiving benefits under the provisions of this section and who returns to employment, as defined in subsection (4) of K.S.A. 74-4952 and amendments thereto, of a participating employer shall immediately commence accruing service credit which shall be added to that which has been accrued by virtue of previous service.

(7) Any member who has been receiving benefits under the provisions of this section for a period of five years shall be deemed permanent and shall not be subject to further medical examinations, except that if the board of trustees shall have reasonable grounds to question whether the member remains totally and permanently disabled, a further medical examination or examinations may be required.

(8) Refusal or neglect to submit to examination as provided in subsection (6) shall be sufficient cause for suspending or discontinuing benefit payments under this section and if



such refusal or neglect shall continue for a period of one year, the member's rights in and to all benefits under this system may be revoked by the board.

(9) In the event that a member becomes disabled and is eligible for benefits provided in this section, such member shall be given participating service credit for the entire period of such disability.

(10) Any member who is receiving benefits pursuant to this section shall file annually a statement of earnings for the previous year in such form and manner as the board shall prescribe. Any disability benefit paid to a member entitled to such benefit pursuant to this section shall be reduced by the board in an amount equal to a \$1 reduction in such benefit for every \$2 of earnings of such member which were earned during the previous year while such member was disabled. Such reduction shall apply only to a member's earnings which exceed \$10,000.

(11) Any benefits provided pursuant to this section and any participating service credit given pursuant to subsection (9) shall terminate upon the earliest date such member is eligible for retirement upon attainment of the normal retirement date as provided in K.S.A. 74-4964a and amendments thereto.

(12) Any member who has received benefits under the provisions of this section for a period of five years or more immediately preceding retirement shall have such member's final average salary adjusted upon retirement by the actuarial salary assumption rates in existence during such period. Effective July 1, 1993, each member's current annual rate shall be adjusted upon retirement by 5% for each year of disability after July 1, 1993, but before July 1, 1998. Effective July 1, 1998, such member's current annual rate shall be adjusted upon retirement by an amount equal to the lesser of: (1) The percentage increase in the consumer price index for all urban consumers as published by the bureau of labor statistics of the United States department of labor minus one percent; or (2) four percent per annum, measured from the member's last day on the payroll to the month that is two months prior to the month of retirement, for each year of disability after July 1, 1998.

(13) All payments due under this section to a minor shall be made to a legally appointed conservator of such minor.

(14) The provisions of this section shall be effective on and after July 1, 1989 and shall apply only to members who were appointed or employed prior to July 1, 1989, and who made an election pursuant to K.S.A. 74-4955a and amendments thereto; and persons appointed or employed on or after July 1, 1989.

(15) Any ~~retirant~~ member who has been receiving benefits under the provisions of this section and who returns to employment with the same or different participating employer in the system shall ~~be deemed~~ no longer ~~retired~~ *be deemed disabled under the provisions of this section.*

(16) Upon the death of a member ~~after retirement~~ *who has been receiving benefits under the provisions of this section*, if no *further* benefits are payable ~~under the provisions of this section~~, the excess, if any, of the ~~retirant's~~ *member's* accumulated contributions over the sum of all benefits paid shall be paid to the member's beneficiary.

Sec. 20. K.S.A. 2005 Supp. 74-4963 is hereby amended to read as follows: 74-4963. (1) Upon termination of employment prior to the completion of 20 years of credited service, after 30 days after such termination a member may withdraw such member's accumulated contributions or elect to leave such accumulated contributions on deposit with the system. If the member elects to leave the accumulated contributions on deposit with the system and if the member returns to employment with the same or another participating employer within five years, such member shall receive credit for such member's service prior to such termination. If the member does not elect to leave the accumulated contributions on deposit or if the member does not return to covered employment within five years, such member shall no longer be a member of the system and the sum of such member's accumulated contributions then on deposit with this system shall be paid to such member after making application in a form prescribed by the board and after the system has a reasonable time to process the application for withdrawal. Upon proper notification by the system, member contributions not on deposit with the system shall be paid to the member by the participating employer.

(2) If, after termination and withdrawal of accumulated contributions, a former member returns to covered employment, except as otherwise provided in subsection (1), the former member shall become a member of the system as provided in subsection (2) of K.S.A. 74-4955 and amendments thereto. Any former member returning to covered employment may, at the former member's option, purchase service credit for such previously forfeited service credit, subject to the provisions of K.S.A. 74-49,123, and amendments thereto, at an additional rate of contribution, in addition to the employee's rate of contribution as provided in K.S.A. 74-4965, and amendments thereto, based upon the member's attained age at the time of purchase and using actuarial assumptions and tables in use by the retirement system at such time of purchase for such periods of service. Such additional rate of contribution shall commence at the beginning of the quarter following such election and shall remain in effect until all quarters of such service have been purchased. Subject to the provisions of K.S.A. 74-49,123, and amendments thereto, such member may elect to effect such purchase by means of a single lump-sum payment in lieu of the increased amount of the employee's contribution rate otherwise provided for in this act in an amount equal to the then present value of the benefits being purchased determined by the actuary using the member's attained age, annual compensation at the time of purchase and the actuarial assumptions and tables then in use by the retirement system. The lump-sum payment shall be made immediately upon being notified of the amount due. Upon receipt of such payment by the system the member shall receive full credit for the number of previously forfeited quarters of participating service which the member has elected to repurchase. Any member who repurchases all of the member's previously forfeited participating service credit shall also receive all of the member's previously forfeited prior service credit.

(3) Upon termination and withdrawal of accumulated contributions, any member whose employment was, up to the member's employer's entry date, covered by a pension system established under the provisions of K.S.A. 13-14a01 through 13-14a14, and amendments thereto, or K.S.A. 14-10a01 through 14-10a15, and amendments thereto, shall be entitled to receive from the member's employer the sum of the member's accumulated contributions to the previous pension system.

(4) If a member has completed 20 years of credited service at date of termination, the member shall be granted automatically a vested retirement benefit in the system, but any time prior to the commencement of retirement benefit payments and before attaining age 55 the member may withdraw the member's accumulated contributions, whereupon the member's membership in this system ceases and no other amounts shall be payable for the member's prior and participating service credit. Eligibility of such member, who has not withdrawn the member's accumulated contributions, for retirement benefits and procedures for making application for retirement benefits shall be in accordance with K.S.A. 74-4957 and amendments thereto, except that in lieu of the three-month notice of intention to retire being made to the employer, such member shall make application for retirement in a form prescribed by the board and retirement benefits shall accrue from the first day of the month following receipt of such application. The amount of the retirement benefit shall be determined as provided in K.S.A. 74-4958 and amendments thereto.

(5) If a member, who has a vested retirement benefit, again becomes an employee of a participating employer, the amount of the member's vested retirement benefit shall remain in effect, and any retirement benefit such member subsequently accrues shall be calculated separately based on credited service after again becoming an employee and shall be added to that which had been vested by virtue of previous service. Eligibility of such member for retirement benefits and procedures for making application for retirement benefits shall be in accordance with K.S.A. 74-4957 and amendments thereto.

(6) Any member of this system who was previously a member of the Kansas public employees retirement system or the retirement system for judges and who forfeited service credit under either of those systems by reason of termination of employment and withdrawal of their contributions to that system, may elect, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, to purchase service credit for the previously forfeited service credit by means of a single lump-sum payment and such service shall be recredited to that system. The amount of the lump-sum payment shall be determined by the actuary using the member's then current annual rate of compensation or the member's final average salary

*at the time the member elects to purchase such service credit, whichever is higher*, and the actuarial assumptions and tables then currently in use by that retirement system.

(7) The provisions of this section shall apply only to members who were appointed or employed prior to July 1, 1989, and who did not make an election pursuant to K.S.A. 74-4955a and amendments thereto.

Sec. 21. K.S.A. 2005 Supp. 74-4963a is hereby amended to read as follows: 74-4963a. (1) Upon termination of employment prior to the completion of 15 years of credited service, after 30 days after such termination a member may withdraw such member's accumulated contributions or elect to leave such accumulated contributions on deposit with the system. If the member elects to leave the accumulated contributions on deposit with the system and if the member returns to employment with the same or another participating employer within five years, such member shall receive credit for such member's service prior to such termination. If the member does not elect to leave the accumulated contributions on deposit or if the member does not return to covered employment within five years, such member shall no longer be a member of the system and the sum of such member's accumulated contributions then on deposit with this system shall be paid to such member after making application in a form prescribed by the board and after the system has a reasonable time to process the application for withdrawal. Upon proper notification by the system, member contributions not on deposit with the system shall be paid to the member by the participating employer.

(2) If, after termination and withdrawal of accumulated contributions, a former member returns to covered employment, except as otherwise provided in subsection (1), the former member shall become a member of the system as provided in subsection (2) of K.S.A. 74-4955 and amendments thereto. Any former member returning to covered employment may, at the former member's option, purchase service credit for such previously forfeited service credit, subject to the provisions of K.S.A. 74-49,123, and amendments thereto, at an additional rate of contribution, in addition to the employee's rate of contribution as provided in K.S.A. 74-4965, and amendments thereto, based upon the member's attained age at the time of purchase and using actuarial assumptions and tables in use by the retirement system at such time of purchase for such periods of service. Such additional rate of contribution shall commence at the beginning of the quarter following such election and shall remain in effect until all quarters of such service have been purchased. Subject to the provisions of K.S.A. 74-49,123, and amendments thereto, such member may elect to effect such purchase by means of a single lump-sum payment in lieu of the increased amount of the employee's contribution rate otherwise provided for in this act in an amount equal to the then present value of the benefits being purchased determined by the actuary using the member's attained age, annual compensation at the time of purchase and the actuarial assumptions and tables then in use by the retirement system. The lump-sum payment shall be made immediately upon being notified of the amount due. Upon receipt of such payment by the system the member shall receive full credit for the number of previously forfeited quarters of participating service which the member has elected to repurchase. Any member who repurchases all of the member's previously forfeited participating service credit shall also receive all of the member's previously forfeited prior service credit.

(3) Upon termination and withdrawal of accumulated contributions, any member whose employment was, up to the member's employer's entry date, covered by a pension system established under the provisions of K.S.A. 13-14a01 through 13-14a14, and amendments thereto, or K.S.A. 14-10a01 through 14-10a15, and amendments thereto, shall be entitled to receive from the member's employer the sum of the member's accumulated contributions to the previous pension system.

(4) If a member has completed 15 years of credited service at date of termination, the member shall be granted automatically a vested retirement benefit in the system, but any time prior to the commencement of retirement benefit payments and before attaining age 55 the member may withdraw the member's accumulated contributions, whereupon the member's membership in this system ceases and no other amounts shall be payable for the member's prior and participating service credit. Eligibility of such member, who has not withdrawn the member's accumulated contributions, for retirement benefits and procedures for making application for retirement benefits shall be in accordance with K.S.A. 74-4957

and amendments thereto, except that in lieu of the three-month notice of intention to retire being made to the employer, such member shall make application for retirement in a form prescribed by the board and retirement benefits shall accrue from the first day of the month following receipt of such application. The amount of the retirement benefit shall be determined as provided in K.S.A. 74-4958 and amendments thereto.

(5) If a member, who has a vested retirement benefit, again becomes an employee of a participating employer, the amount of the member's vested retirement benefit shall remain in effect, and any retirement benefit such member subsequently accrues shall be calculated separately based on credited service after again becoming an employee and shall be added to that which had been vested by virtue of previous service. Eligibility of such member for retirement benefits and procedures for making application for retirement benefits shall be in accordance with K.S.A. 74-4957 and amendments thereto.

(6) Any member of this system who was previously a member of the Kansas public employees retirement system or the retirement system for judges and who forfeited service credit under either of those systems by reason of termination of employment and withdrawal of their contributions to that system, may elect, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, to purchase service credit for the previously forfeited service credit by means of a single lump-sum payment and such service shall be recredited to that system. The amount of the lump-sum payment shall be determined by the actuary using the member's then current annual rate of compensation *or the member's final average salary at the time the member elects to purchase such service credit, whichever is higher*, and the actuarial assumptions and tables then currently in use by that retirement system.

(7) The provisions of this section shall be effective on and after July 1, 1989 and shall apply only to members who were appointed or employed prior to July 1, 1989, and who made an election pursuant to K.S.A. 74-4955a and amendments thereto; and persons appointed or employed on or after July 1, 1989.

Sec. 22. K.S.A. 74-4965a is hereby amended to read as follows: 74-4965a. (1) Subject to the provisions of K.S.A. 74-49,123 and amendments thereto, any member of the Kansas police and firemen's retirement system may purchase participating credit for periods of active service in the armed forces of the United States or in the United States public health service and for periods of service required to fulfill the requirements of section 651 of title 10, United States code, which does not exceed six years. Except as otherwise required by the provisions of USERRA, such member shall be entitled to purchase one quarter of participating service credit for each year of service required to fulfill the requirements of section 651 of title 10, United States code. Such purchase shall be effected by the member submitting proof of such service acceptable to the board and electing in writing to have employee contributions as provided in K.S.A. 74-4965 and amendments thereto deducted from such member's compensation at an additional rate of contribution, in addition to the employee's rate of contribution as provided in K.S.A. 74-4965 and amendments thereto, based upon the member's attained age at the time of purchase and using actuarial assumptions and tables in use by the retirement system at such time of purchase for such periods of service. Such additional rate of contribution shall commence at the beginning of the quarter following such election and shall remain in effect until all of the full quarters of such service have been purchased.

(2) Any member of the retirement system who has not retired may purchase, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, participating service credit for military service as described in this section by electing to effect such purchase by means of a single lump-sum payment in lieu of employee contributions as provided in this section. The lump-sum payment shall be an amount determined by the actuary using the member's then current annual rate of compensation *or the member's final average salary at the time the member elects to purchase such service credit, whichever is higher*, ~~or if not actively employed, the member's annual rate of compensation when last participating~~; the actuarial assumptions and tables currently in use by the retirement system and the member's attained age.

(3) Except as otherwise required by the provisions of USERRA, any participating service credit purchased by a member as provided by this section shall not be counted toward or

be used in determining whether such member meets the years of credited service requirement provided for in K.S.A. 74-4957 or 74-4957a and amendments thereto.

(4) The provisions of this section shall take effect on and after July 1, 1994.

Sec. 23. K.S.A. 74-4990 is hereby amended to read as follows: 74-4990. (1) An arrearage obligation shall arise when it is ascertained that required contributions have not been made to the Kansas public employees retirement system at the required time. Such arrearage obligation shall be met by the employer by preparing a report on the appropriate form to correct all previous reports affected by the arrearage obligation. Such report shall be submitted by the employer with the first report after such an arrearage obligation is discovered or as the board of trustees of the system may otherwise prescribe. The proper remittance to cover employer and employee contributions in arrearage shall accompany such report or as the board of trustees of the system may otherwise prescribe for all arrearages other than for the year of service as provided in K.S.A. 74-4911 and amendments thereto. In addition, the employer will pay to the system, interest at the current actuarial interest rate assumption adopted by the board. If the employee retires within 24 months of the employer first reporting this arrearage, the employer will pay to the system a lump-sum amount equal to the difference of the actuarial present value of the retirement benefit and the accumulated value of any contributions represented by the arrearage. No employee shall pay all or any part of the arrearage. The amounts due for an arrearage obligation shall be based upon the compensation paid to the member and at the rates in effect at the time the contributions were originally due to be paid to the system. The employer shall not be required to pay the employee contributions or interest on arrearages of six month or less.

(2) An arrearage obligation shall arise when it is ascertained that the employee and employer should have made contributions to the Kansas public employees retirement system for all or part of the year of service as provided in K.S.A. 74-4911 and amendments thereto. Such arrearage obligation shall be met by the employer by preparing a report on the appropriate form to correct all previous reports affected by the arrearage obligation. Such report shall be submitted by the employer with the first report after such an arrearage obligation is discovered or as the board of trustees of the system may otherwise prescribe. The proper remittance to cover employer contributions in arrearage shall accompany such report or as the board of trustees of the system may otherwise prescribe. The amounts due for an arrearage obligation shall be based upon compensation paid to the member and at the rates in effect at the time contributions were originally due to be paid to the system.

(3) In the event the proper remittance to cover employee contributions in arrearage does not accompany such report, service credits for that period of employment involving the arrearage obligation may be purchased by the member as participating service at any time prior to retirement by making application therefor and paying to the system a single lump-sum amount determined by the system's actuary using (a) the member's then current annual rate of compensation or the member's final average salary at the time the member elects to purchase such service credit, whichever is higher, or if not actively employed, the member's annual rate of compensation when last participating and (b) the actuarial assumptions and tables currently in use by the system.

(4) Except as otherwise provided in this section, any member may purchase participating service credits for that period of employment involving the arrearage obligation as described in this section, if first commenced prior to January 1, 1996, by electing to effect such purchase by means of having employee contributions as provided in K.S.A. 74-4919 and amendments thereto deducted from such member's compensation at a percentage rate equal to two times or three times the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto for such periods of service, in lieu of a lump-sum amount as provided in this section. Such deductions shall commence at the beginning of the quarter following such election and shall remain in effect until all quarters of such service have been purchased. Any person may make any such purchase as described in this section, if first commenced in calendar year 1996 or thereafter, at an additional rate of contribution, in addition to the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto, based upon the member's attained age at the time of purchase and using actuarial assumptions and tables in use by the retirement system at such time of purchase, for such periods of service, in lieu of a lump-sum amount as provided in this section. Such

additional rate of contribution shall commence at the beginning of the quarter following such election and shall remain in effect until all quarters of such service have been purchased.

(5) Notwithstanding the provisions of this section, no employee contributions shall be due and owing for stipulated compensation amounts paid to any employee or former employee of a city of the first class whose dispute with such city was settled by stipulation of settlement either in Case No. 90-2328-0 in the United States District Court for the District of Kansas or in Case No. 91-1182 in the Supreme Court of the United States. Any such employee or former employee may elect to remit such employee contributions to the system. No employee or former employee whose contributions are deemed not to be due or owing or who did not elect to remit such employee contributions to the system as provided in this section according to this provision shall have any claim against the Kansas public employees retirement system for any retirement, disability, death or survivors benefit or any return of accumulated contributions based on such contributions or on the compensation amounts that would have been reflected by such contributions.

Sec. 24. K.S.A. 74-4992 is hereby amended to read as follows: 74-4992. (a) Any such member of the legislature or former member of the legislature as described in K.S.A. 74-4991 and amendments thereto shall become a member on entry date or upon filing with the board an irrevocable election to become or not to become a member of the system. In the event that any such member of the legislature or former member of the legislature fails to file the election to become a member of the retirement system, it shall be presumed that such member of the legislature or former member of the legislature has elected not to become a member. The election to participate shall become effective immediately upon making such election, if such election is made within 14 days of taking the oath of office or, otherwise, on the first day of the first payroll period of the first quarter following receipt of the election in the office of the retirement system. *On and after July 1, 2006, all members of the legislature shall also make the election required by the provisions of K.S.A. 74-4995, and amendments thereto, related to the rate of compensation at which such members shall participate for purposes of K.S.A. 74-4991 et seq., and amendments thereto.*

(b) Any member of the legislature who had attained membership in the Kansas public employees retirement system prior to taking the oath of office as a member of the legislature may elect not to participate in the Kansas public employees retirement system for the purpose of service as a member of the legislature. This election, which is irrevocable, must be filed within the offices of the system. Any member of the legislature who is a member of the retirement system on the effective date of this act and was a member of the retirement system at the time of taking the oath of office may elect not to participate in the retirement system for service as a member of the legislature if such irrevocable election is filed within the offices of the system.

(c) Subject to the provisions of K.S.A. 74-49,123, and amendments thereto, any member of the legislature who elected not to participate in the retirement system, and who is not a contributing member with any other participating employer, may purchase such participating service by making a single lump-sum payment in an amount determined by the actuary using the then current rate of compensation and the actuarial assumptions and tables currently in use by the system.

(d) Subject to the provisions of K.S.A. 74-49,123, and amendments thereto, except as otherwise provided in this section, any member of the retirement system may purchase participating service credit for employment service as described in this section, if first commenced prior to January 1, 1996, by electing to effect such purchase by means of having employee contributions as provided in K.S.A. 74-4919 and amendments thereto deducted from such member's compensation at a percentage rate equal to two times or three times the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto for such periods of service in lieu of a lump-sum amount as provided in this section. Such deductions shall commence at the beginning of the quarter following such election and shall remain in effect until all quarters of such service have been purchased. Any person may make any such purchase as described in this section, if first commenced in calendar year 1996 or thereafter, at an additional rate of contribution, in addition to the employee's rate of contribution as provided in K.S.A. 74-4919 and amendments thereto, based upon the

member's attained age at the time of purchase and using actuarial assumptions and tables in use by the retirement system at such time of purchase, for such periods of service, in lieu of a lump-sum amount as provided in this section. Such additional rate of contribution shall commence at the beginning of the quarter following such election and shall remain in effect until all quarters of such service have been purchased.

Sec. 25. K.S.A. 74-4995 is hereby amended to read as follows: 74-4995. ~~(1)~~ (a) Employer and employee contributions shall be governed by the provisions of K.S.A. 74-4919 and 74-4920 and amendments thereto. For purposes of contributions to and benefits under the Kansas public employees retirement system, ~~except as provided in subsection (2), (3) or (4);~~ compensation of ~~members~~ *a member of the legislature* under this act shall be a monthly amount equal to: (1) The compensation to which the member was entitled for services as a member of the legislature during the period January 15 to February 14, inclusive, of the most recent session in which the member has served ~~and employer and employee rate of contribution shall be applied to such amounts monthly. The employee and employer contributions shall be remitted to the system quarterly with a report of same as may be required by the board. The employee contributions may be deducted from either any compensation of the member or any expense allowance or reimbursement of the member, or any combination thereof.~~

~~—(2) For service as a member after July 18, 1982, a member of the legislature may elect to participate with a rate of compensation that includes a monthly amount equal to 1/2 of the annualized amount received for monthly allowance under subsection (c) of K.S.A. 46-137a and amendments thereto. Such changes in the member's rate of compensation and contributions shall be effective the first day of the payroll period coinciding with or following the calendar quarter in which the election is received by the board of trustees of the system. All elections shall be in the form and manner prescribed by the board of trustees; and (2) any amount to which the member makes an election pursuant to this subsection. In addition to the provisions of subsection (a)(1), a member of the legislature may elect to participate with a rate of compensation that includes: (A) For service as a member after July 18, 1982, a monthly amount equal to 1/2 of the annualized amount received for monthly allowance under subsection (c) of K.S.A. 46-137a, and amendments thereto; (B) a monthly amount equal to 1/12 of the annualized amount received for expenses allowance under subsection (b) of K.S.A. 46-137a, and amendments thereto; or (C) an amount equal to the combined amounts provided for in subsections (2)(A) and (2)(B). A member of the legislature who has filed an election to become a member of the system pursuant to the provisions of K.S.A. 74-4992, and amendments thereto, prior to July 1, 2006, shall file an election with the system to include any amounts specified in subsection (2)(A), (2)(B) or (2)(C) prior to August 1, 2006, except that nothing contained in this act shall be construed to permit a member of the legislature who has made an election pursuant to this section prior to the effective date of this act to revoke any such election previously made by such member. In the event that any such member fails to file such election prior to August 1, 2006, it shall be presumed that such member has elected to not include any amounts specified in subsection (2)(A), (2)(B) or (2)(C), and participate at a rate of compensation that includes only the amount provided in subsection (a)(1). A member of the legislature who files an election to become a member of the system pursuant to the provisions of K.S.A. 74-4992, and amendments thereto, on and after July 1, 2006, shall file an election with the system to include any amounts specified in subsection (2)(A), (2)(B) or (2)(C) at the same time that such member files the election to become a member of the system. In the event that any such member fails to file such election, it shall be presumed that such member has elected to not include any amounts specified in subsection (2)(A), (2)(B) or (2)(C), and participate at a rate of compensation that includes only the amount provided in subsection (a)(1).~~

~~(3) For service as a member after July 18, 1982, and prior to the effective date of this act, a member of the legislature may elect to participate with a rate of compensation that includes a monthly amount equal to 1/12th the annualized amount received for expenses allowance under subsection (b) of K.S.A. 46-137a and amendments thereto. Upon such election, such member of the legislature shall make a lump-sum payment equivalent to 4% of such compensation, and the member's final average salary shall be based on compensation added thereto.~~

~~(4) A member of the legislature may elect to participate with a rate of compensation that includes a monthly amount equal to 1/12th the annualized amount received for expenses allowance under subsection (b) of K.S.A. 46-137a and amendments thereto. Such changes in the member's rate of compensation and contributions shall be effective the first day of the payroll period coinciding with or following the calendar quarter in which the election is received by the board of trustees of the system. All elections shall be in the form and manner prescribed by the board of trustees.~~

*(b) The employee rate of contribution shall be applied to any amounts to which a member has elected pursuant to the provisions of subsection (a)(2). The employee and employer contributions shall be remitted to the system quarterly with a report of such contributions as may be required by the board. Any changes in a member's rate of compensation and contributions as a result of any election mandated by this section for a member of the legislature who had filed an election to become a member of the system prior to July 1, 2006, shall be effective on October 1, 2006. All such elections pursuant to this section shall be in the form and manner prescribed by the board of trustees.*

~~(5) (c) Any member of the legislature making one or more of the elections provided in this section the election pursuant to subsection (a)(2) may not revoke such election or elections while they remain a participating employee for service as a member of the legislature.”;~~

And by renumbering sections 8 and 9 as sections 26 and 27;

Also on page 10, in line 13, after “72-5436,” by inserting “74-4906, 74-4914d”; also in line 13, by striking “and” and inserting “, 74-4919f, 74-4919h, 74-4919j, 74-4919l, 74-4919m, 74-4919o,”; in line 14, after “4950j” by inserting “, 74-4960a, 74-4965a, 74-4990, 74-4992 and 74-4995”; also in line 14, after “Supp.” by inserting “20-2606, 20-2625,”; also in line 14, by striking “and” the second time it appears and by inserting “, 74-4902,”; also in line 14, after “74-4914”, by inserting “, 74-4963 and 74-4963a”;

On page 1, in the title, in line 13, before “amending” by inserting “employer and employee contributions for certain members; compensation for members of board of trustees; purchase of service credit; beneficiaries; disability benefits; elections by certain members;”; in line 14, after “72-5436,” by inserting “74-4906, 74-4914d,”; also in line 14, by striking “and” the first time it appears and inserting “, 74-4919f, 74-4919h, 74-4919j, 74-4919l, 74-4919m, 74-4919o,”; also in line 14, after “74-4950j” by inserting “, 74-4960a, 74-7965a, 74-4990, 74-4992 and 74-4995”; in line 15, after “Supp.” by inserting “20-2606, 20-2625,”; also in line 15, by striking “and” the first time it appears and inserting “, 74-4902,”; also in line 15, after “74-4914” by inserting “, 74-4963 and 74-4963a”;

And your committee on conference recommends the adoption of this report.

MELVIN J. NEUFELD  
BRENDA K. LANDWEHR  
BILL FEUERBORN

*Conferees on part of House*

DWAYNE UMBARGER  
JAY SCOTT EMLER  
JIM BARONE

*Conferees on part of Senate*

On motion of Rep. Neufeld, the conference committee report on **H. Sub. for SB 270** was adopted.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 4; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison,



Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Phelps, Pilcher-Cook, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: Flaharty, Hawk, Horst, Storm.

Absent or not voting: Peterson, Pottorff.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 553**, 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 of the Whole amendments, as follows:

On page 4, in line 36, after "(a)", by inserting "(1)"; in line 39, by striking "acquire" and inserting "purchase"; in line 40, by striking "(1)" and inserting "(A)"; in line 41, by striking "acquired" and inserting "purchased";

On page 5, in line 3, by striking "acquired" and inserting "purchased"; in line 4, by striking "(2)" and inserting "(B)"; in line 6, by striking "acquired" and inserting "purchased"; in line 9, by striking "(3)" and inserting "(C)"; in line 10, by striking all after "be"; by striking all of line 11; in line 12, by striking all before the period and inserting "purchased"; in line 13, by striking "(b)" and inserting "(2)"; in line 14, by striking "acquisition" and inserting "purchase"; in line 15, by striking "480" and inserting "640"; in line 18, by striking "acquired" and inserting "purchased"; in line 19, by striking "acquired" and inserting "purchased"; by striking all in lines 20 through 43;

On page 6, by striking all in lines 1 through 16; following line 16, by inserting:

"(3) The provisions of this subsection shall not apply to any purchase of land owned by a private individual by the secretary if such purchase price is an amount which is less than such land's appraised valuation.

(b) (1) Notwithstanding the provisions of subsection (f) of K.S.A. 32-807, and amendments thereto, or any other provisions of law to the contrary, the secretary of wildlife and parks shall adopt guidelines and procedures prescribing public notice requirements that the secretary shall comply with before the selling of any land which shall include, but not be limited to, the following:

(A) A written notice shall be posted in a conspicuous location on such land stating the time and date of the sale, or the date after which the land will be offered for sale, and a name and telephone number of a person who may be contacted concerning the sale of such land;

(B) the secretary shall cause to be published in a newspaper of general circulation in the county the land is located once a week for three consecutive weeks, the secretary's intent to sell the land which shall include a legal description of the land to be sold, the time and date of the sale or the date after which the land will be offered for sale, the general terms and conditions of such sale, and a name and telephone number of a person who may be contacted concerning the sale of such land; and

(C) the secretary shall publish in the Kansas register public notice of the secretary's intent to sell the land which shall include a legal description of the land to be sold, the time and date of the sale or the date after which the land will be offered for sale, the place of the sale, the general terms and conditions of such sale, and a name and telephone number of a person who may be contacted concerning the sale of such land.

(2) The secretary shall have the land appraised by three disinterested persons. In no case shall such land be sold for less than the average of its appraised value as determined by such disinterested persons.

(3) The secretary shall list such land with a real estate agent who is licensed by the Kansas real estate commission as a salesperson under the real estate brokers' and salespersons' license act, and who shall publicly advertise that such land is for sale.

(4) Prior to closing the transaction on a contract for the sale of such land, the secretary shall cause a survey to be conducted by a licensed land surveyor. Such survey shall establish

the precise legal description of such land and shall be a condition precedent to the final closing on such sale.

(c) Any disposition of land by the secretary shall be in the best interest of the state.”;

Also on page 6, in line 23, after “acquisition”, by inserting “or disposition”; in line 31, before “(D)”, by inserting “and”; in line 32, by striking “; and”; in line 33, by striking all before the period;

On page 7, after line 5, by inserting:

“New Sec. 7. Prior to the state of Kansas or any agency thereof disposing of any land, by deed, mortgage, gift or other means of conveyance, transfer or exchange, and prior to closing the transaction for such conveyance of such land, the agency head shall cause a survey to be conducted by a licensed land surveyor. Such survey shall establish the precise legal description of such land and shall be a condition precedent to the final closing on such conveyance.”;

And by renumbering remaining sections accordingly;

In the title, in line 13, by striking “acquisition” and inserting “purchasing and selling land”;

And your committee on conference recommends the adoption of this report.

MELVIN J. NEUFELD  
BRENDA K. LANDWEHR  
BILL FEUERBORN  
*Conferees on part of House*

DWAYNE UMBARGER  
JAY SCOTT EMLER  
JIM BARONE  
*Conferees on part of Senate*

On motion of Rep. Neufeld, the conference committee report on **SB 553** was adopted.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O’Malley, O’Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Phelps, Pilcher-Cook, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Flora.

Present but not voting: None.

Absent or not voting: Peterson, Pottorff.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 480**, 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 of the Whole amendments, as follows:

On page 1, by striking all in lines 21 through 24 and inserting the following to read as follows:

“Section 1. (a) For the fiscal years ending June 30, 2006, June 30, 2007, and June 30, 2008, appropriations are hereby made, restrictions and limitations are hereby imposed, and

transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

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

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

On page 16, by striking all in lines 41 and 42;

On page 17, by striking all in lines 1 and 2; following line 15, by inserting new material to read as follows:

“Sec. 11.

#### STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 60(a) of chapter 206 of the 2005 Session Laws of Kansas on the bank commissioner fee fund is hereby decreased from \$6,819,749 to \$6,744,849.

(b) On July 1, 2006, the expenditure limitation established for the fiscal year ending June 30, 2007, by section 61(a) of chapter 174 of the 2005 Session Laws of Kansas on the bank commissioner fee fund is hereby decreased from \$6,832,648 to \$6,699,848.

Sec. 12.

#### KANSAS DENTAL BOARD

(a) On July 1, 2006, the expenditure limitation established for the fiscal year ending June 30, 2007, by section 67(a) of chapter 174 of the 2005 Session Laws of Kansas on the dental board fee fund is hereby decreased from \$295,661 to \$293,661.

(b) During the fiscal year ending June 30, 2007, as certified by the executive director of the Kansas dental board, the director of accounts and reports shall transfer \$4,817 from the dental board fee fund to the state general fund to reimburse the state general fund for the 27th payroll chargeable to fiscal year 2006.

(c) During the fiscal year ending June 30, 2007, 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 dental board fee fund during fiscal year 2007, 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 dental board fee fund during fiscal year 2007 are insufficient to finance the budgeted expenditures for fiscal year 2007 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money as certified from the state general fund to the dental board fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures for fiscal year 2007 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification. On July 1, 2006, and January 1, 2007, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer amounts of moneys from the dental board fee fund to the state general fund to reimburse the state general fund the amount of money equal to the aggregate of all amounts transferred during fiscal year 2007 pursuant to this subsection.

Sec. 13.

#### BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 10(a) of chapter 206 of the 2005 Session Laws of Kansas on the board of nursing fee fund is hereby decreased from \$1,527,199 to \$1,526,421.

Sec. 14.

#### GOVERNMENTAL ETHICS COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 78(b) of chapter 174 of the 2005 Session Laws of

Kansas on the governmental ethics commission fee fund is hereby decreased from \$136,534 to \$127,975.

(b) On July 1, 2006, the expenditure limitation established for the fiscal year ending June 30, 2007, by section 78(b) of chapter 174 of the 2005 Session Laws of Kansas on the governmental ethics commission fee fund is hereby increased from \$140,211 to \$142,257.

Sec. 15.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operations (including official hospitality)..... \$48,000

(b) (1) 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, 2006, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2006 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a and amendments thereto, an aggregate amount of allowance of \$332.10 for the two-week period which coincides with the fifth biweekly payroll period occurring after the biweekly payroll period which includes April 1, 2006, and which is chargeable to fiscal year 2006, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2006, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (b) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two- week period for which such allowance is payable in accordance with this subsection (b) and which is chargeable to fiscal year 2006.

Sec. 16.

ATTORNEY GENERAL

(a) On the effective date of this act, of the \$42,025 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 86(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the litigation costs account, the sum of \$10,502 is hereby lapsed.

(b) On the effective date of this act, of the \$100,000 appropriated for the above agency for fiscal year ending June 30, 2006, by section 86(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the operating expenditures relating to interstate water rights regarding the Republican river and its tributaries account, the sum of \$5,712 is hereby lapsed.

(c) On the effective date of this act, of the \$4,321,265 appropriated for the above agency for fiscal year ending June 30, 2006, by section 86(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$1,826 is hereby lapsed.

(d) On the effective date of this act, of the \$1,090,000 appropriated for the above agency for fiscal year ending June 30, 2006, by section 86(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the additional operating expenditures for investigation and litigation regarding interstate water rights account, the sum of \$532 is hereby lapsed.

(e) (1) There is appropriated for the attorney general from the interstate water litigation reserve account of the state general fund, which was established by section 79(f) of chapter 206 of the 2005 Session Laws of Kansas, for the fiscal year ending June 30, 2006, the amount authorized by subsection (e)(2) for the loan to groundwater management district #3 as specified in the loan agreement entered into by the attorney general therefor pursuant to subsection (e)(2): *Provided*, That, upon entering into the loan agreement pursuant to subsection (e)(2), the loan amount specified in the loan agreement shall be paid by the attorney general to groundwater management district #3 from the interstate water litigation reserve account of the state general fund: *Provided*, That, if the loan agreement authorized by subsection (e)(2) has not been entered into and moneys disbursed to groundwater manage-

ment district #3 pursuant thereto on or before June 30, 2006, then any unencumbered balance in the account created for the appropriation from the interstate water litigation reserve account of the state general fund made by this subsection (e)(1) in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(2) In addition to the other purposes for which expenditures may be made by the attorney general from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 as authorized by chapter 174 or chapter 206 of the 2005 Session Laws of Kansas or by this or other appropriation act of the 2006 regular session of the legislature, expenditures shall be made by the attorney general from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 to negotiate and enter into a loan agreement with ground water management district #3 for purposes of a loan of moneys credited to the interstate water litigation reserve account of the state general fund, which loan agreement is hereby authorized to be entered into by the attorney general, notwithstanding the provisions of section 76(e) of chapter 206 of the 2005 Session Laws of Kansas, K.S.A. 82a-1801, and amendments thereto, or any other statute: *Provided*, That such loan agreement shall be entered into to provide financing to ground-water management district #3 for purposes related to water rights: *Provided further*, That the amount of the loan shall be specified by the loan agreement and shall not be more than \$1,000,000: *And provided further*, That the loan shall bear interest and the principal and interest of the loan authorized by this subsection shall be repaid in payments payable at least annually to the attorney general for a period as specified in the loan agreement: *And provided further*, That, upon entering into the loan agreement authorized by this subsection, the attorney general shall provide a certified copy of the loan agreement to the director of the budget and the director of the legislative research department: *And provided further*, That all amounts received by the attorney general in repayment of the loan authorized by this subsection shall be deposited in the state treasury and shall be credited to the interstate water litigation reserve account of the state general fund.

Sec. 17.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds 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 for the fiscal year ending June 30, 2006, the following:

Spirit bonds fund..... No limit

*Provided*, That, on the 15th day of each month that commences during fiscal year 2006 on or after the effective date of this act, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2005 Supp. 74-50,136 and amendments thereto, along with any such amount of such revenue received by the state from withholding taxes paid by such taxpayer with respect to such purpose prior to the effective date of this act during fiscal year 2006: *Provided further*, That, upon making such determination, the secretary of revenue shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of the legislative research department: *And provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the spirit bonds fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2006, the director of accounts and reports shall transfer from the state general fund to the spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2005 Supp. 74-50,136 and amendments thereto.

Sec. 18.

HEALTH CARE STABILIZATION FUND BOARD OF GOVERNORS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 19(a) of chapter 206 of the 2005 Session Laws of Kansas on the operating expenditures account of the health care stabilization fund is hereby increased from \$1,148,296 to \$1,294,111.

Sec. 19.

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, 2006, the following:

Operating expenditures .....	\$268,947
Assigned counsel expenditures .....	\$100,000

(b) On the effective date of this act, of the \$1,837,112 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 92(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the capital defense operations account, the sum of \$162,535 is hereby lapsed.

Sec. 20.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

13th retirement check — debt service.....	\$5,017
---	---------

(b) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 38-2102 and amendments thereto or of any other statute, the director of accounts and reports shall transfer \$1,947,754 from the Kansas endowment for youth fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the Kansas endowment for youth fund to the state general fund as prescribed by law.

Sec. 21.

STATE CORPORATION COMMISSION

(a) In addition to the other purposes for which expenditures may be made by the state corporation commission from the public service regulation fund for fiscal year 2006 as authorized by section 96 of chapter 174 or section 14 of chapter 206 of the 2005 Session Laws of Kansas, expenditures shall be made by the state corporation commission from the public service regulation fund for fiscal year 2006 for compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto, of the Kansas electric transmission authority.

Sec. 22.

CITIZENS' UTILITY RATEPAYER BOARD

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2006, by section 146(a) of chapter 174 of the 2005 Session Laws of Kansas for the citizens' utility ratepayer board is hereby decreased from 6.00 to 3.00.

Sec. 23.

DEPARTMENT OF ADMINISTRATION

(a) On the effective date of this act, of the \$100,360 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 158(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the judicial center improvements — debt service account, the sum of \$1,800 is hereby lapsed.

(b) On the effective date of this act, of the \$8,451,285 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 158(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the statehouse improvements — debt service account, the sum of \$134,258 is hereby lapsed.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Dillon house roof repairs .....	\$52,000
Medicare part D counseling and enrollment .....	\$500,000

(d) On the effective date of this act, the director of accounts and reports shall transfer \$132,708 from the general administration account of the state general fund of the depart-

ment of administration to the personnel services account of the state general fund of the department of administration.

(e) On the effective date of this act, of the \$397,138,363 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 5(a) of chapter 206 of the 2005 Session Laws of Kansas, from the state general fund in the health policy and finance — other medical assistance account, the sum of \$5,227,725 is hereby lapsed.

(f) On the effective date of this act, the social welfare fund of the department of administration is hereby redesignated as the medical programs fee fund of the department of administration.

(g) On the effective date of this act, the director of accounts and reports shall transfer \$11,000 from the public broadcasting council grants account of the state general fund of the department of administration to the public TV digital conversion debt service account of the state general fund of the department of administration.

Sec. 24.

#### KANSAS HEALTH POLICY AUTHORITY

(a) On the effective date of this act, of the \$950,000 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 85(a) of chapter 206 of the 2005 Session Laws of Kansas, from the state general fund in the operating expenditures account, the sum of \$499,827 is hereby lapsed.

(b) On the effective date of this act, the \$500,000 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 85(a) of chapter 206 of the 2005 Session Laws of Kansas, from the state general fund in the business health partnership account, is hereby lapsed.

Sec. 25.

#### STATE BOARD OF TAX APPEALS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 99(b) of chapter 174 of the 2005 Session Laws of Kansas on the duplicating fees fund is hereby increased from \$5,000 to \$10,206.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 99(b) of chapter 174 of the 2005 Session Laws of Kansas on the BOTA filing fee fund is hereby increased from \$264,000 to \$414,133.

Sec. 26.

#### DEPARTMENT OF REVENUE

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 32(c) of chapter 206 of the 2005 Session Laws of Kansas on the division of vehicles operating fund is hereby decreased from \$41,020,308 to \$40,952,877.

Sec. 27.

#### KANSAS LOTTERY

(a) Notwithstanding the provisions of K.S.A. 74-8711 and amendments thereto, in addition to the aggregate amount of not less than \$66,000,000 that shall be transferred from the lottery operating fund to the state gaming revenues fund for the fiscal year ending June 30, 2006, as prescribed by section 101(b) of chapter 174 of the 2005 Session Laws of Kansas, an additional amount of not less than \$288,000 shall be transferred from the lottery operating fund to the state gaming revenues fund during the fiscal year ending June 30, 2006, for a new aggregate amount of not less than \$66,288,000 to be transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2006 in monthly transfers concluding on or before July 15, 2006.

(b) Notwithstanding the provisions of K.S.A. 79-4801 and amendments thereto, or any other statute and in addition to the requirements of subsection (a) of this section, on or after June 15, 2006, upon certification by the executive director of the lottery, the director of accounts and reports shall transfer from the lottery operating fund to the state gaming revenues fund the amount of total profit attributed to the special veterans benefits game under K.S.A. 2005 Supp. 74-8724, and amendments thereto, during fiscal year 2006: *Provided*, That the director of accounts and reports shall transfer immediately thereafter such amount of total profit attributed to the special veterans benefits game from the state gaming revenues fund to the state general fund: *Provided further*, That, on or before June 15, 2006,

the executive director of the lottery shall certify to the director of accounts and reports the amount equal to the amount of total profit attributed to the special veterans benefits game under K.S.A. 2005 Supp. 74-8724, and amendments thereto, during fiscal year 2006: *And provided further*, That, at the same time as such certification is transmitted to the director of accounts and reports, the executive director of the lottery shall transmit a copy of such certification to the director of the budget and the director of the legislative research department.

Sec. 28.

KANSAS RACING AND GAMING COMMISSION

(a) On the effective date of this act, the expenditure limitation established by section 147(b) of chapter 174 of the 2005 Session Laws of Kansas on the KSIP account on the state racing fund is hereby decreased from \$142,476 to \$0.

(b) On the effective date of this act, the expenditure limitation established by section 33(a) of chapter 206 of the 2005 Session Laws of Kansas on the state racing fund is hereby increased from \$2,827,801 to \$2,948,156.

Sec. 29.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, the \$29,204 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 103(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the athletic commission operations account is hereby lapsed.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Kansas commission on disability concerns ..... \$5,000

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2006, by section 146(a) of chapter 174 of the 2005 Session Laws of Kansas for the department of commerce is hereby increased from 389.10 to 423.10.

Sec. 30.

DEPARTMENT OF LABOR

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2006, by section 146(a) of chapter 174 of the 2005 Session Laws of Kansas for the department of labor is hereby decreased from 634.23 to 601.23.

Sec. 31.

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, 2006, the following:

Operations — state veterans cemeteries ..... \$26,294

Operating expenditures — Kansas veterans' home ..... \$400,000

Sec. 32.

DEPARTMENT OF HEALTH AND ENVIRONMENT — DIVISION OF HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality) ..... \$90,000

Sec. 33.

DEPARTMENT OF HEALTH AND ENVIRONMENT — DIVISION OF ENVIRONMENT

(a) On the effective date of this act, of the \$983,867 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 109(c) of chapter 174 of the 2005 Session Laws of Kansas from the state water plan fund in the contamination remediation account, the sum of \$165 is hereby lapsed.

(b) On the effective date of this act, of the \$385,975 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 109(c) of chapter 174 of the 2005 Session Laws of Kansas from the state water plan fund in the nonpoint source program account, the sum of \$15,761 is hereby lapsed.

Sec. 34.

DEPARTMENT ON AGING

(a) On the effective date of this act, of the \$268,416 appropriated for the above agency



for the fiscal year ending June 30, 2006, by section 110(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the administration account, the sum of \$4,121 is hereby lapsed.

(b) On the effective date of this act, of the \$95,899 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 110(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the administration — assessments account, the sum of \$28,502 is hereby lapsed.

(c) On the effective date of this act, of the \$1,644,897 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 110(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the administration — medicaid account, the sum of \$65,997 is hereby lapsed.

(d) On the effective date of this act, of the \$2,000,000 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 110(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the senior care act account, the sum of \$241,771 is hereby lapsed.

(e) On the effective date of this act, of the \$25,439,852 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 110(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the LTC — medicaid assistance — HCBS/FE account, the sum of \$5,350,389 is hereby lapsed.

(f) On the effective date of this act, of the \$129,514,620 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 110(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the LTC — medicaid assistance — NF account, the sum of \$1,436,920 is hereby lapsed.

(g) On the effective date of this act, of the \$1,964,491 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 110(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the nursing facilities regulation account, the sum of \$71,522 is hereby lapsed.

(h) On the effective date of this act, notwithstanding the provisions of K.S.A. 2005 Supp. 75-4265 and amendments thereto or any other statute, the director of accounts and reports shall transfer all moneys in the intergovernmental transfer administration fund of the department on aging to the general fees fund of the department on aging and all liabilities of the intergovernmental transfer administration fund of the department on aging are hereby transferred to and imposed on the general fees fund of the department on aging.

(i) On the effective date of this act, the expenditure limitation established by section 110(b) of chapter 174 of the 2005 Session Laws of Kansas on the intergovernmental transfer administration fund is hereby decreased from \$53,000 to \$0.

Sec. 35.

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, 2006, the following:

Other medical assistance .....	\$1,696,803
Osawatomie state hospital — operating expenditures.....	\$500,000
Cash assistance .....	\$100,000
Community based services .....	\$300,000

(b) On the effective date of this act, of the \$1,406,300 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 153(a) of chapter 174 of the 2005 Session Laws of Kansas from the state institutions building fund in the rehabilitation and repair projects account, the sum of \$1,077 is hereby lapsed.

(c) During the fiscal year ending June 30, 2006, the secretary of social and rehabilitation services, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the department of social and rehabilitation services, or of any institution or facility under the general supervision and management of the secretary of social and rehabilitation services, to another federal fund of the department of social and rehabilitation services, or of another 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 director of the legislative research department.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 9(e) of chapter 206 of the 2005 Session Laws of Kansas on the social welfare fund is hereby increased from \$27,076,827 to \$34,143,467.

(e) On the effective date of this act, of the \$5,000,000 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 111(c) of chapter 174 of the 2005 Session Laws of Kansas from the children’s initiatives fund in the family centered system of care account, the sum of \$7,498 is hereby lapsed.

(f) On the effective date of this act, of the \$252,882 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 111(d) of chapter 174 of the 2005 Session Laws of Kansas from the Kansas endowment for youth fund in the children’s cabinet administration account, the sum of \$2,344 is hereby lapsed.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 147(c) of chapter 174 of the 2005 Session Laws of Kansas on the KSIP expenditure account of the Larned state hospital fee fund is hereby decreased from \$1,484 to \$0.

(h) On June 30, 2006, any unencumbered balance in the following account of the state institutions building fund is hereby lapsed: Parking lot resurfacing.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 111(b) of chapter 174 of the 2005 Session Laws of Kansas on the Osawatomie state hospital fee fund is hereby increased from \$4,228,183 to \$4,333,558.

(j) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 111(b) of chapter 174 of the 2005 Session Laws of Kansas on the Larned state hospital fee fund is hereby increased from \$3,465,843 to \$3,583,843.

(k) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 9(c) of chapter 206 of the 2005 Session Laws of Kansas on the Rainbow mental health facility fee fund is hereby increased from \$1,005,558 to \$1,040,683.

(l) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 111(b) of chapter 174 of the 2005 Session Laws of Kansas on the Kansas neurological institute fee fund is hereby increased from \$1,119,211 to \$1,160,969.

(m) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 111(b) of chapter 174 of the 2005 Session Laws of Kansas on the Title XIX fund is hereby increased from \$45,795,587 to \$45,878,587.

Sec. 36.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality.....	\$364,746
School district juvenile detention facilities and Flint Hills job corps center grants .....	\$685,461
Special education services aid .....	\$10,589,356
Capital outlay state aid.....	\$1,293,919
Declining enrollment state aid .....	\$42,500

(b) In addition to the other purposes for which expenditures may be made by the department of education from the teacher performance assessment account of the state general fund for the fiscal year ending June 30, 2006, as authorized by section 113(a) of chapter 174 of the 2005 Session Laws of Kansas, expenditures may be made by the above agency from the teacher performance assessment account of the state general fund for fiscal year 2006 for official hospitality.

(c) During the fiscal year ending June 30, 2006, notwithstanding the provisions of subsection (c) of K.S.A. 2005 Supp. 72-8814 and amendments thereto or any other statute, the

director of accounts and reports shall not transfer any amount from the state general fund to the school district capital outlay state aid fund.

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

Sec. 37.

KANSAS ARTS COMMISSION

(a) On the effective date of this act, of the \$347,781 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 115(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$33,169 is hereby lapsed.

Sec. 38.

KANSAS STATE SCHOOL FOR THE BLIND

(a) On the effective date of this act, of the \$4,605,012 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 116(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$35,825 is hereby lapsed.

Sec. 39.

KANSAS STATE SCHOOL FOR THE DEAF

(a) On the effective date of this act, of the \$7,623,643 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 117(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$127,871 is hereby lapsed.

Sec. 40.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Replace skylights at Kansas history museum ..... \$184,420

Sec. 41.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that the expenditures shall not exceed the following:

Motorcycle safety fund ..... No limit

Sec. 42.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, 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:

Sedgwick county reentry program special revenue fund..... No limit

JEHT reentry program special revenue fund..... No limit

(b) On the effective date of this act, of the \$33,300,762 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 129(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the Lansing correctional facility — facilities operations account, the sum of \$150,000 is hereby lapsed.

(c) On the effective date of this act, of the \$14,022,625 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 129(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the facilities operations account, the sum of \$163 is hereby lapsed.

(d) On the effective date of this act, of the \$14,913,120 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 129(a) of chapter 174 of the 2005 Session

Laws of Kansas from the state general fund in the central administration operations and parole and postrelease supervision operations account, the sum of \$488,575 is hereby lapsed.

(e) On the effective date of this act, of the \$844,263 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 8(a) of chapter 206 of the 2005 Session Laws of Kansas from the state general fund in the day reporting centers and reentry programs account, the sum of \$100,000 is hereby lapsed.

Sec. 43.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures .....	\$721,873
Larned juvenile correctional facility operations .....	\$128,192
Atchison juvenile correctional facility operations.....	\$56,931

(b) On the effective date of this act, of the \$14,459,727 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 130(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the Kansas juvenile correctional complex facility operations account, the sum of \$289,178 is hereby lapsed.

(c) On the effective date of this act, of the \$5,913,025 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 130(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the Atchison juvenile correctional facility operations account, the sum of \$61,074 is hereby lapsed.

(d) On the effective date of this act, of the \$4,463,738 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 130(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the Beloit juvenile correctional facility operations account, the sum of \$82,905 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, 2006, by section 100(a) of chapter 206 of the 2005 Session Laws of Kansas from the state institutions building fund in the capital improvements — rehabilitation, remodeling, renovation and repair account, the sum of \$422,877 is hereby lapsed.

(f) On the effective date of this act, of the \$1,795,000 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 42(b) of chapter 206 of the 2005 Session Laws of Kansas, from the state institutions building fund in the debt service — Topeka complex and Larned juvenile correctional facility account, the sum of \$306,755 is hereby lapsed.

(g) On the effective date of this act, of the \$41,000 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 42(b) of chapter 206 of the 2005 Session Laws of Kansas, from the state institutions building fund in the install backup generator Topeka juvenile correctional facility account, the sum of \$4,551 is hereby lapsed.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 130(c) of chapter 174 of the 2005 Session Laws of Kansas on the juvenile detention facilities fund is hereby increased from \$4,000,000 to \$4,187,954.

(i) On the effective date of this act, the position limitation established by section 146(a) of chapter 174 of the 2005 Session Laws of Kansas for the juvenile justice authority is hereby decreased from 675.20 to 627.50.

Sec. 44.

ADJUTANT GENERAL

(a) On the effective date of this act, of the \$1,494,290 appropriated for the above agency for fiscal year ending June 30, 2006, by section 173(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the debt service — rehabilitation and repair of the statewide armories account, the sum of \$207,196 is hereby lapsed.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Kansas military emergency relief.....	\$50,000
---------------------------------------	----------

*Provided*, That expenditures may be made from the Kansas military emergency relief account of the state general fund for grants and interest-free loans, which are hereby author-

ized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account of the state general fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the Kansas military emergency relief fund.

Rehabilitation and repair ..... \$100,000

(c) On the effective date of this act, the position limitation established by section 146(a) of chapter 174 of the 2005 Session Laws of Kansas for the adjutant general is hereby increased from 215.00 to 217.00.

Sec. 45.

KANSAS HIGHWAY PATROL

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 147(c) of chapter 174 of the 2005 Session Laws of Kansas on the KSIP expenditure account of the motor carrier inspection fund is hereby decreased from \$689,544 to \$0.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 147(c) of chapter 174 of the 2005 Session Laws of Kansas on the KSIP expenditure account of the vehicle identification number fee fund is hereby decreased from \$423,122 to \$0.

(c) On the effective date of this act, of the \$34,239,866 appropriated for the above agency for fiscal year ending June 30, 2006, by section 134(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$652,200 is hereby lapsed.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now and hereafter lawfully credited to and available in such fund for funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Aircraft fund — on budget .....	No limit
Homeland security 2006 — federal fund .....	No limit

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 134(b) of chapter 174 of the 2005 Session Laws of Kansas on the Kansas highway patrol operations fund is hereby increased from \$14,034,381 to \$14,481,189.

(f) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$446,808 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to the purposes for which expenditures may be made from the state highway fund during fiscal year 2006 and notwithstanding the provisions of K.S.A. 68-416 and amendments thereto or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2006 for support and maintenance of the Kansas highway patrol.

(g) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provision of K.S.A. 74-2136 and amendments thereto or any other statute, the director of accounts and reports shall transfer \$100,000 from the Kansas highway patrol motor vehicle fund to the aircraft fund — on budget of the Kansas highway patrol.

(h) In addition to the other purposes for which expenditures may be made by the Kansas highway patrol from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2006 for the Kansas highway patrol as authorized by chapter 174 or 206 of the 2005 Session Laws of Kansas or by this or other appropriation act of the 2006 regular session of the legislature, expenditures shall be made by the Kansas highway patrol from

moneys appropriated from the state general fund or any special revenue fund for fiscal year 2006, in consultation with the department of administration, division of purchases, to thoroughly analyze the current Fisher Scientific contract related to the homeland security grant program to determine if that current contract should be extended or rebid: *Provided*, That such analysis shall be completed on or before June 30, 2006: *Provided further*, That such analysis and determination shall be presented to the joint committee on Kansas security and the legislative budget committee and shall include (1) the date that grant moneys will begin being distributed directly to local units of government and to the seven homeland security regions, and (2) whether Fisher Scientific's prices for various types of equipment represent a significant level of discount from the retail prices of other vendors: *And provided further*, That in order to help local units of government maximize the use of such local units' grant moneys when selecting vendors for homeland security equipment purchases, the Kansas highway patrol, in consultation with the department of administration, division of purchases, shall immediately negotiate with Fisher Scientific for a reduction in fees for the third-party vendor purchases: *And provided further*, That if a satisfactory agreement cannot be reached, the Kansas highway patrol shall (1) eliminate the requirement on local units of government to purchase exclusively through the Fisher Scientific contract, (2) develop or obtain a system for electronically tracking grant purchases made by the local units of government, and (3) require local units of government to obtain, and submit, evidence of competitive bids for homeland security grant program funded items: *And provided further*, That all contract prices with Fisher Scientific shall include training and spare parts in the bid price when requested by the purchaser: *And provided further*, That the price charged by the Fisher Scientific contract for homeland security items shall be significantly discounted below the retail price of other vendors before the purchaser is required to use the Fisher Scientific contract: *And provided further*, That a waiver process shall be established by the Kansas Highway Patrol for items not included in the Fisher Scientific contract for local units to receive a waiver to purchase from other vendors: *And provided further*, That such waiver shall be provided if Fisher Scientific is not able to provide the product or does not respond in a timely manner if such product is available: *And provided further*, That if a waiver is granted to the local unit of government, that local unit shall demonstrate that the purchase price from a vendor other than Fisher Scientific is a competitively determined purchase price.

Sec. 46.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

(a) On the effective date of this act, of the \$13,200,171 appropriated for the above agency for fiscal year ending June 30, 2006, by section 135(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$275,332 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 135(b) of chapter 174 of the 2005 Session Laws of Kansas on the Kansas bureau of investigation motor vehicle fund is hereby increased from \$89,544 to \$318,343.

Sec. 47.

EMERGENCY MEDICAL SERVICES BOARD

(a) On the effective date of this act, the expenditure limitation established by section 51(a) of chapter 206 of the 2005 Session Laws of Kansas on the emergency medical services operating fund of the emergency medical services board is hereby decreased from \$1,091,859 to \$1,058,885.

(b) The director of accounts and reports shall not make the transfer of \$500,000 from the emergency medical services operating fund of the emergency medical services board to the state general fund which was directed to be made on June 1, 2006, or as soon after such date as moneys were available, by section 136(c) of chapter 174 of the 2005 Session Laws of Kansas.

Sec. 48.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

SB 123 drug treatment ..... \$2,844,013  
Sec. 49.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Grandstand roof repair ..... \$70,635

(b) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2006, by section 146(a) of chapter 174 of the 2005 Session Laws of Kansas for the state fair board is hereby increased from 23.00 to 24.00.

(c) On the effective date of this act, of the \$1,550,044 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 140(b) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the state fair debt service account, the sum of \$307 is hereby lapsed.

Sec. 50.

KANSAS WATER OFFICE

(a) On the effective date of this act, the expenditure limitation established by section 142(b) of chapter 174 of the 2005 Session Laws of Kansas on the water conservation projects fund is hereby increased from \$0 to \$733,058.

Sec. 51.

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, 2006, the following:

State parks operating expenditures ..... \$200,000

(b) On the effective date of this act, of the \$206,000 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 143(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the reimbursement for annual park permits issued to national guard members account, the sum of \$175,000 is hereby lapsed.

(c) On the effective date of this act, of the \$60,000 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 143(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the reimbursement for annual licenses issued to national guard members account, the sum of \$25,000 is hereby lapsed.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, 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:

Tuttle creek state mitigation — debt service — federal fund ..... \$500,000

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 147(c) of chapter 174 of the 2005 Session Laws of Kansas on the KSIP expenditure account of the boating fee fund is hereby decreased from \$3,290 to \$0.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 147(c) of chapter 174 of the 2005 Session Laws of Kansas on the KSIP expenditure account of the wildlife fee fund is hereby decreased from \$106,596 to \$0.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 34(b) of chapter 206 of the 2005 Session Laws of Kansas on the parks fee fund is hereby increased from \$6,109,235 to \$6,124,388.

Sec. 52.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 52(a) of chapter 206 of the 2005 Session Laws of Kansas on the agency operations account of the state highway fund is hereby increased from \$250,116,676 to \$251,843,007.

(b) During the fiscal year ending June 30, 2006, the secretary of transportation may transfer moneys between the other federal grants fund and the state highway fund.

Sec. 53.

KANSAS HUMAN RIGHTS COMMISSION

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2006, by section 65(b) of chapter 206 of the 2005 Session Laws of Kansas for the Kansas human rights commission is hereby decreased from 40.00 to 39.00.

Sec. 54.

LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$534,904 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 81(a) of chapter 174 of the 2005 Session Laws of Kansas from the state general fund in the legislative coordinating council — operations account, the sum of \$48,000 is hereby lapsed.

Sec. 55.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) On July 1, 2006, the position limitation established for the fiscal year ending June 30, 2007, by section 79 of chapter 174 of the 2005 Session Laws of Kansas for the office of the securities commissioner of Kansas is hereby increased from 30.00 to 30.13.

Sec. 56.

KANSAS STATE BOARD OF COSMETOLOGY

(a) In addition to the other purposes for which expenditures may be made by the Kansas state board of cosmetology from moneys appropriated from the cosmetology fee fund for fiscal year 2007 for the Kansas state board of cosmetology as authorized by chapter 174 or chapter 206 of the 2005 Session Laws of Kansas or by this or other appropriation act of the 2006 regular session of the legislature, expenditures may be made by the Kansas state board of cosmetology for fiscal year 2007 for official hospitality: *Provided*, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2007, for official hospitality shall not exceed \$500.

Sec. 57.

STATE BOARD OF HEALING ARTS

(a) On July 1, 2006, the expenditure limitation established for the fiscal year ending June 30, 2007, by section 64(a) of chapter 174 of the 2005 Session Laws of Kansas on the healing arts fee fund is hereby increased from \$2,701,908 to \$2,735,866.

Sec. 58.

STATE BOARD OF PHARMACY

(a) On July 1, 2006, the expenditure limitation established for the fiscal year ending June 30, 2007, by section 72(a) of chapter 174 of the 2005 Session Laws of Kansas on the state board of pharmacy fee fund is hereby increased from \$608,844 to \$631,344.

Sec. 59

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Legislative coordinating council — operations ..... \$1,025,190

*Provided*, That any unencumbered balance in the legislative coordinating council — operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Legislative research department — operations..... \$2,953,126

*Provided*, That any unencumbered balance in the legislative research department — operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Office of revisor of statutes — operations ..... \$2,568,686

*Provided*, That any unencumbered balance in the office of revisor of statutes — operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 research department special revenue fund..... No limit



Sec. 60.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operations (including official hospitality)..... \$13,194,312

*Provided*, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007:

*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 no expenditures shall be made from this account for any meeting of any joint committee of the legislature during fiscal year 2007 unless such meeting is approved by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of the compensation commission established by K.S.A. 46-3101 and amendments thereto during fiscal year 2007: *And provided further*, That expenditures shall be made during the fiscal year ending June 30, 2007, from the operations (including official hospitality) account of the state general fund by the legislature to pay per diem compensation and travel expenses and subsistence expenses or allowances as provided by law for members of the legislature for all official travel during fiscal year 2007 authorized as provided by law: *And provided further*, That, if the legislative coordinating council approves any official travel by members of the legislature during fiscal year 2007, then the legislative coordinating council shall not limit the amounts or rates of per diem compensation or any expense reimbursement authorized by law for any official travel during fiscal year 2007 authorized as provided by law, except that any such member of the legislature shall be reimbursed for the actual and reasonable expenses incurred during such official travel in an amount of not more than the amount allowed for all other similarly situated employees: *And provided further*, That the legislative coordinating council may establish limitations for the following specific categories of travel and subsistence expenses: Meals, local transportation, tips and other related incidental travel expenses, and may require legislators to agree to such limitations as a condition of approval of the official travel: *And provided further*, That expenditures shall be made during the fiscal year ending June 30, 2007, from the operations (including official hospitality) account to pay for a legislative study committee to study veterans' funding issues, particularly how veteran service representatives are funded, during the 2006 legislative interim.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 co-operation 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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to 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: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee of the legislature during fiscal year 2007 unless such meeting is approved by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this fund for any meeting of the compensation commission established by K.S.A. 46-3101 and amendments thereto during fiscal year 2007: *And provided further*, That expenditures shall be made during the fiscal year ending June 30, 2007, from the legislative special revenue fund by the legislature to pay per diem compensation and travel expenses and subsistence expenses or allowances as provided by law for members of the legislature for all official travel during fiscal year 2007 authorized as provided by law: *And provided further*, That, if the legislative coordinating council approves any official travel by members of the legislature during fiscal year 2007, then the legislative coordinating council shall not limit the amounts or rates of per diem compensation or any expense reimbursement authorized by law for any official travel during fiscal year 2007 authorized as provided by law, except that any such member of the legislature shall be reimbursed for the actual and reasonable expenses incurred during such official travel in an amount of not more than the amount allowed for all other similarly situated employees: *And provided further*, That the legislative coordinating council may establish limitations for the following specific categories of travel and subsistence expenses: Meals, local transportation, tips and other related incidental travel expenses, and may require legislators to agree to such limitations as a condition of approval of the official travel: *And provided further*, That expenditures shall be made during the fiscal year ending June 30, 2007, from the legislative special revenue fund by the legislature to pay for a legislative study committee to study veterans' funding issues, particularly how veteran service representatives are funded, during the 2006 legislative interim.

Capitol restoration — gifts and donations fund ..... No limit  
 Sec. 61.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operations (including legislative post audit committee) ..... \$2,495,675  
*Provided*, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the audit services fund.

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

Sec. 62.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Governor's department .....	\$2,260,532
-----------------------------	-------------

*Provided*, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence prevention grants .....	\$1,583,333
---	-------------

(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, 2007, 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, 2007, 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 deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

Intragovernmental service fund .....	No limit
--------------------------------------	----------

*Provided*, That expenditures may be made from the intragovernmental service 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 shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the intragovernmental service fund.

Conversion of materials and equipment fund .....	No limit
Federal grants fund .....	No limit
Justice assistance grant — federal fund.....	No limit
Hispanic and Latino American affairs commission — donations fund....	No limit
Advisory commission on African-American affairs — donations fund.....	No limit
Wireless enhanced 911 grant fund.....	No limit

*Provided*, That expenditures may be made from the wireless enhanced 911 grant 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 remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215 and amendments thereto: *And provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the wireless enhanced 911 grant fund.

Sec. 63.

LIEUTENANT GOVERNOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operations.....	\$191,565
-----------------	-----------

*Provided*, That any unencumbered balance in the operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(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, 2007, in the operations account.

(c) Expenditures may be made by the above agency for official hospitality and contingencies from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2007, in the operations account without limit at the discretion of the lieutenant governor.

Sec. 64.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures .....	\$4,665,398
------------------------------	-------------

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,000: *Provided further*, That the attorney general may make expenditures from this account for the rent of office space in the memorial building: *And provided further*, That, if the attorney general receives a Byrne grant in the fiscal year ending June 30, 2007, then, on June 30, 2007, of the \$4,665,398 appropriated for the attorney general for fiscal year ending June 30, 2007, by this section from the state general fund in the operating expenditures account, the sum equal to the amount of such Byrne grant is hereby lapsed.

Litigation costs .....	\$41,617
------------------------	----------

*Provided*, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Any unencumbered balance in excess of \$100 as of June 30, 2006, in each of the following accounts is hereby reappropriated for fiscal year 2007: Young Kansans — safe kids program;

operating expenditures relating to interstate water rights regarding the Republican river and its tributaries; ditch irrigation companies; death penalty litigation; additional operating expenditures for investigation and litigation regarding interstate water rights.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee 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 \$306,543: *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.

Crime victims assistance fund.....	No limit
Protection from abuse fund .....	No limit
Victims of crime assistance act — federal 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.

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
--	----------

*Provided*, That, in addition to the other purposes authorized by K.S.A. 82a-1802 and amendments thereto, expenditures may be made from the interstate water litigation fund for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2) expenses related to the

appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Interstate water litigation fund .....	\$560,000
Suspense fund .....	No limit
Children's advocacy center fund .....	No limit
Abuse, neglect and exploitation of people with disabilities unit grant acceptance fund .....	No limit

(c) During the fiscal year ending June 30, 2007, grants made pursuant to K.S.A. 74-7325 and amendments thereto from the protection from abuse fund and grants made pursuant to K.S.A. 74- 7334 and amendments thereto from the crime victims assistance fund shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

(d) On July 1, 2006, the director of accounts and reports shall transfer \$560,000 from the interstate water litigation reserve account of the state general fund to the interstate water litigation fund of the attorney general.

(e) During the fiscal year ending June 30, 2006, and June 30, 2007, notwithstanding the provisions of K.S.A. 82a-1801, and amendments thereto, or any other statute, the director of accounts and reports shall maintain the interstate water litigation reserve account of the state general fund into which \$20,173,363, which was part of the amount recovered by the state of Kansas from a settlement, judgment or decree in the litigation commenced in 1985 by the state of Kansas against the state of Colorado, was transferred and credited pursuant to section 79(f) of chapter 206 of the 2005 Session Laws of Kansas: *Provided further*, That the interstate water litigation reserve account of the state general fund is hereby specifically continued as a separate reserve account within the state general fund: *And provided further*, That the amount transferred to the interstate water litigation reserve account of the state general fund pursuant to section 79(f) of chapter 206 of the 2005 Session Laws of Kansas shall be reserved for purposes to be prescribed by law: *And provided further*, That the state finance council shall have no authority to approve any transfer of moneys from the interstate water litigation reserve account of the state general fund, to authorize or approve any expenditure of moneys from the interstate water litigation reserve account of the state general fund or to increase any expenditure limitation on the interstate water litigation reserve account of the state general fund: *And provided further*, That no expenditures shall be authorized or made from the interstate water litigation reserve account of the state general fund by any state agency, except upon specific authorization therefor by appropriation act of the legislature.

Sec. 65.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Any unencumbered balance in excess of \$100 as of June 30, 2006, in the HAVA match account is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 services fee fund .....	No limit
<i>Provided</i> , That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,500.	
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
Credit card clearing 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
Democracy fund .....	No limit
<i>Provided</i> , That all expenditures from the democracy fund shall be to provide matching funds to implement Title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.	
Technology communication fee fund .....	No limit
HAVA federal fund .....	No limit

(c) In addition to the other purposes for which expenditures may be made by the secretary of state from moneys appropriated in the HAVA match account of the state general fund for fiscal year 2007 as authorized by this or any other appropriation act of the 2006 regular session of the legislature, expenditures may be made by the secretary of state from moneys appropriated in the HAVA match account of the state general fund for fiscal year 2007 to provide part of the state matching requirement for the implementation of Title II of the federal help America vote act of 2002, public law 107—252.

(d) During the fiscal year ending June 30, 2007, notwithstanding the provisions of K.S.A. 2005 Supp. 75-445 and amendments thereto, the secretary of state shall not certify during each month of fiscal year 2007 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, as prescribed by K.S.A. 2005 Supp. 75-445 and amendments thereto, and the director of accounts and reports shall not transfer any amount from the state general fund to the franchise fee recovery fund of the secretary of state, as prescribed by K.S.A. 2005 Supp. 75-445 and amendments thereto. Sec. 66.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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
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 fee fund.....	No limit
Unclaimed property claims fund .....	No limit
Unclaimed property expense fund .....	No limit
<i>Provided</i> , That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.	
County and city transient guest tax fund.....	No limit
Racing admissions tax fund.....	No limit
Rental motor vehicle excise tax fund.....	No limit
Transportation development district sales tax fund .....	No limit
Redevelopment bond fund .....	No limit

Services reimbursement fund ..... No limit  
*Provided*, That the state treasurer is hereby authorized to charge cash management fees, banking services fees and fees for processing warrants, vouchers and direct deposits for the services that the state treasurer's office provides to other state agencies: *Provided, however*, That payroll warrants shall not be subject to any such fee, except for the charges to the state's operating account for processing such warrants: *Provided further*, That such fees shall be based upon the number and type of transactions processed for each agency: *And provided further*, That the fees shall be based upon a combination of the banking fees incurred by the state treasurer and the operating costs for providing each service: *And provided further*, That the state treasurer shall revise the schedule of fees annually after consulting with various state agencies: *And provided further*, That all such fees collected shall be deposited in the state treasury to the credit of the services reimbursement fund of the state treasurer: *And provided further*, That moneys in the services reimbursement fund may be expended for the general operating expenditures of the state treasurer's office in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or by a person designated by the state treasurer.

Municipal investment pool 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, 2007, 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, 2007, 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  
Kansas postsecondary education savings program expense fund ..... No limit  
Conversion of materials and equipment fund ..... No limit  
Tax increment financing revenue replacement fund ..... No limit  
Special qualified manufacturer fund ..... No limit  
*Provided*, That, notwithstanding the provisions of K.S.A. 2005 Supp. 19-4108 and amendments thereto or any other statute, the special qualified manufacturer fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of the qualified manufacturer act: *Provided further*, That, on the first day of each month that commences during fiscal year 2007, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of the legislative research department: *And provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the special qualified manufacturer fund established by this subsection: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2007, the director of accounts and reports shall transfer from the state general fund to the special qualified manufacturer fund interest earnings based on: (1) The average daily balance of moneys in the special qualified manufacturer fund established by this subsection for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the special qualified manufacturer fund from the withholding taxes paid by a qualified manufacturer shall be paid by the state treasurer to such qualified manufacturer on such dates as are mutually agreed to by the secretary of commerce and the state treasurer, serving as paying agent in accordance with the terms of



the agreement entered into pursuant to K.S.A. 2005 Supp. 19-4108 and amendments thereto by the secretary of commerce and such qualified manufacturer: *And provided further*, That not more than \$1,000,000 shall be paid from the special qualified manufacturer fund established by this subsection by the state treasurer to a qualified manufacturer: *And provided further*, That the words and phrases used in these provisos to appropriation of moneys in the special qualified manufacturer fund shall have the meanings respectively ascribed thereto by K.S.A. 2005 Supp. 19-4107 and amendments thereto, unless the context requires otherwise.

Spirit bonds fund..... No limit  
*Provided*, That, on the 15th day of each month that commences during fiscal year 2007, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2005 Supp. 74-50,136 and amendments thereto and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of the legislative research department: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the spirit bonds fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2007, the director of accounts and reports shall transfer from the state general fund to the spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2005 Supp. 74-50,136 and amendments thereto.

(b) On July 1, 2006, the director of accounts and reports shall transfer any unencumbered balance in the services reimbursement fund of the state treasurer to the state general fund. On July 1, 2006, all liabilities of the services reimbursement fund of the state treasurer are hereby transferred to and imposed on the state general fund and the services reimbursement fund of the state treasurer is hereby abolished.

Sec. 67.

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, 2007, 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 ..... No limit  
*Provided*, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,200: *Provided further*, That transfers may be made 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.

Insurance company examination fund ..... No limit  
*Provided*, That transfers may be made from the insurance company examination fund to the insurance building principal and interest payment fund or the insurance department rehabilitation and repair fund of the department of insurance.

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

*Provided*, That transfers may be made from the state firefighters relief fund to the insurance building principal and interest payment fund or the insurance department rehabilitation and repair fund of the department of insurance.

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

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

*Provided*, That transfers may be made from the group-funded workers' compensation pools fee fund to the insurance building principal and interest payment fund or the insurance department rehabilitation and repair fund of the department of insurance.

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

*Provided*, That transfers may be made from the municipal group-funded pools fee fund to the insurance building principal and interest payment fund or the insurance department rehabilitation and repair fund of the department of insurance.

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

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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the insurance education and training fund.

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 or equal to \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2007 other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$250,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during fiscal year 2007, other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature.

Monumental life settlement fund..... No limit

*Provided*, That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: *Provided further*, That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.

Fines and penalties fund..... \$10,000

*Provided*, That, notwithstanding the provisions of K.S.A. 40-2606 and amendments thereto or any other statute, all moneys received during fiscal year 2007 for penalties imposed pursuant to K.S.A. 40-2606 and amendments thereto shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215 and amendments thereto: *Provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the fines and penalties fund.

Settlements fund..... No limit

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2007 as authorized by K.S.A. 40-223 and amendments thereto, notwithstanding the provisions of

K.S.A. 40-223 or 75-3721 and amendments thereto or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2007 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

Sec. 68.

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, 2007, 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, 2007, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures .....	\$1,158,008
------------------------------	-------------

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

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

Claims and benefits .....	No limit
---------------------------	----------

Sec. 69.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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:

Judicial council fund .....	No limit
-----------------------------	----------

Grants and gifts fund .....	No limit
-----------------------------	----------

*Provided*, That all private grants and gifts 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
-----------------------------	----------

(b) On June 30, 2007, the director of accounts and reports shall transfer the amount of any unencumbered balance in the publications fee fund as of June 30, 2007, in excess of \$175,000 from the publications fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the publications fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the publications fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That when the judicial council must expend moneys for unforeseen and unbudgeted items, that such moneys shall be paid first from the judicial council fund and then from the publication fees fund.

Sec. 70.

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, 2007, the following:

Operating expenditures .....	\$9,769,072
------------------------------	-------------

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *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.

Assigned counsel expenditures ..... \$6,600,000

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2006, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2007: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered.

Capital defense operations..... \$1,534,461

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2006, in the capital defense operations account is hereby reappropriated for fiscal year 2007: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners..... \$359,600

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2007, the executive director of the state board of indigents' defense 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, 2007, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2007 from the state general fund for the state board of indigents' defense services. The executive director 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.

Sec. 71.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Judiciary operations..... \$94,776,201

*Provided*, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 judicial 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, 2007, 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

*Provided*, That expenditures may be made from the judicial branch education fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114 and amendments thereto, educating and training municipal judges and municipal court support staff, and for the planning and implementation of a family court system, as provided by law, including official hospitality: *Provided further*, That the judicial administrator is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees may 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 deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch education fund.

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

(c) On July 1, 2006, the director of accounts and reports shall transfer all moneys in the emergency surcharge fee fund of the judicial branch to the judiciary technology fund. On July 1, 2006, all liabilities of the emergency surcharge fee fund of the judicial branch are hereby transferred to and imposed on the judiciary technology fund of the judicial branch, and the emergency surcharge fee fund of the judicial branch is hereby abolished.

Sec. 72.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

13th retirement check — debt service.....	\$3,211,748
---	-------------

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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
--	----------

*Provided*, 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. 74-4909b and amendments thereto.

KDFA series 2003H bond debt service fund.....	No limit
---	----------

*Provided*, That notwithstanding the provisions of K.S.A. 74-4921 et seq., and amendments thereto, any employer contributions remitted in accordance with the provisions of K.S.A. 20-2605, and amendments thereto, K.S.A. 74-4920, and amendments thereto, K.S.A. 74-4939 and amendments thereto, and K.S.A. 74-4967 and amendments thereto, for the purpose of paying the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be deposited in the KDFA series 2003H bond debt service fund: *Provided further*, That the executive director of the Kansas public employees retirement system shall certify to the director of accounts and reports an amount to reimburse the state general fund for bond debt service payments authorized in fiscal year 2007: *And provided further*, That the director of accounts and reports shall transfer to the state general fund such amount certified as provided by the executive director no later than June 30, 2007.

(c) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund for the fiscal year ending June 30, 2007, for the following specified purposes:

Agency operations.....	\$7,346,770
------------------------	-------------

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

Investment-related expenses .....	No limit
KPERS technology project .....	No limit

(d) Expenditures may be made from the non-retirement administration fund for the fiscal year ending June 30, 2007, for the following specified purposes:

Agency operations.....	\$142,128
Investment-related expenses .....	No limit

(e) On July 1, 2006, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 38-2102 and amendments thereto or of any other statute, the director of accounts and reports shall transfer \$5,769,348 from the Kansas endowment for youth fund to the children’s initiatives fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the Kansas endowment for youth fund to the children’s initiatives fund as prescribed by law.

Sec. 73.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures .....	\$1,635,007
------------------------------	-------------

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, that expenditures from this account for official hospitality shall not exceed \$150: *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, 2007, 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 deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the annual banquet fund.  
 Education and training fund..... No limit  
*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, including official hospitality: *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 deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto shall be credited to the education and training fund.

Sec. 74.

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, 2007, 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 accounting services recovery fund of the department of administration 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 2008 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 2008, 2009 and 2010.  
 Natural gas underground storage fee fund ..... No limit  
 Gas pipeline inspection fee fund ..... No limit  
 Abandoned oil and gas well fund..... No limit  
 Well plugging assurance fund ..... No limit  
 Facility conservation improvement program fund..... No limit  
 Gas pipeline safety program — federal fund ..... No limit  
 Energy related grants — federal fund ..... No limit  
 Energy grants management fund..... No limit  
 Energy conservation plan — federal fund ..... No limit  
 Underground injection control class II — federal fund..... No limit  
 Pipeline damage prevention grant program — federal fund..... No limit  
 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 or equal to \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2007 other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$250,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during fiscal year 2007, other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature.

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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the in service education workshop fee fund.	
Base state registration clearing fund .....	No limit
Credit card clearing fund .....	No limit
Suspense fund .....	No limit

(b) Expenditures for the fiscal year ending June 30, 2007, 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, \$15,051,326: *Provided*, That, within such limitation on the aggregate of expenditures, expenditures made for fiscal year 2007 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, \$1,500: *Provided further*, That the state corporation commission is authorized to make expenditures from the public service regulation fund for the operational costs of the Kansas energy council: *Provided, however*, That the operational costs of the Kansas energy council shall not include compensation for members of the Kansas energy council: *And provided further*, That expenditures from the public service regulation fund for the operational costs of the Kansas energy council for fiscal year 2007 shall not exceed \$150,000.

(c) Expenditures for the fiscal year ending June 30, 2007, 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.

(d) During the fiscal year ending June 30, 2007, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer additional moneys from the conservation fee fund of the state corporation commission, which are in excess of \$400,000 prescribed by K.S.A. 2005 Supp 55-193 and amendments thereto, to the abandoned oil and gas well plugging fund of the state corporation commission: *Provided*, That the executive director of the state corporation commission shall certify each such transfer of additional moneys 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) In addition to other purposes for which expenditures may be made by the Kansas corporation commission from the public service regulation fund for fiscal year 2007 for the corporation commission as authorized by this or other appropriation act of the 2006 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, the Kansas corporation commission may make expenditures from the public service regulation fund for fiscal year 2007 for expenses incurred by the Kansas electric transmission



authority: *Provided*, That expenditures from the public service regulation fund for the expenses of the Kansas electric transmission authority shall not exceed \$30,000.

Sec. 75.

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, 2007, 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 ..... \$730,060

*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: *And provided further*, That, of the amount of additional expenditures authorized by the expenditure limitation prescribed by this subsection, no portion of such unspent expenditure authority for fiscal year 2007 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 of any other Kansas savings incentive program section in this or other appropriation act of the 2006 regular session of the legislature: *Provided, however*, That, if the total amount of additional expenditures authorized by the expenditure limitation prescribed by this section are not expended or encumbered for fiscal year 2007, then the amount equal to the amount of such increased expenditure authority for fiscal year 2007 remaining may be expended from the utility regulatory fee fund for fiscal year 2008 pursuant to contracts for professional services and any such expenditure for fiscal year 2007 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for the fiscal year ending June 30, 2007.

(b) On July 1, 2006, October 1, 2006, January 1, 2007, and April 1, 2007, 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. 76.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

General administration ..... \$866,010

*Provided*, That any unencumbered balance in the general administration account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, That expenditures from such reappropriated balance shall be made only 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 general administration 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.

Gubernatorial transition .....	\$150,000
Replace Docking chillers .....	\$395,168
Department of administration systems .....	\$2,684,329

*Provided*, That any unencumbered balance in the department of administration systems account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 department of administration systems account for official hospitality shall not exceed \$1,000.

Accounting and reporting services .....	\$100,000
Personnel services .....	\$1,874,129

*Provided*, That any unencumbered balance in the personnel services account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, That expenditures for such reappropriated balance shall be made only upon approval of the state finance council.

Purchasing .....	\$480,396
------------------	-----------

*Provided*, That any unencumbered balance in the purchasing account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

Budget analysis .....	\$1,328,677
-----------------------	-------------

*Provided*, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 budget analysis account for six 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.

Public broadcasting council grants .....	\$1,974,447
--	-------------

*Provided*, That any unencumbered balance in the public broadcasting council grants account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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.

KPERS bonds debt service .....	\$15,000,000
Public broadcasting digital conversion debt service .....	\$659,139
Radio Kansas — Hutchinson tower project .....	\$325,000

*Provided*, That, on June 30, 2007, any unencumbered balance in the Radio Kansas — Hutchinson tower project account as of June 30, 2007, is hereby lapsed if not encumbered for the purpose of matching federal grant funding from the public telecommunications facilities program.

Policy analysis initiatives .....	\$194,926
-----------------------------------	-----------

*Provided*, That any unencumbered balance in the policy analysis initiatives account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$5,000.

Long-term care ombudsman .....	\$237,251
--------------------------------	-----------

*Provided*, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 \$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, 2007, 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
- Building and ground fund ..... No limit

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

- 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 deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the general fees fund of the department of administration.

- 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, special projects 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 and special projects shall be fixed in order to recover all or part of the operating expenses incurred for such training programs and special projects, including official hospitality: *And provided further*, That all fees received for such training programs and special projects 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 deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the budget fees 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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the purchasing fees 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 facilities management 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 deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the architectural services fee 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
CJIS Byrne Grant — federal fund .....	No limit
Digital orthophoto project — federal fund .....	No limit
FICA reimbursements medical residents fund .....	No limit
Information technology fund .....	No limit
Information technology reserve fund .....	No limit
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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *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. 2004 Supp. 75-37,123 and amendments thereto shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee County including both state-owned and privately-owned buildings: *And provided further*, That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

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 deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the accounting services recovery 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 facilities management: *Provided further*, That the director of facilities management 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 all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the architectural services recovery fund.

Motor pool service 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
Municipal accounting and training services recovery fund .....	No limit

*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 deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the municipal accounting and training services recovery fund.

Canceled warrants payment fund .....	No limit
State emergency fund .....	No limit
Bid and contract deposit fund .....	No limit
Federal withholding tax clearing fund .....	No limit
State gaming revenues fund .....	No limit
Legal office collection clearing 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
Facilities conservation improvement fund .....	No limit
State revolving fund services fee fund .....	No limit
Conversion of materials and equipment — recycling program fund .....	No limit
Curtis office building maintenance reserve fund .....	No limit
Employees faithful performance bond clearing fund .....	No limit
Deferred compensation clearing fund .....	No limit
Deferred compensation fees 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
Surplus property program fund — on budget .....	No limit
Surplus property program fund — off budget .....	No limit
Leave payment reserve clearing 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
Title XIX — long-term care ombudsman medicaid federal grant ...	No limit

Wireless enhanced 911 grant fund.....	No limit
National governor's association consulting grant — federal fund .....	No limit

(c) On or before the 10th of each month during the fiscal year ending June 30, 2007, the director of accounts and reports shall transfer from the state general fund to the deferred compensation fees fund of the department of administration interest earnings based on: (1) The average daily balance of moneys in the deferred compensation fees fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(d) On July 1, 2006, 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.

(e) During the fiscal year ending June 30, 2007, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto.

(f) In addition to the other 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 2007 by this or other appropriation act of the 2006 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 2007 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) (1) On July 1, 2006, 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 the 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, 2007, except that such amount shall be proportionally adjusted during fiscal year 2007 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2007. 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 2006 and fiscal year 2007 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2007 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2007, 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 2007.

(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.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection (g) for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund shall be made after the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (j) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund.

(h) (1) On July 1, 2006, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development 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 state economic development initiatives fund during the fiscal year ending June 30, 2007, except that such amount shall be proportionally adjusted during fiscal year 2007 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2007. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2007 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2007, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2007.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the state economic development 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 state economic development initiatives fund by the state treasurer in accordance with the notice thereof.

(i) (1) On July 1, 2006, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget which shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2007, except that such amount shall be proportionally adjusted during fiscal year 2007 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2007. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2007 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2007, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2007.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the correctional institutions building 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 correctional institutions building fund by the state treasurer in accordance with the notice thereof.

(j) (1) On July 1, 2006, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget which shall be equal to 80% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2007, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2007 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2007, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2007.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the Kansas endowment for youth 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 Kansas endowment for youth fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection (j) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund shall be made before the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (g) for the children’s initiatives fund to account for moneys actually received that are to be transferred and credited to the children’s initiatives fund.

(k) During the fiscal year ending June 30, 2007, the secretary of administration, 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, 2007, from the state general fund for the department of administration to another item of appropriation for fiscal year 2007 from the state general fund for the department of administration. The secretary of administration 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.

(l) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2007, the following:

SIBF — state building insurance ..... \$70,000  
*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b05 and amendments thereto, expenditures may be made by the above agency from the SIBF — state building insurance account of the state institutions building fund for state building insurance premiums.

(m) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2007, the following:

EBF — state building insurance ..... \$375,000  
*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b02 and amendments thereto, expenditures may be made by the above agency from the EBF — state building insurance account of the Kansas educational building fund for state building insurance premiums.

(n) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2007, the following:

CIBF — state building insurance ..... \$60,000  
*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b09 and amendments thereto, expenditures may be made by the above agency from the CIBF — state building insurance account of the correctional institutions building fund for state building insurance premiums.

(o) On July 1, 2006, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2007, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the department on aging to the older Americans act long-term care ombudsman federal fund of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2007 shall be equal to and shall not exceed the Older Americans Act Title VII: Ombudsman Award and 4.38% of the Kansas Older Americans Act Title III: Part B Supportive Services Award.

(p) (1) On July 1, 2006, notwithstanding the provisions of any other statute, the director of accounts and reports shall record a debit to the state treasurer’s receivables for the state general fund and shall record a corresponding credit to the state general fund in the net amount equal to \$32,689,900 minus the amount credited and debited on or before June 30, 2006, pursuant to section 5(g)(9)(D) of chapter 206 of the 2005 Session Laws of Kansas, to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2006, for state agencies.

(2) On or before September 1, 2006, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer’s receivables and to the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the state general fund during fiscal year 2007.



(3) (A) (i) Prior to August 15, 2006, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has a specific expenditure limitation prescribed for fiscal year 2007 and that is in excess of the amount authorized under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2007.

(ii) On or before June 30, 2007, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has no specific expenditure limitation prescribed for the fiscal year, that is in excess of the amount estimated under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2007, and that is determined by the director of the budget not to be needed for the purpose for which such amount was originally budgeted, including, but not limited to, actual or projected cost savings as a result of completed, cancelled or modified projects, programs or operations.

(iii) As used in paragraphs (i) and (ii) of this subsection (p)(3)(A), "specific expenditure limitation prescribed for the fiscal year" includes any case in which no expenditures may be made from such reappropriated balance except upon approval by the state finance council.

(B) Prior to August 15, 2006, the director of the budget shall determine and certify to the director of accounts and reports the amount equal to 10% of the amount determined by the director of the budget to be the amount (i) that is available to be expended for fiscal year 2007 from each Kansas savings incentive program account in the state general fund or in any special revenue fund of each state agency, other than any regents agency, under the Kansas savings incentive program, and (ii) that is in excess of \$50,000 in such Kansas savings incentive program account.

(C) Prior to August 15, 2006, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all unanticipated lapses of moneys which were appropriated or reappropriated from the state general fund for fiscal year 2006 and which were not reappropriated for fiscal year 2007, as determined by the director of the budget: *Provided*, That, as used in this subsection (p)(3)(C), "unanticipated lapses of moneys" shall not include any amount lapsed from the state general fund pursuant to explicit language in an appropriation act of the 2006 regular session of the legislature or any amount lapsed from the state general fund for which specific reappropriation language was deliberately not included in any appropriation act of the 2006 regular session of the legislature.

(D) Prior to August 15, 2006, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all amounts of unencumbered balances in accounts of the state general fund that were first encumbered during a fiscal year commencing prior to July 1, 2005, that were released during fiscal year 2006, and that were not specifically reappropriated by an appropriation act of the 2006 regular session of the legislature.

(4) On August 15, 2006, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3), the expenditure limitation established for fiscal year 2007 for each special revenue fund account under the Kansas savings incentive program that is appropriated for the fiscal year ending June 30, 2007, by this or other appropriation act of the 2006 regular session of the legislature is hereby respectively decreased by the amount equal to the amount certified under subsection (p)(3).

(5) (A) On August 15, 2006, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3)(A)(i), the appropriation for fiscal year 2007 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2007, by this or other appropriation act of the 2006 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(3)(A)(i).

(B) On August 15, 2006, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3)(B), the appropriation for fiscal year 2007 for each account of the state general fund, state economic development initiatives fund, state water plan fund, children's initiatives fund and Kansas

endowment for youth fund under the Kansas savings incentive program that is appropriated or reappropriated for the fiscal year ending June 30, 2007, by this or other appropriation act of the 2006 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(3)(B).

(C) On June 30, 2007, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3)(A)(ii), the appropriation for fiscal year 2007 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2007, by this or other appropriation act of the 2006 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(3)(A)(ii).

(6) At the same time as the director of the budget transmits each certification to the director of accounts and reports pursuant to subsection (p)(3), the director of the budget shall transmit a copy of such certification to the director of the legislative research department.

(7) (A) Prior to August 15, 2006, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection (p): *Provided* That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection (p). At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of the legislative research department.

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

(C) On August 15, 2006, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection (p)(7), the appropriation for fiscal year 2007 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2007, by this or other appropriation act of the 2006 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection (p)(7).

(8) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection (p), the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the state agencies for fiscal year 2007.

(9) (A) On or before September 1, 2006, after receipt of each certification by the director of the budget pursuant to this subsection (p), the director of accounts and reports shall transfer and debit to the 27th payroll adjustment account of the state general fund, which is hereby established in the state general fund, by an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (p)(3) and subsection (p)(7) in accordance with such certifications.

(B) On September 1, 2006, the director of accounts and reports shall transfer the balance of the 27th payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however*, That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(C) On September 1, 2006, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27th payroll adjustment account of the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (p) during fiscal year 2007.

(D) On or before June 30, 2007, after receipt of each certification by the director of the budget pursuant to subsection (p)(3)(A)(ii), the director of accounts and reports shall transfer and debit to the 27th payroll adjustment account of the state general fund, which is hereby established in the state general fund, an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (p)(3)(A)(ii) in accordance with such certifications.

(E) On June 30, 2007, the director of accounts and reports shall transfer the balance of the 27th payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however*, That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(F) On June 30, 2007, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27th payroll adjustment account of the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (p) during fiscal year 2007.

(G) On June 30, 2007, the director of accounts and reports shall record a credit to the state treasurer's receivables for the state general fund and shall record a corresponding debit to the state general fund in the amount of the outstanding receivable created to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2006.

(H) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (p) and all reductions and adjustments thereto made pursuant to this subsection (p). 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 state general fund by the state treasurer in accordance with the notice thereof.

(10) As used in this subsection (p), "regents agency" means the state board of regents, Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, and Wichita state university.

(11) The provisions of this subsection (p) shall not apply to:

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

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

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

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

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

(12) Each amount transferred from any special revenue fund of any state agency, including any regents agency, to the state general fund pursuant to this subsection (p), is transferred

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.

(13) On or after July 1, 2007, notwithstanding the provisions of K.S.A. 75-4209 and amendments thereto or any other statute, upon specific authorization in an appropriation act of the legislature, the pooled money investment board is authorized and directed to loan an amount of not more than \$6,000,000 to the state general fund to provide financing for any additional amounts required above the moneys otherwise provided by law to repay amounts provided by law to finance the cost of the 27th payroll chargeable to the fiscal year 2006 and to provide for an adequate reserve in the 27th payroll adjustment account. 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. Such loan shall not bear interest and 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. Any such loan shall be repaid from the state general fund and any appropriate special revenue funds in the state treasury.

(q) (1) During the fiscal year ending June 30, 2007, 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, the secretary of social and rehabilitation services may transfer moneys appropriated for fiscal year 2007 from any account of the state general fund or any special revenue fund of the department of social and rehabilitation services to the appropriate account of the state general fund or special revenue fund of the department of administration for the purpose of facilitating or implementing the transfer of the powers, duties and functions from the secretary of social and rehabilitation services and department of social and rehabilitation services to the Kansas health policy authority on July 1, 2006, pursuant to chapter 187 of the 2005 Session Laws of Kansas and memoranda of agreement entered into by the secretary of administration and the Kansas health policy authority pursuant to chapter 187 of the 2005 Session Laws of Kansas.

(2) During the fiscal year ending June 30, 2007, 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, the secretary of administration may transfer moneys appropriated for fiscal year 2007 from any account of the state general fund or any special revenue fund of the department of administration to the appropriate account of the state general fund or the appropriate special revenue fund of the department of social and rehabilitation services for the purpose of facilitating or implementing the transfer of the powers, duties and functions from the secretary of social and rehabilitation services and department of social and rehabilitation services to the Kansas health policy authority on July 1, 2006, pursuant to chapter 187 of the 2005 Session Laws of Kansas and memoranda of agreement entered into by the secretary of administration and the Kansas health policy authority pursuant to chapter 187 of the 2005 Session Laws of Kansas.

(r) (1) During the fiscal year ending June 30, 2007, 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, the secretary of health and environment may transfer moneys appropriated for fiscal year 2007 from any account of the state general fund or any special revenue fund of the department of health and environment to the appropriate account of the state general fund or special revenue fund of the department of administration for the purpose of facilitating or implementing the transfer of the powers, duties and functions from the secretary of health and environment and department of health and environment to the Kansas health policy authority on January 1, 2006, pursuant to chapter 187 of the 2005 Session Laws of Kansas

and memoranda of agreement entered into by the secretary of administration and the Kansas health policy authority pursuant to chapter 187 of the 2005 Session Laws of Kansas.

(2) During the fiscal year ending June 30, 2007, 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, the secretary of administration may transfer moneys appropriated for fiscal year 2007 from any account of the state general fund or any special revenue fund of the department of administration to the appropriate account of the state general fund or the appropriate special revenue fund of the department of health and environment for the purpose of facilitating or implementing the transfer of the powers, duties and functions from the secretary of health and environment and department of health and environment to the Kansas health policy authority on January 1, 2006, pursuant to chapter 187 of the 2005 Session Laws of Kansas and memoranda of agreement entered into by the secretary of administration and the Kansas health policy authority pursuant to chapter 187 of the 2005 Session Laws of Kansas.

(s) On July 1, 2006, the director of accounts and reports shall transfer all moneys in the office of health planning and finance fund of the department of administration to the Kansas health policy authority special revenue fund of the Kansas health policy authority, which is hereby established in the state treasury. On July 1, 2006, all liabilities of the office of health planning and finance fund of the department of administration are hereby transferred to and imposed on the Kansas health policy authority special revenue fund of the Kansas health policy authority and the office of health planning and finance fund of the department of administration is hereby abolished.

(t) On July 1, 2006, the director of accounts and reports shall transfer all moneys in the computer services recovery fund of the department of administration to the information technology fund. On July 1, 2006, all liabilities of the computer services recovery fund of the department of administration are hereby transferred to and imposed on the information technology fund and the computer services recovery fund of the department of administration is hereby abolished.

(u) On July 1, 2006, the public TV digital conversion debt service account of the state general fund is hereby redesignated as the public broadcasting digital conversion debt service account of the state general fund.

(v) No moneys shall be expended for the production, printing or distributing of the governor's budget report during fiscal year 2007 unless such budget report submitted by the governor to the 2007 session of the legislature complies fully with the provisions of subsections (b)(1) and (b)(2) of K.S.A. 75-3721, and amendments thereto, and the portion of the report which complies fully with such subsections is stated in as much supporting detail, specificity and in as many pages as any other provision of such document.

Sec. 77.

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, 2007, the following:

Operating expenditures .....	\$1,430,563
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 .....	\$10,206
BOTA filing fee fund .....	\$417,733

Sec. 78.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures .....	\$19,763,647
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess	

of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, 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, 2007, 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
Division of vehicles operating fund .....	\$38,455,865

*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, 2007: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416 and amendments thereto or of any statute, expenditures may be made from this fund for other operating expenditures of the department of revenue.

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 .....	No limit
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
-----------------------------	----------

*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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be 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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the central stores fund.

Microfilming fund .....	No limit
-------------------------	----------

*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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the microfilming 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
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
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

*Provided*, That, notwithstanding the provisions of K.S.A. 74-2021 and amendments thereto or of any other statute, expenditures may be made from VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.

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 .....	No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 74-2022 and amendments thereto or of any other statute, expenditures may be made from electronic databases fee fund for

the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.

Photo fee fund .....	No limit
<i>Provided</i> , That expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of implementing Chapter 5 and Chapter 63 of the 2003 Session Laws of Kansas.	
Estate tax abatement refund fund.....	No limit
Distinctive license plate fund.....	No limit
Repossessed certificates of title fee fund .....	No limit
Hazmat fee fund .....	No limit

(c) On July 1, 2006, October 1, 2006, January 1, 2007, and April 1, 2007, the director of accounts and reports shall transfer \$9,463,761.75 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, 2006, the director of accounts and reports shall transfer \$77,250 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, 2006, the director of accounts and reports shall transfer \$60,000 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.

Sec. 79.

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, 2007, 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.....	No limit

*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.

(b) Notwithstanding the provisions of K.S.A. 74-8711 and amendments thereto and subject to the provisions of this subsection, an amount of not less than \$4,500,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2006, and on or before the 15th of each month thereafter through July 15, 2007: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund to the state gaming revenues fund and shall credit such amount to the state gaming revenues fund for the fiscal year ending June 30, 2007: *Provided, however*, That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2007 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15th of each month through July 15, 2007, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,500,000: *Provided further*, That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from



the lottery operating fund to the state gaming revenues fund for fiscal year 2007 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2007 is equal to or more than \$66,288,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2007 pursuant to this subsection shall be equal to or more than \$66,288,000: *And provided further*, That the transfers prescribed by this subsection shall be made in lieu of transfers under subsection (d) of K.S.A. 74-8711 and amendments thereto for fiscal year 2007.

(c) Notwithstanding the provisions of K.S.A. 79-4801 and amendments thereto or any other statute and in addition to the requirements of subsection (b) of this section, on or after June 15, 2007, upon certification by the executive director of the lottery, the director of accounts and reports shall transfer from the lottery operating fund to the state gaming revenues fund the amount of total profit attributed to the special veterans benefits game under K.S.A. 2005 Supp. 74-8724, and amendments thereto, during fiscal year 2007: *Provided*, That the director of accounts and reports shall transfer immediately thereafter such amount of total profit attributed to the special veterans benefits game from the state gaming revenues fund to the state general fund: *Provided further*, That, on or before June 15, 2007, the executive director of the lottery shall certify to the director of accounts and reports the amount equal to the amount of total profit attributed to the special veterans benefits game under K.S.A. 2005 Supp. 74-8724, and amendments thereto, during fiscal year 2007: *And provided further*, That, at the same time as such certification is transmitted to the director of accounts and reports, the executive director of the lottery shall transmit a copy of such certification to the director of the budget and the director of the legislative research department.

Sec. 80.

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, 2007, 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.....	\$2,446,877
<i>Provided</i> , That expenditures from the state racing fund for official hospitality shall not exceed \$2,500.	
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, 2007, for official hospitality shall not exceed \$1,500.

(b) On July 1, 2006, 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, 2007, 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 2007 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 2007 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) During the fiscal year ending June 30, 2007, all payments 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 2007 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, 2007.

(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 2007 for the Kansas racing and gaming commission by this or other appropriation act of the 2006 regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 2007 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.

Sec. 81.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Senior community service employment program..... \$4,377

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2006, in the senior community service employment program account is hereby reappropriated for fiscal year 2007.

Kansas commission on disability concerns..... \$226,458

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2006, in the Kansas commission on disability concerns account is hereby reappropriated for fiscal year 2007.

Strong military bases program..... \$225,000

Energy program grants ..... \$4,000,000

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2007, the following:

Older Kansans employment program..... \$330,481

Operating grant (including official hospitality) ..... \$15,556,090

*Provided*, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, That expenditures may be made from the operating grant (including official hospitality) account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce 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: *And provided further*, That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce: *And provided further*, That during fiscal year 2007, expenditures made by the department of commerce 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 2007
Jobs created by projects utilizing KDOC assistance	7,115
Jobs retained by projects utilizing KDOC assistance	3,550
Payroll generated by projects utilizing KDOC assistance	\$256,500,000
Capital investment in Kansas resulting from projects utilizing KDOC assistance	\$725,919,419
Funds leveraged through match in projects utilizing KDOC assistance	\$14,284,484
Individuals trained through workforce development programs	9,000
Sales generated by projects utilizing KDOC assistance	\$190,850,000
Increase in visitation resulting from KDOC tourism promotion efforts	369,997
Tourism revenue generated as a result of KDOC tourism promotion	\$37,843,675
Kansans served with counseling, technical assistance or business services	4,753
Number of communities receiving community assistance services	374

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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
Conversion of equipment and materials fund .....	No limit
Conference registration and disbursement fund .....	No limit
Kansas venture capital companies certificate fee fund .....	No limit
Trademark fund .....	No limit
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
Community development block grant — federal fund .....	No limit
Community development block grant — federal fund — revolving loan account .....	No limit
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 or equal to \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2007 other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$250,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the fiscal year 2007, other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature.

National main street center fund .....	No limit
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.

Goodyear bond repayment fund .....	No limit
<i>Provided</i> , That, on July 1, 2006, or as soon thereafter as moneys are available, the director of the division of accounts and reports shall transfer from the state general fund to the Goodyear bond repayment fund in an amount or amounts sufficient to pay debt service on the bond obligations authorized pursuant to K.S.A. 74-8942 through 74-8945 and amendments thereto as certified by the secretary of commerce, in accordance with and subject to the provisions of K.S.A. 74-8943 and amendments thereto.	
Goodyear revenue anticipation note fund .....	No limit
General fees fund .....	No limit
<i>Provided</i> , 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 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
<i>Provided</i> , 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 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: <i>Provided further</i> , That all moneys received by the department of commerce for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the market development fund.	
Kansas economic opportunity initiatives fund .....	No limit
Kansas existing industry expansion fund .....	No limit
<i>Provided</i> , That expenditures may be made from the Kansas existing industry expansion fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the Kansas existing industry expansion program: <i>Provided further</i> , That all moneys received by the department of commerce for repayment of loans made under the Kansas existing industry expansion program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the Kansas existing industry expansion fund.	
Kansas community entrepreneurship fund .....	No limit
Athletic fee fund .....	No limit
Wheat harvest program — non-federal fund .....	No limit
Adult program — WIA — federal fund .....	No limit
Youth program — WIA — federal fund .....	No limit
Dislocated worker — WIA — federal fund .....	No limit
Trade adjustment assistance — federal fund .....	No limit
Workforce opportunity tax credit — federal fund .....	No limit
Alien labor certification — federal fund .....	No limit
Local veterans employment representative — federal fund .....	No limit
School to work — federal fund .....	No limit
Disabled veterans outreach program — federal fund .....	No limit
Wagner Peyser — federal fund .....	No limit
Re-employment services — federal fund .....	No limit
Senior community service employment program — federal fund .....	No limit
Indirect cost — federal fund .....	No limit
Kansas commission on disability concerns operating fund .....	No limit
Kansas commission on disability concerns — donations fund .....	No limit
Kansas commission on disability concerns — private grant fund .....	No limit
Apprenticeship — federal fund .....	No limit
WIA — setaside — federal fund .....	No limit

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2007, for (1) the provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for

which fees are not specifically prescribed by statute, (2) sale of *Kansas!* magazine and other publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute, and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce, 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 for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to one or more special revenue funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from such special revenue funds of the department of commerce for fiscal year 2007, in accordance with the provisions of this or other appropriation act of the 2006 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.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund for fiscal year 2007 for the department of commerce as authorized by this or other appropriation act of the 2006 regular session of the legislature, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund for fiscal year 2007 for official hospitality.

(f) On August 15, 2006, and December 15, 2006, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,580,000 from the state economic development initiatives fund to the Kansas economic opportunity initiatives fund of the department of commerce.

(g) On or after July 1, 2006, during the fiscal year ending June 30, 2007, the director of accounts and reports shall transfer the amount or amounts specified by the secretary of commerce from the Kansas venture capital companies certificate fee fund to the general fees fund to reimburse the amount expended from the general fees fund for consulting services purchased by the department of commerce in connection with establishing a program to administer the certified capital formation company act.

(h) On July 1, 2006, the indirect cost fund of the department of commerce is hereby redesignated as the indirect cost — federal fund of the department of commerce.

Sec. 82.

KANSAS, INC.

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2007, the following:

Operations (including official hospitality).....	\$525,483
--	-----------

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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., private operations fund .....	No limit
Conversion of materials and equipment fund .....	No limit

(c) On July 1, 2006, the Kansas, Inc., matching fund of Kansas, Inc., is hereby redesignated as the Kansas, Inc., private operations fund of Kansas, Inc.

Sec. 83.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operations..... \$275,000

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2007, the following:

Operations, assistance and grants (including official hospitality) ..... \$11,854,941

Provided, That any unencumbered balance in the operations, assistance and grants (including official hospitality) account as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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

(d) No moneys appropriated for the fiscal year or years specified, by this or other appropriation act of the 2006 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. 84.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures ..... \$362,744

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: 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, 2007, 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 labor shall not exceed \$2,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 ..... \$11,898,900

Occupational health and safety — federal fund ..... No limit

Boiler inspection fee fund ..... No limit

General fees fund ..... No limit

Special employment security fund ..... No limit

Provided, That expenditures may be made from the special employment security fund for payment for the department of administration's lease space agreement: Provided further, That expenditures from this fund for payment of such lease space agreement shall not exceed \$7,228: And provided further, That expenditures may be made from the special employment security fund for payment of communications costs: And provided further, That expenditures from this fund for payment of communications costs shall not exceed \$30,000.

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

Workforce investment act state operations fund ..... No limit

Workforce investment act non-state operations fund ..... No limit

Department of labor special projects fund ..... No limit

Federal indirect cost offset fund ..... \$391,728

Dispute resolution fund ..... No limit

Provided, That all moneys received by the secretary of labor for reimbursement of expend-

itures 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

(c) In addition to the other purposes for which expenditures may be made by the department of labor from the employment security fund for fiscal year 2007 as authorized by this or other appropriation act of the 2006 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2007 from the employment security fund from moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of debt service on a bond issued for the rewrite of the unemployment insurance benefit system: *Provided*, That expenditures from the employment security fund during fiscal year 2007 of moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of such debt service shall not exceed \$2,639,058.

(d) In addition to the other purposes for which expenditures may be made by the department of labor from the employment security fund for fiscal year 2007 as authorized by this or other appropriation act of the 2006 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2007 from the employment security fund from moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of expenses incurred for issuing and processing unemployment insurance benefit warrants and conducting electronic transactions for unemployment insurance benefit payments from the employment security fund: *Provided*, That expenditures from the employment security fund during fiscal year 2007 of moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of such expenses shall not exceed \$270,000.

Sec. 85.

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, 2007, the following:

Operating expenditures — veteran services ..... \$1,433,433

*Provided*, That any unencumbered balance in the operating expenditures — veterans affairs account in excess of \$100 as of June 30, 2006, is hereby reappropriated to the operating expenditures — veteran services account for fiscal year 2007.

Operations — state veterans cemeteries ..... \$512,362

*Provided*, That any unencumbered balance in the operations — state veterans cemeteries account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$500.

Operating expenditures — Kansas soldiers' home ..... \$2,229,236

*Provided*, That any unencumbered balance in the operating expenditures — Kansas soldiers' home account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Operating expenditures — Kansas veterans' home..... \$2,474,119

*Provided*, That any unencumbered balance in the operating expenditures — Kansas veterans' home account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Additional operating expenditures — soldiers and veterans homes ..... \$355,000

*Provided*, That any unencumbered balance in the additional operating expenditures — soldiers and veterans homes account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Operating expenditures — administration .....	\$464,414
Operating expenditures — Persian Gulf War veterans health initiatives .....	\$4,000
(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:	
Soldiers' home fee fund .....	\$2,018,773
Soldiers' home benefit fund .....	No limit
Soldiers' home work therapy fund .....	No limit
Veterans' home fee fund.....	\$2,960,787
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
State veterans cemeteries donations and contributions fund .....	No limit
Outpatient clinic patient federal reimbursement fund — federal.....	No limit
VA burial reimbursement fund — federal.....	No limit
Veterans home federal fund.....	No limit
Soldiers home federal fund.....	No limit
Commission on veterans affairs federal fund.....	No limit
Kansas veterans memorials fund.....	No limit

Sec. 86.

DEPARTMENT OF HEALTH AND ENVIRONMENT — DIVISION OF HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures (including official hospitality) .....	\$5,128,005
<i>Provided</i> , That any unencumbered balance in the operating expenditures (including official hospitality) account of the department of health and environment — division of health in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
Operating expenditures (including official hospitality) — health.....	\$2,580,851
<i>Provided</i> , That the governor is hereby encouraged to pursue private funding for the youth mentoring program.	
SIDS network grant .....	\$25,000
<i>Provided</i> , That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
Vaccine purchases.....	\$869,598
<i>Provided</i> , That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
Infant and toddler program .....	\$1,871,305
<i>Provided</i> , That any unencumbered balance in the infant and toddler program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
Aid to local units .....	\$5,051,807
<i>Provided</i> , That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: <i>Provided further</i> , 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: <i>And provided further</i> , 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 .....	\$2,520,840
<i>Provided</i> , That any unencumbered balance in the aid to local units — primary health projects account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: <i>Provided further</i> , 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 ..... \$537,660

*Provided*, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007:

*Provided further*, That expenditures from the teen pregnancy prevention activities account shall be made to give highest priority to recipients of temporary assistance to families and other medicaid eligible teens: *And provided further*, That expenditures may be made from this account for grants made pursuant to K.S.A. 65-1,158 and amendments thereto: *And provided further*, 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 any unencumbered balance in the aid to local units — family planning account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007:

*Provided further*, 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: *And 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

Prescription support for community based primary care clinics..... \$750,000

*Provided*, That any unencumbered balance in the prescription support for community based primary care clinics account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, That expenditures shall be made from the prescription support for community based primary care clinics account for:

(1) Purchase of drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs at not-for-profit or publicly-funded

primary care clinics, including federally qualified community health centers and federally qualified community health center look-alikes as defined by 42 U.S.C. 330, that provide comprehensive primary health care services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay. Policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted.

Breast cancer screening program ..... \$230,000

*Provided*, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Ryan White matching funds ..... \$50,000

*Provided*, That any unencumbered balance in the Ryan White matching funds account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Pregnancy maintenance initiative ..... \$300,000

*Provided*, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 database fee fund..... No limit

Title XIX fund..... No limit

Breast and cervical cancer program and detection fund..... No limit

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

*Provided*, That expenditures may be made from the health and environment training fee fund — health for acquisition and distribution of division of health program literature and films and for participation in or conducting training seminars for training employees of the division of health of the department of health and environment, for training recipients of state aid from the division of health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of health: *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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the health and environment training fee fund — health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of health from moneys appropriated from the health and environment training fee fund — health for fiscal year 2007, expenditures may be made by the department of health and environment from the health and environment training fee fund — health for fiscal year 2007 for agency operations for the division of health.

Health facilities review 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 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 under the food service and lodging act shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75- 4215 and amendments thereto and shall be credited to the food inspection fee fund: *And provided further*, That, on July 1, 2006, 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.

Insurance statistical plan fund.....	No limit
Health and environment publication fee fund — health.....	No limit

*Provided*, That expenditures from the health and environment publication fee fund — health 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
Sponsored project overhead fund — health.....	No limit
Child care facilities licensure fund.....	No limit
Federal cancer registry fund.....	No limit
Domestic violence prevention fund — federal.....	No limit
Child care and development block grant — federal fund.....	No limit
Office of rural health — federal fund.....	No limit
Medicare fund — federal.....	No limit

*Provided*, That transfers of moneys from the medicare fund — federal to the state fire marshal may be made during fiscal year 2007 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 hospitals.

Federal migrant health program fund.....	No limit
Veneral disease control project fund — federal.....	No limit
Disease prevention and health promotion federal grants fund.....	No limit

*Provided*, 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.  
 Federal women, infants and children health program fund ..... No limit  
 Federal occupational health and safety statistics program fund ..... No limit  
 Other federal grants fund — health ..... No limit

*Provided*, That the department of health and environment is authorized to make expenditures for the division of health and environment from the other federal grants fund — health of any moneys credited to this fund from any individual grant if the grant is: (1) Less than or equal to \$500,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2007 other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature:  
*Provided, however*, That, upon application to and authorization by the governor, the division of health and environment may make expenditures for the division of health and environment of moneys credited to this fund from any individual federal grant which is more than \$500,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year.

Immunization grant funds — federal fund ..... No limit  
 Title I — P.L. 99-457 child development — 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 title X family planning fund ..... No limit  
 Early childhood developmental services — 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  
 Ryan White Title II — federal fund ..... No limit  
 Bicycle helmet revolving fund ..... No limit  
 SSA fee fund ..... No limit  
 Lead poisoning prevention — federal fund ..... No limit  
 Title IV-E — federal fund ..... No limit  
 Trauma fund ..... No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 2005 Supp. 75-5670 and amendments thereto, expenditures may be made by the department of health and environment for fiscal year 2007 for the stroke prevention project from the trauma fund of the department of health and environment.

Federal homeland security fund ..... No limit  
 AIDS project — education and risk reduction fund — federal ..... No limit  
 Medical student loan repayment fund — federal ..... No limit  
 HRSA federal grant fund ..... No limit  
 Gifts, grants and donations fund — health ..... No limit  
 Special bequest fund — health ..... No limit  
 Civil registration and health statistics fee fund ..... No limit  
 Tobacco use prevention and control program fund ..... No limit  
 Lead-based paint hazard fee fund ..... No limit  
 Census of traumatic occupational fatalities — federal fund ..... No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2007, the following:

Healthy start ..... \$250,000

*Provided*, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Infants and toddlers program ..... \$1,200,000

*Provided*, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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.

Smoking prevention..... \$1,000,000

*Provided*, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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.

PKU/hemophilia ..... \$250,000

(d) On July 1, 2006, and on other occasions during fiscal year 2007 when necessary as determined by the secretary of health and environment, 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 of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment — division of health or of the department of health and environment — division of environment, to the sponsored project overhead fund — health of the department of health and environment — division of health.

(e) On July 1, 2006, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,137,856 from the child care and development 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.

(f) During the fiscal year ending June 30, 2007, 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 — division of health, which have available moneys, to the sponsored project overhead fund — health of the department of health and environment — division of health for expenditures, as the case may be, for administrative expenses.

(g) 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 2007 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2006 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 2007 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 2007 made by this or other appropriation act of the 2006 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.

(h) During the fiscal year ending June 30, 2007, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment — division of health to the sponsored project overhead fund — health of the department of health and environment — division of health pursuant to this section may include amounts equal to up to 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(i) During the fiscal year ending June 30, 2007, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2007, from the state general fund for the department of health and environment — division of health or the department of health and environment

— division of environment to another item of appropriation for fiscal year 2007 from the state general fund for the department of health and environment — division of health or the department of health and environment — division of environment. The secretary of health and environment 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.

(j) In addition to the other purposes for which expenditures may be made by the department of health and environment — division of health from moneys appropriated from the district coroners fund for fiscal year 2007, as authorized by this or other appropriation act of the 2006 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245 and amendments thereto, or any other statute, expenditures may be made by the department of health and environment — division of health from such moneys appropriated from the district coroners fund for fiscal year 2007 pursuant to K.S.A. 22a-242 and amendments thereto.

(k) On July 1, 2006, the director of accounts and reports shall transfer \$200,000 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.

Sec. 87.

DEPARTMENT OF HEALTH AND ENVIRONMENT —  
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures (including official hospitality) .....	\$4,739,277
Operating expenditures (including official hospitality) — laboratories ....	\$4,481,883

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2006, and any unencumbered balance in the operating expenditures (including official hospitality) — laboratories account in excess of \$100 as of June 30, 2006, are hereby reappropriated to the operating expenditures (including official hospitality) — laboratories account for fiscal year 2007.

Any unencumbered balance in the stream II account of the department of health and environment — division of environment in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Use attainability analyses .....	\$369,931
----------------------------------	-----------

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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:

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

*Provided*, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2007, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.

Public water supply fee fund .....	No limit
Voluntary cleanup fund .....	No limit
Storage tank fee fund .....	No limit
Air quality fee fund .....	No limit
Hazardous waste collection fund.....	No limit
Power generating facility fee fund .....	No limit
Health and environment training fee fund — environment .....	No limit

*Provided*, That expenditures may be made from the health and environment training fee fund — environment for acquisition and distribution of division of environment program

literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of 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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the health and environment training fee fund — environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund — environment for fiscal year 2007, expenditures may be made by the department of health and environment from the health and environment training fee fund — environment for fiscal year 2007 for agency operations for the division of environment.

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, and other related expenditures.

Nuclear safety emergency preparedness special revenue fund ..... No limit

*Provided*, That all moneys received from the adjutant general from the nuclear safety management fee fund of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment — division of environment.

Waste tire management fund ..... No limit

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

*Provided*, That expenditures from the health and environment publication fee fund — environment 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.

Local air quality control authority regulation services fund ..... No limit

Environmental response fund ..... No limit

Sponsored project overhead fund — environment ..... No limit

Resource conservation and recovery act — federal fund ..... No limit

Water supply fund — federal ..... No limit

EPA voluntary cleanup federal fund ..... No limit

*Provided*, That all expenditures from the EPA voluntary cleanup federal fund during fiscal year 2007 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.

Clinical laboratory improvement amendments — federal fund ..... No limit

EPA — core support fund ..... No limit

Other federal grants fund — environment ..... No limit

*Provided*, That the department of health and environment is authorized to make expenditures for the division of environment from the other federal grants fund — environment of any moneys credited to this fund from any individual grant if the grant is: (1) Less than or equal to \$500,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2007 other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature:

*Provided, however*, That, upon application to and authorization by the governor, the department of health and environment may make expenditures for the division of environment of moneys credited to this fund from any individual federal grant which is more than \$500,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year: *Provided further*, That transfers

or payments from this fund to other state agencies shall be in addition to any expenditure limitation placed on this fund.

Resource conservation and recovery act — federal fund .....	No limit
Federal air quality program 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
Gifts, grants and donations fund — environment .....	No limit
Special bequest fund — environment .....	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
Public water supply loan operations fund.....	No limit
Kansas water pollution control revolving fund .....	No limit
<i>Provided</i> , 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: <i>Provided further</i> , That expenditures from this fund shall be made to provide for the payment of such matching grants.	
Kansas water pollution control operations fund .....	No limit
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
Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds .....	No limit
Debt service reserve 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.	
Chemical control fund — federal .....	No limit
Subsurface hydrocarbon storage fund.....	No limit
Clean air leadership fund — federal .....	No limit
Natural resources damages trust fund .....	No limit
Hazardous waste management fund .....	No limit
Brownfields revolving loan federal fund .....	No limit
Mined—land reclamation fund .....	No limit
104 (6) (1) outreach operator training program — federal fund .....	No limit
Underground storage tank fund — federal.....	No limit
Federal EPA underground injection control fund .....	No limit
Laboratory medicaid cost recovery fund — environment .....	No limit
Diagnostic X-ray program — federal fund .....	No limit
Environmental control use fund .....	No limit
Environmental response remedial activity specific site — lead site federal fund.....	No limit
Emergency environmental response — nonspecific sites federal fund....	No limit
Chemical control fund .....	No limit
Medicare fund — federal — environment fund .....	No limit
Federal EPA 106 water pollution control fund.....	No limit
Salt mining well plugging fund.....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the

fiscal year ending June 30, 2007, for the state water plan project or projects specified as follows:

Contamination remediation .....	\$953,023
<i>Provided</i> , That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
TMDL initiatives and use attainability analysis.....	\$298,741
Watershed restoration and protection plan (WRAPS) .....	\$800,000
Local environmental protection program.....	\$1,502,737
<i>Provided</i> , That any unencumbered balance in the local environmental protection program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
Nonpoint source program .....	\$284,654

Any unencumbered balance in excess of \$100 as of June 30, 2006 in each of the following accounts is hereby reappropriated for fiscal year 2007: Use attainability analyses.

(d) During the fiscal year ending June 30, 2007, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2007 from the state water plan fund for the department of health and environment to another item of appropriation for fiscal year 2007 from the state water plan fund for the department of health and environment: *Provided*, That the secretary of health and environment 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, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2007, 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. 65-3024 and amendments thereto.

(f) On July 1, 2006, and on other occasions during fiscal year 2007 when necessary, 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 of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment — division of health or of the department of health and environment — division of environment, to the sponsored project overhead fund — environment of the department of health and environment — division of environment.

(g) During the fiscal year ending June 30, 2007, 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 — division of environment, which have available moneys, to the sponsored project overhead fund — environment of the department of health and environment — division of environment or to the sponsored project overhead fund — health of the department of health and environment — division of health, as the case may be, for expenditures for administrative expenses.

(h) During the fiscal year ending June 30, 2007, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2007, from the state general fund for the department of health and environment — division of health or the department of health and environment — division of environment to another item of appropriation for fiscal year 2007 from the state general fund for the department of health and environment — division of health or the department of health and environment — division of environment. The secretary of health and environment 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.

(i) During the fiscal year ending June 30, 2007, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment — division of environment to the sponsored project overhead fund —



environment of the department of health and environment — division of environment pursuant to this section may include amounts equal to up to 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(j) In addition to the other purposes for which expenditures may be made by the department of health and environment from the waste tire management fund for fiscal year 2007 as authorized by subsection (c) of K.S.A. 65-3424g and amendments thereto, section 109(b) of chapter 174 of the 2005 Session Laws of Kansas or by this or other appropriation act of the 2006 regular session of the legislature, notwithstanding any provisions of subsection (c) of K.S.A. 65-3424g and amendments thereto or any other statute to the contrary, expenditures may be made from the waste tire management fund during fiscal year 2007 for waste tire recycling grants and grants to local units of government for recycled waste tire ground cover materials for playgrounds.

Sec. 88.

DEPARTMENT ON AGING

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Administration ..... \$384,648

*Provided*, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, That expenditures from this account for official hospitality by the secretary of aging shall not exceed \$550: *Provided further*, That expenditures from this account may be made for printing the agency's newsletter: *And provided further*, That printing the agency's newsletter shall not be subject to K.S.A. 75-1005 and amendments thereto.

Administration — assessments ..... \$119,450

*Provided*, That any unencumbered balance in the administration — assessments account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Administration — assessments — Level II care ..... \$36,000

*Provided*, That any unencumbered balance in the administration — assessments — Level II care account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Administration — assessments — Level I care..... \$287,870

*Provided*, That any unencumbered balance in the administration — assessments — Level I care account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Administration — medicaid ..... \$1,710,111

*Provided*, That any unencumbered balance in the administration — medicaid account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Administration — older Americans act match..... \$181,318

*Provided*, That any unencumbered balance in the administration — older Americans act match account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Senior care act ..... \$2,431,200

*Provided*, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary of aging a report for federal fiscal year 2006 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 2006: *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 2007 a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2006: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Program grants — nutrition — state match ..... \$2,303,667

*Provided*, That any unencumbered balance in the program grants — nutrition — state match account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, That each grant agreement with an area agency on aging for a grant from the program grants — nutrition — state match account shall require the area agency on aging to submit to the secretary of aging a report for federal fiscal year 2006 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 2006: *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 2007 a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2006: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC — medicaid assistance — TCM/FE ..... \$2,477,904

*Provided*, That any unencumbered balance in the LTC — medicaid assistance — TCM/FE account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from the LTC — medicaid assistance — TCM/FE account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC — medicaid assistance — HCBS/FE ..... \$23,709,341

*Provided*, That any unencumbered balance in the LTC — medicaid assistance — HCBS/FE account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from the LTC — medicaid assistance — HCBS/FE account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC — medicaid assistance — NF ..... \$136,443,560

*Provided*, That any unencumbered balance in the LTC — medicaid assistance — NF account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures: *And provided further*, That the secretary of aging shall implement a base-year model of reimbursement for nursing facilities for state fiscal year 2007: *And provided further*, That information from the 2001 cost reports shall be used to calculate the base year: *And provided further*, That increases in reimbursement rates for nursing facilities may be made annually on an incremental basis and the secretary of aging may use a nationally recognized source to determine an appropriate inflationary factor in calculating such increases: *And provided further*, That the base-year model shall allow for incentives and pass-through mechanisms to encourage desired behaviors from the nursing facility industry and to recognize potential increases beyond the rate of normal inflation: *And provided further*, That any decision by the secretary of aging to initiate an incentive or pass-through mechanism shall be effectuated and funded within direct appropriations.

LTC — medicaid assistance — PACE..... \$1,467,100

*Provided*, That all expenditures made from the LTC — medicaid assistance — PACE account shall be for the PACE program: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures: *And provided further*, That expenditures may be made from this account for expanding the PACE program to the Topeka area during fiscal year 2007.

Nursing facilities regulation ..... \$1,929,857  
*Provided*, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Nursing facilities regulation — title XIX..... \$992,935  
*Provided*, That any unencumbered balance in the nursing facilities regulation — title XIX account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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  
*Provided*, That transfers of moneys from the title XIX fund — federal to the state fire marshal may be made during fiscal year 2007 pursuant to a contract which is hereby authorized to be entered into by the secretary of aging with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Senior care act — social service block grant fund..... \$4,500,000  
*Provided*, That each grant agreement with an area agency on aging for a grant from the senior care act — social service block grant fund shall require the area agency on aging to submit to the secretary of aging a report for federal fiscal year 2006 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 2006: *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 2007 a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2006: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services which are determined to be the most economical services available.

Nutrition fund — federal..... No limit  
 Senior citizen nutrition check-off fund ..... 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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be 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  
*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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be 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  
*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.

Medical resources and collection fund..... No limit  
*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.

SHICK fund — grants — federal.....	No limit
SHICK fund — state operations — federal.....	No limit
Senior services fund.....	No limit
Long-term care loan and grant fund.....	No limit
Intergovernmental transfer administration fund.....	\$0
Non-government grant fund.....	No limit
Other federal grants and assistance fund.....	No limit

*Provided*, That the above agency is authorized to make expenditures from the other federal grants and assistance fund of any moneys credited to this fund from any individual grant if the grant is: (1) Less than or equal to \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2007 other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$250,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year.

Alzheimer's disease demonstration grant — federal fund.....	No limit
Health facilities review fund.....	No limit
Adult care licensing revolving fund.....	No limit
Medicare fund — federal.....	No limit

(c) During the fiscal year ending June 30, 2007, 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, 2007, from the state general fund for the department on aging to another item of appropriation for fiscal year 2007 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 director of the legislative research department.

(d) In addition to the other purposes for which expenditures may be made by the department on aging from the senior care act account of the state general fund for fiscal year 2007 as authorized by this section, expenditures shall be made by the above agency from the senior care act account of the state general fund for fiscal year 2007 for the senior companion program: *Provided*, That expenditures for such purpose from the senior care act account of the state general fund for fiscal year 2007 shall not exceed \$25,000.

(e) 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 2007 for the department of social and rehabilitation services and in addition to the other purposes for which expenditures may be made by the department of health and environment — division of health from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 for the department of health and environment — division of health, as authorized by this or other appropriation act of the 2006 regular session of the legislature, expenditures may be made by the secretary of social and rehabilitation services and the secretary of health and environment for fiscal year 2007 to enter into a contract with the secretary of aging, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary of aging to perform the powers, duties, functions and responsibilities prescribed by and conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary of social and rehabilitation services and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation

of residents or reports of residents in need of protective services on behalf of the secretary of social and rehabilitation services or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2007: *Provided*, That, in addition to the other purposes for which expenditures may be made by the department on aging from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 for the department on aging, as authorized by this or other appropriation act of the 2006 regular session of the legislature, expenditures shall be made by the secretary of aging for fiscal year 2007 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(f) (1) During the fiscal year ending June 30, 2007, moneys appropriated from the state general fund or any special revenue fund of the department on aging for the provision of home and community based services by the department on aging are hereby declared to be interchangeable between home and community based services programs of the department on aging and home and community based services programs of the department of social and rehabilitation services, subject to any applicable federal statutes, regulations, guidelines or agreements.

(2) During the fiscal year ending June 30, 2007, on or before December 4, 2006, after the director of the budget and the director of the legislative research department have determined jointly the estimated expenditures for fiscal year 2007 for home and community based services programs of the department on aging and the department of social and rehabilitation services, then (A) the secretary of social and rehabilitation services, with the approval of the director of the budget, may transfer any part of any unencumbered balance of moneys appropriated for the fiscal year ending June 30, 2007, from the state general fund for the department of social and rehabilitation services that is appropriated for or may be expended for home and community based services from one or more state general fund accounts of the department of social and rehabilitation services to one or more appropriate state general fund accounts of the department on aging for fiscal year 2007 for the provision of home and community based services by the department on aging, and (B) the secretary of aging, with the approval of the director of the budget, may transfer any part of any unencumbered balance of moneys appropriated for the fiscal year ending June 30, 2007, from the state general fund for the department on aging that is appropriated for or may be expended for home and community based services from one or more state general fund accounts of the department on aging to one or more appropriate state general fund accounts of the department of social and rehabilitation services for fiscal year 2007 for the provision of home and community based services by the department of social and rehabilitation services.

(3) During the fiscal year ending June 30, 2007, on or before December 4, 2006, after the director of the budget and the director of the legislative research department have determined jointly the estimated expenditures for fiscal year 2007 for home and community based services programs of the department of social and rehabilitation services and the department on aging, then (A) the secretary of aging, with the approval of the director of the budget, may transfer any part of any unencumbered balance of moneys appropriated for the fiscal year ending June 30, 2007, in one or more special revenue funds of the department on aging that are appropriated for or may be expended for home and community based services from one or more special revenue funds of the department on aging to one or more appropriate special revenue funds of the department of social and rehabilitation services for fiscal year 2007 for the provision of home and community based services by the department of social and rehabilitation services, subject to any applicable federal statutes, regulations, guidelines or agreements, and (B) the secretary of social and rehabilitation services, with the approval of the director of the budget, may transfer any part of any unencumbered balance of moneys appropriated for the fiscal year ending June 30, 2007, in one or more special revenue funds of the department of social and rehabilitation services that are appropriated for or may be expended for home and community based services from one or more special revenue funds of the department of social and rehabilitation services

to one or more appropriate special revenue funds of the department on aging for fiscal year 2007 for the provision of home and community based services by the department on aging, subject to any applicable federal statutes, regulations, guidelines or agreements.

(4) Upon issuing any approval to transfer moneys for the provision of home and community based services between the department of social and rehabilitation services and department on aging under this subsection (f), the director of the budget shall certify such approval to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department. Upon receipt of each such certification, the director of accounts and reports shall transfer the moneys specified in accordance with such certification.

Sec. 89.

KANSAS HEALTH POLICY AUTHORITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures .....	\$16,618,345
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
Business health partnership .....	\$500,000
<i>Provided</i> , That any unencumbered balance in the business health partnership account in excess of \$100 as of June 30, 2006, is hereby reappropriated to the business health partnership account for fiscal year 2007.	
Generic drug program .....	\$400,000
Other medical assistance .....	\$375,899,071
<i>Provided</i> , That any unencumbered balance in the health policy and finance — other medical assistance account of the department of administration in excess of \$100 as of June 30, 2006, is hereby reappropriated to the other medical assistance account of the Kansas health policy authority for fiscal year 2007.	
Children's health insurance program .....	\$18,476,279
<i>Provided</i> , That any unencumbered balance in the health policy and finance — children's health insurance program account of the department of administration in excess of \$100 as of June 30, 2006, is hereby reappropriated to the children's health insurance program account of the Kansas health policy authority for fiscal year 2007.	

(b) There is appropriated for the above agency from the following special revenue fund or funds for the ending June 30, 2007, 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 workers compensation self-insurance fund .....	No limit
Preventive health care program fund .....	No limit
Cafeteria benefits fund .....	No limit
<i>Provided</i> , That expenditures from the cafeteria benefits fund for the fiscal year ending June 30, 2007, for salaries and wages and other operating expenditures shall not exceed \$2,375,716.	
Kansas health policy authority special revenue fund .....	No limit
<i>Provided</i> , That expenditures from the Kansas health policy authority special revenue fund for the fiscal year ending June 30, 2007, for official hospitality shall not exceed \$1,000.	
Health committee insurance fund .....	No limit
Health care database fee fund .....	No limit
Medical programs fee fund .....	\$67,789,636
Health and hospitalization insurance clearing fund .....	No limit
Health insurance premium reserve fund .....	No limit
Dependent care assistance program fund .....	No limit
Non-state employer group benefit fund .....	No limit
Other state fees fund .....	No limit
Health care access improvement fund .....	No limit
Other federal grants and assistance fund .....	No limit
Medical assistance federal fund .....	No limit
Children's health insurance federal fund .....	No limit

Ticket to work infrastructure grant federal fund .....	No limit
Health policy and finance — PERM grant federal fund.....	No limit
Ryan White title II federal fund .....	No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2007, the following:

Medical assistance .....	\$3,000,000
Healthwave .....	\$2,000,000
Immunization outreach .....	\$500,000

(d) (1) During the fiscal year ending June 30, 2007, 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, the secretary of social and rehabilitation services may transfer moneys appropriated for fiscal year 2007 from any account of the state general fund or any special revenue fund of the department of social and rehabilitation services to the appropriate account of the state general fund or special revenue fund of the Kansas health policy authority for the purpose of facilitating or implementing the transfer of the powers, duties and functions from the secretary of social and rehabilitation services and department of social and rehabilitation services to the Kansas health policy authority on July 1, 2006, pursuant to chapter 187 of the 2005 Session Laws of Kansas.

(2) During the fiscal year ending June 30, 2007, 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, the Kansas health policy authority may transfer moneys appropriated for fiscal year 2007 from any account of the state general fund or any special revenue fund of the Kansas health policy authority to the appropriate account of the state general fund or the appropriate special revenue fund of the department of social and rehabilitation services for the purpose of facilitating or implementing the transfer of the powers, duties and functions from the secretary of social and rehabilitation services and department of social and rehabilitation services to the Kansas health policy authority on July 1, 2006, pursuant to chapter 187 of the 2005 Session Laws of Kansas.

(e) (1) During the fiscal year ending June 30, 2007, 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, the secretary of administration may transfer moneys appropriated for fiscal year 2007 from any account of the state general fund or any special revenue fund of the department of administration to the appropriate account of the state general fund or special revenue fund of the Kansas health policy authority for the purpose of facilitating or implementing the transfer of the powers, duties and functions from the secretary of administration and department of administration to the Kansas health policy authority on July 1, 2006, pursuant to chapter 187 of the 2005 Session Laws of Kansas.

(2) During the fiscal year ending June 30, 2007, 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, the Kansas health policy authority may transfer moneys appropriated for fiscal year 2007 from any account of the state general fund or any special revenue fund of the Kansas health policy authority to the appropriate account of the state general fund or the appropriate special revenue fund of the department of administration for the purpose of facilitating or implementing the transfer of the powers, duties and functions from the secretary of administration and the department of administration to the Kansas health policy authority on July 1, 2006, pursuant to chapter 187 of the 2005 Session Laws of Kansas.

(f) On July 1, 2006, the director of accounts and reports shall transfer all moneys in the office of health planning and finance fund of the department of administration to the Kansas health policy authority special revenue fund of the Kansas health policy authority, which is

hereby established in the state treasury. On July 1, 2006, all liabilities of the office of health planning and finance fund of the department of administration are hereby transferred to and imposed on the Kansas health policy authority special revenue fund of the Kansas health policy authority and the office of health planning and finance fund of the department of administration is hereby abolished.

(g) During the fiscal year ending June 30, 2007, notwithstanding the provisions of K.S.A. 75- 6501 through 75-6523 and amendments thereto or any other statute or any rules and regulations adopted thereunder, no expenditures shall be made from any moneys appropriated for the Kansas health policy authority from the state general fund or any special revenue fund for fiscal year 2007 by this or other appropriation act of the 2006 regular session of the legislature for the state health care benefits program for prescription drug coverage for participating state employees and other eligible persons or their dependents, which does not allow such persons and their dependents to purchase a supply of prescription drugs during calendar year 2007 from local pharmacies at an equal or lesser cost to the consumer than the cost to purchase an equal supply of such prescription drugs through the mail-order pharmacy program of the state health care benefits program for the same period for which a supply of such drugs is available under the consumer's selected plan under the state health care benefits program.

(h) During the fiscal year ending June 30, 2007, the executive director of the Kansas health policy authority, 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, 2007, from the state general fund for the Kansas health policy authority to another item of appropriation for fiscal year 2007 from the state general fund for the Kansas health policy authority. The executive director of the Kansas health policy authority 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.

Sec. 90.

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, 2007, the following:

State operations .....	\$82,912,626
<i>Provided</i> , That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: <i>Provided further</i> , 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: <i>And provided further</i> , 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 .....	\$3,607,466
<i>Provided</i> , That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
Mental health and retardation services aid and assistance .....	\$162,154,856
<i>Provided</i> , That any unencumbered balance in the mental health and retardation services aid and assistance account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
Kansas neurological institute — operating expenditures .....	\$11,697,033
<i>Provided</i> , That any unencumbered balance in the Kansas neurological institute — operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: <i>Provided, however</i> , That expenditures from the Kansas neurological institute — operating expenditures account for official hospitality by the superintendent shall not exceed \$150: <i>Provided further</i> , 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: <i>And provided further</i> , That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto: <i>And provided further</i> , 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 ..... \$28,184,153

*Provided*, That any unencumbered balance in the Larned state hospital — operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, That expenditures from the Larned state hospital — operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *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.

Larned state hospital — sexual predator treatment program ..... \$9,434,573

*Provided*, That any unencumbered balance in the Larned state hospital — sexual predator treatment program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Osawatomie state hospital — operating expenditures ..... \$9,028,162

*Provided*, That any unencumbered balance in the Osawatomie state hospital — operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 ..... \$8,245,233

*Provided*, That any unencumbered balance in the Parsons state hospital and training center — operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 ..... \$3,803,726

*Provided*, That any unencumbered balance in the Rainbow mental health facility — operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 ..... \$1,500,000

*Provided*, That any unencumbered balance in the children's mental health initiative account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided*,

*however*, That no expenditures shall be made from the children’s mental health initiative account for inpatient hospital beds for children.

Youth services aid and assistance..... \$101,133,346

*Provided*, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Vocational rehabilitation aid and assistance..... \$4,558,621

*Provided*, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007:

*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..... \$56,815,135

*Provided*, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Community based services ..... \$46,601,028

*Provided*, That any unencumbered balance in the community based services account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Other medical assistance ..... \$51,660,223

*Provided*, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Low income energy assistance ..... \$1,000,000

Sex predator program..... \$529,821

*Provided*, That any unencumbered balance in the sex predator program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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..... \$45,795,587

*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 premiums and surcharges required to be paid for physicians’ malpractice insurance, and for transfers to the other federal grants and assistance fund.

Nonfederal reimbursements fund..... No limit

*Provided*, That all nonfederal reimbursements received by the department of social and rehabilitation services shall be deposited in the state treasury and credited to the nonfederal reimbursements fund: *Provided further*, That moneys in the nonfederal reimbursements 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 premiums and surcharges required to be paid for physicians’ malpractice insurance, and for transfers to the social welfare fund.

Kansas neurological institute fee fund ..... \$1,085,316

Kansas neurological institute — foster grandparents program — federal fund..... No limit

Larned state hospital fee fund..... \$3,465,843

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 — motor pool revolving fund ..... No limit

Osawatomi state hospital fee fund .....	\$4,828,183
<i>Provided</i> , That all moneys received as fees for the use of video teleconferencing equipment at Osawatomi state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the video teleconferencing fee account of the Osawatomi state hospital fee fund: <i>Provided further</i> , 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 Osawatomi state hospital: <i>And provided further</i> , That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomi state hospital fee fund.	
Osawatomi state hospital — ECIA fund — federal.....	No limit
Osawatomi state hospital — motor pool revolving fund.....	No limit
Osawatomi state hospital — training fee revolving fund.....	No limit
<i>Provided</i> , That all moneys received as fees for training activities for Osawatomi state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the Osawatomi state hospital — training fee revolving fund: <i>Provided further</i> , That the superintendent of Osawatomi state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomi state hospital: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomi state hospital.	
Parsons state hospital and training center fee fund .....	\$1,364,346
<i>Provided</i> , That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: <i>Provided further</i> , 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: <i>And provided further</i> , 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.	
Rainbow mental health facility fee fund .....	\$1,002,925
Rainbow mental health facility — elementary and secondary education fund — federal .....	No limit
Social services clearing fund.....	No limit
Social welfare fund.....	\$44,614,911
Health committee insurance fund .....	No limit
Other state fees fund .....	No limit
Alcohol and drug abuse block grant federal fund .....	No limit
Child welfare services block grant federal fund .....	No limit
Mental health block grant federal fund.....	No limit
Social services block grant — federal fund.....	No limit
Child care and development federal fund .....	No limit
Children’s cabinet grants federal fund .....	No limit
Temporary assistance to needy families 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
Rehabilitation services federal fund.....	No limit
Other federal grants and assistance fund .....	No limit
SRS enterprise fund .....	No limit
SRS trust fund .....	No limit
<i>Provided</i> , 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: <i>Provided further</i> ,	

That expenditures may be made from the vocational rehabilitation special revenue account of this fund for local community-based vocational rehabilitation programs.

SRS — IGT fund .....	No limit
Child support enforcement administration fund .....	No limit
Energy assistance block grant federal fund .....	No limit
Family and children trust account — family and children investment fund .....	No limit

*Provided*, That expenditures from the family and children trust account — family and children investment fund for official hospitality shall not exceed \$1,500.

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2007, the following:

CSE call center .....	\$340,000
-----------------------	-----------

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2007, the following:

Children's cabinet accountability fund .....	\$541,802
--	-----------

*Provided*, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Children's mental health waiver .....	\$3,800,000
---------------------------------------	-------------

*Provided*, That any unencumbered balance in the children's mental health waiver account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Family centered system of care .....	\$5,000,000
--------------------------------------	-------------

*Provided*, That any unencumbered balance in the family centered system of care account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Therapeutic preschool .....	\$1,000,000
-----------------------------	-------------

*Provided*, That any unencumbered balance in the therapeutic preschool account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Child care .....	\$1,400,000
------------------	-------------

*Provided*, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Pre-K Pilot .....	\$2,000,000
-------------------	-------------

Community services for child welfare .....	\$3,492,101
--	-------------

*Provided*, That any unencumbered balance in the community services for child welfare account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Children's cabinet early childhood discretionary grant program .....	\$8,443,279
--	-------------

*Provided*, That any unencumbered balance in the children's cabinet early childhood discretionary grant program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Family preservation .....	\$2,957,899
---------------------------	-------------

*Provided*, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

School violence prevention .....	\$228,000
----------------------------------	-----------

*Provided*, That any unencumbered balance in the school violence prevention account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Attendant care for independent living .....	\$50,000
---	----------

*Provided*, That any unencumbered balance in the attendant care for independent living account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(e) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2007, the following:

Children's cabinet administration .....	\$250,540
---	-----------

(f) During the fiscal year ending June 30, 2007, 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, 2007, 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 2007 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 sec-

retary 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 director of the legislative research department.

(g) During the fiscal year ending June 30, 2007, the secretary of social and rehabilitation services, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the department of social and rehabilitation services, or of any institution or facility under the general supervision and management of the secretary of social and rehabilitation services, to another federal fund of the department of social and rehabilitation services, or of another 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 director of the legislative research department.

(h) On July 1, 2006, the superintendent of Osawatomi state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomi state hospital — canteen fund to the Osawatomi state hospital — patient benefit fund.

(i) On July 1, 2006, the superintendent of Parsons state hospital and training center, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center — canteen fund to the Parsons state hospital and training center — patient benefit fund.

(j) (1) On July 1, 2006, 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 other federal grants and assistance fund the amount specified by the secretary of social and rehabilitation services.

(2) On July 1, 2006, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the nonfederal reimbursements fund to the social welfare fund the amount specified by the secretary of social and rehabilitation services.

(k) During the fiscal year ending June 30, 2007, 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 may be 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.

(l) During the fiscal year ending June 30, 2007, 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, 2007, upon receipt of one or more donations of moneys from private sources for deposit to the credit of the family and children endowment account of the family and children investment fund, 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 or funds for the fiscal year 2007, as authorized by this or other appropriation act of the 2006 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 2007 for payments into the family and children endowment account of the family and children investment fund that match the aggregate amount of all such donations and that are equal to the aggregate amount of moneys donated to and credited to the family and children endowment account of the family and children investment fund during fiscal year 2007.

(m) 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 2007 for the department of social and rehabilitation services as authorized by this or other appropriation act of the 2006 regular

session of the legislature, expenditures shall be made by the secretary of social and rehabilitation services for fiscal year 2007 to fix, charge and collect fees from parents for services provided to their children by an institution or program of the department of social and rehabilitation services: *Provided*, That, in accordance with the provisions of federal law, the secretary of social and rehabilitation services shall not deny services to children under the home and community based services programs based on the failure of any parent to pay such fees: *Provided further*, That such fees shall be fixed by adoption of a sliding fee scale established by the secretary of social and rehabilitation services and such fees shall recover all or part of the expenses incurred in providing such services: *And provided further*, That such fees shall be reduced or waived in cases of demonstrable hardship and for families who are at or below 200% of the federal poverty level and who are receiving home and community based services: *And provided further*, That all moneys received by the department of social and rehabilitation services for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the social welfare fund.

(n) During the fiscal year ending June 30, 2007, the director of accounts and reports shall transfer the amounts specified by the director of the budget from the LTC — medicaid assistance — NF account of the state general fund of the department on aging to the LTC — medicaid assistance — HCBS/FE account of the state general fund of the department on aging or to the community based services account of the department of social and rehabilitation services: *Provided*, That such amounts to be transferred shall be certified by the director of the budget on December 1, 2006, and on June 1, 2007, to reflect the nursing facility rate paid for persons moving from a nursing facility to the home and community-based services waiver for the physically disabled or the frail elderly for the six months preceding the date of certification: *Provided further*, That the aggregate of all such transfers certified during fiscal year 2007 shall not exceed the amount required to support the movement of 80 individuals from nursing facilities to home and community-based services: *And provided further*, That each of the 80 individuals must meet the requirements described in a policy jointly developed by the secretary of aging and the secretary of social and rehabilitation services governing the operations of this transfer: *And provided further*, That the director of the budget shall transmit a copy of each such certification to the director of the legislative research department: *And provided further*, That the department of social and rehabilitation services shall report to the legislature at the beginning of the regular session in 2007 with expenditure data regarding this program.

(o) During the fiscal year ending June 30, 2007, no moneys paid by the department of social and rehabilitation services from the mental health and retardation services aid and assistance account of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the department of social and rehabilitation services, the legislative division of post audit, or another state agency with access to its financial records upon request for such access.

(p) During the fiscal year ending June 30, 2007, expenditures shall be made by the department of social and rehabilitation services from the from moneys appropriated from the state general fund for the fiscal year ending June 30, 2007, in the cash assistance account of the state general fund to maximize child care assistance dollars to serve the most children possible.

(q) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the Ryan White title II federal fund of the department of social and rehabilitation services to the Ryan White title II federal fund of the department of administration. On the effective date of this act, all liabilities of the Ryan White title II federal fund of the department of social and rehabilitation services are hereby transferred to and imposed on the Ryan White title II federal fund of the department of administration and the Ryan White title II federal fund of the department of social and rehabilitation services is hereby abolished.

(r) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the children's health insurance federal fund of the department of social and rehabilitation services to the children's health insurance federal fund of the department of administration. On the effective date of this act, all liabilities of the children's health insurance federal fund of the department of social and rehabilitation services are hereby trans-

ferred to and imposed on the children's health insurance federal fund of the department of administration and the children's health insurance federal fund of the department of social and rehabilitation services is hereby abolished.

(s) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the health care access improvement fund of the department of social and rehabilitation services to the health care access improvement fund of the department of administration. On the effective date of this act, all liabilities of the health care access improvement fund of the department of social and rehabilitation services are hereby transferred to and imposed on the health care access improvement fund of the department of administration and the health care access improvement fund of the department of social and rehabilitation services is hereby abolished.

(t) (1) During the fiscal year ending June 30, 2007, moneys appropriated from the state general fund or any special revenue fund of the department of social and rehabilitation services for the provision of home and community based services by the department of social and rehabilitation services are hereby declared to be interchangeable between home and community based services programs of the department on aging and home and community based services programs of the department of social and rehabilitation services, subject to any applicable federal statutes, regulations, guidelines or agreements.

(2) During the fiscal year ending June 30, 2007, on or before December 4, 2006, after the director of the budget and the director of the legislative research department have determined jointly the estimated expenditures for fiscal year 2007 for home and community based services programs of the department of social and rehabilitation services and the department on aging, then (A) the secretary of aging, with the approval of the director of the budget, may transfer any part of any unencumbered balance of moneys appropriated for the fiscal year ending June 30, 2007, from the state general fund for the department on aging that is appropriated for or may be expended for home and community based services from one or more state general fund accounts of the department on aging to one or more appropriate state general fund accounts of the department of social and rehabilitation services for fiscal year 2007 for the provision of home and community based services by the department of social and rehabilitation services, and (B) the secretary of social and rehabilitation services, with the approval of the director of the budget, may transfer any part of any unencumbered balance of moneys appropriated for the fiscal year ending June 30, 2007, from the state general fund for the department of social and rehabilitation services that is appropriated for or may be expended for home and community based services from one or more state general fund accounts of the department of social and rehabilitation services to one or more appropriate state general fund accounts of the department on aging for fiscal year 2007 for the provision of home and community based services by the department on aging.

(3) During the fiscal year ending June 30, 2007, on or before December 4, 2006, after the director of the budget and the director of the legislative research department have determined jointly the estimated expenditures for fiscal year 2007 for home and community based services programs of the department of social and rehabilitation services and the department on aging, then (A) the secretary of aging, with the approval of the director of the budget, may transfer any part of any unencumbered balance of moneys appropriated for the fiscal year ending June 30, 2007, in one or more special revenue funds of the department on aging that are appropriated for or may be expended for home and community based services from one or more special revenue funds of the department on aging to one or more appropriate special revenue funds of the department of social and rehabilitation services for fiscal year 2007 for the provision of home and community based services by the department of social and rehabilitation services, subject to any applicable federal statutes, regulations, guidelines or agreements, and (B) the secretary of social and rehabilitation services, with the approval of the director of the budget, may transfer any part of any unencumbered balance of moneys appropriated for the fiscal year ending June 30, 2007, in one or more special revenue funds of the department of social and rehabilitation services that are appropriated for or may be expended for home and community based services from one or more special revenue funds of the department of social and rehabilitation services to one or more appropriate special revenue funds of the department on aging for fiscal year

2007 for the provision of home and community based services by the department on aging, subject to any applicable federal statutes, regulations, guidelines or agreements.

(4) Upon issuing any approval to transfer moneys for the provision of home and community based services between the department of social and rehabilitation services and department on aging under this subsection (t), the director of the budget shall certify such approval to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department. Upon receipt of each such certification, the director of accounts and reports shall transfer the moneys specified in accordance with such certification.

Sec. 91.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Kansas guardianship program ..... \$1,052,759

*Provided*, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Sec. 92.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures (including official hospitality) ..... \$10,068,775

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, That expenditures may be made from the operating expenditures (including official hospitality) account for salaries and wages and other operating expenditures on behalf of the department of education.

Governor's teaching excellence scholarships and awards ..... \$230,000

*Provided*, That any unencumbered balance in the governor's teaching excellence scholarships and awards account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, That all expenditures from the governor's teaching excellence scholarships and awards 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: *And 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.

Mentor teacher program grants ..... \$1,000,000

General state aid ..... \$1,875,545,955

*Provided*, That any unencumbered balance in the general state aid account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided*, That, prior to providing a child with intervention during fiscal year 2007, a school district shall encourage parents of pupils at risk to obtain an eye examination by an optometrist or an ophthalmologist to determine if such child suffers from conditions which impair the ability to read: *Provided, however*, That the expense for such examination, if not reimbursed through medicaid, healthwave, private insurance or other governmental or private program, shall be the responsibility of the child's parent.

Special education services aid ..... \$321,846,024

*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. 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.

Supplemental general state aid..... \$238,709,000  
*Provided*, That any unencumbered balance in the supplemental general state aid account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Kansas foundation for agriculture project grant..... \$35,000  
*Provided*, That expenditures from the Kansas foundation for agriculture project grant account shall be used for agriculture in the classroom programs to supplement existing elementary and secondary curricula with agricultural information: *Provided further*, That expenditures from this account shall be made only if private funding sources are available to match such state grants on a 60% state and 40% private basis.

Professional development aid ..... \$1,750,000  
 Capital outlay state aid..... \$21,000,000  
 Discretionary grants ..... \$505,000  
 School food assistance ..... \$2,510,486  
 School safety hotline ..... \$10,000  
 KPERS — employer contributions ..... \$184,556,614

*Provided*, That any unencumbered balance in the KPERS — employer contributions account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007:

*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.

Teacher performance assessment (including official hospitality) ..... \$325,000  
 Parent education program..... \$4,817,000

*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 2007 for establishing and maintaining a Kansas training model that meets the requirement for the parents as teachers program shall not exceed \$27,500.

Declining enrollment state aid ..... \$100,000  
 Educable deaf-blind and severely handicapped children's programs aid..... \$110,000  
 School district juvenile detention facilities and Flint Hills job corps center grants ..... \$7,884,815

*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. 72-8187 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, 2007, 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

*Provided*, 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
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
Education of handicapped children fund — federal.....	No limit
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 education — 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
School renovation grants — federal fund.....	No limit
Drug abuse funds — federal — state operations 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: <i>Provided further</i> , That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: <i>And provided further</i> , That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the inservice education workshop fee fund.	
Private donations, gifts, grants and bequests fund.....	No limit
Interactive video fee fund.....	No limit
<i>Provided</i> , That expenditures may be made from the interactive video fee fund for operating expenditures incurred in conjunction with the operation and use of the interactive video conference facility of the department of education: <i>Provided further</i> , 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: <i>And provided further</i> , That all fees received for the operation and use of such interactive video conference facility shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the 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
<i>Provided</i> , That all expenditures from the governor's teaching excellence scholarships pro-	

gram 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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the governor's teaching excellence scholarships program repayment fund.

Elementary and secondary school aid — federal fund — reading first ...	No limit
Elementary and secondary school aid — federal fund — reading first — state operations.....	No limit
State grants for improving teacher quality — federal fund.....	No limit
State grants for improving teacher quality — federal fund — state operations .....	No limit
Community service grants — federal fund.....	No limit
21st century community learning centers — federal fund.....	No limit
State assessments — federal fund.....	No limit
Rural and low-income schools program — federal fund.....	No limit
Language assistance state grants — federal fund .....	No limit
Service clearing fund .....	No limit
Helping schools license plate program fund.....	No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2007, the following:

Grant to the Kansas optometric association for vision study..... \$300,000

*Provided*, That any unencumbered balance in the grant to the Kansas optometric association for vision study account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Parent education program..... \$2,500,000

*Provided*, That any unencumbered balance in the parent education program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

General state aid four-year-old at-risk .....

\$5,304,045

*Provided*, That any unencumbered balance in the general state aid four-year-old at-risk account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Special education services aid .....

\$1,225,000

*Provided*, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(d) On July 1, 2006, 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.

(e) On July 1, 2006, and quarterly thereafter, the director of accounts and reports shall transfer \$61,767 from the state highway fund of the department of transportation to the school bus safety fund of the department of education.

(f) On July 1, 2006, October 1, 2006, January 1, 2007, and April 1, 2007, or as soon after each such date as moneys are available therefor, notwithstanding the provisions of K.S.A. 8-267 or 8-272 and amendments thereto or any other statute, the director of accounts and reports shall transfer \$500,000 from the state safety fund of the department of education to the state general fund: *Provided*, That the amount transferred from the state safety fund of the department of education 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.

(g) On July 1, 2006, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund of the department of education to the motorcycle safety fund of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to subsection (b)(2) of K.S.A. 8-272 and amendments thereto.

Sec. 93.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures ..... \$1,850,358

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Grants to libraries and library systems ..... \$3,140,109

*Provided*, That, of the moneys appropriated in the grants to libraries and library systems account, \$2,393,562 shall be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555 and amendments thereto, \$624,670 shall be distributed for interlibrary loan development grants and \$386,877 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, 2007, 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

Grants and gifts fund ..... No limit

Sec. 94.

KANSAS ARTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures ..... \$343,226

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$4,000: *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 ..... \$1,199,196

*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, 2007, 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 — federal 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) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2007, the following:

Economic impact study of arts .....	\$14,000
-------------------------------------	----------

Sec. 95.

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, 2007, the following:

Operating expenditures .....	\$4,938,485
------------------------------	-------------

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped .....	\$150,000
--------------------------------	-----------

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be 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. 96.

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, 2007, the following:

Operating expenditures .....	\$8,250,631
------------------------------	-------------

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 deaf 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 in accord-

ance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the local services reimbursement fund: *And provided further*, 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. 97.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures.....	\$5,589,269
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: <i>Provided, however</i> , That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,500.	
Kansas humanities council.....	\$151,830

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 card clearing fund.....	No limit
Vehicle repair and replacement fund.....	No limit
General fees fund.....	No limit
Archeology fee fund.....	No limit

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

Archeology federal fund.....	No limit
Microfilm fees fund.....	No limit

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

Records center fee fund.....	No limit
------------------------------	----------

*Provided*, That expenditures may be made from the records center fee fund for operating expenses for providing copying and related services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *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 deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the records center fee fund.

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  
*Provided*, That expenditures from the heritage trust fund for state operations shall not exceed \$90,094.  
 Land survey fee fund ..... No limit  
*Provided*, That, notwithstanding the provisions of K.S.A. 58-2011 and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year ending June 30, 2007, for operating expenditures that are not related to administering the land survey program.  
 State historical society facilities fund..... No limit  
 Historic properties fund ..... No limit  
 Law enforcement memorial fund ..... No limit  
 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 or equal to \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2007 other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$250,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year.  
 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.

Sec. 98.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures (including official hospitality) ..... \$32,803,701

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Master's-level nursing capacity ..... \$150,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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

*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

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

Restricted fees fund..... No limit

*Provided*, 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; 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; 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: *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 in the state treasury in accordance with the provisions of K.S.A. 75- 4215 and amendments thereto and shall be credited to 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 in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act — federal fund ..... No limit  
 Service clearing fund ..... No limit

*Provided*, 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

*Provided*, 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  
 Faculty of distinction matching fund ..... No limit  
 Nine month payroll clearing account fund ..... No limit  
 Federal Perkins student loan fund ..... No limit  
 Housing system revenue fund ..... No limit  
 Institutional overhead fund ..... No limit  
 Oil and gas royalties fund ..... No limit  
 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  
 Kansas distinguished scholarship fund ..... No limit  
 University federal fund ..... No limit

*Provided*, That expenditures may be made by the above agency from the university federal 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: *Provided further*, That expenditures may be made by the above agency 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.

(c) On July 1, 2006, 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 federal Perkins student loan fund.



Sec. 99.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures (including official hospitality) ..... \$107,025,187

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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

Faculty of distinction matching fund ..... No limit

General fees fund ..... No limit

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

Interest on endowment fund ..... No limit

Restricted fees fund ..... No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: 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; chemical engineering; nuclear engineering; contract-post office; 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; 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; administrative reimbursements; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; 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 in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to 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 op-

eration 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

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

Board of regents — U.S. department of education awards 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 — housing system operation fund ..... No limit

Kansas distinguished scholarship 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

University federal fund ..... No limit

*Provided*, That expenditures may be made by the above agency from the university federal 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.

(c) On July 1, 2006, 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 \$100,000 from the general fees fund to the Perkins student loan fund.

Sec. 100.

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, 2007, the following:

Operating expenditures (including official hospitality) ..... \$790,957

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Cooperative extension service (including official hospitality) ..... \$19,031,991

*Provided*, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Agricultural experiment stations (including official hospitality)..... \$30,234,014  
*Provided*, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; 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; 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; 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 in the state treasury in accordance with the provisions of K.S.A. 75- 4215 and amendments thereto and shall be credited to 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 2007.

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  
 University federal fund ..... No limit

*Provided*, That expenditures may be made by the above agency from the university federal 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.

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2007, the following:

Agricultural experiment stations..... \$300,000  
 Sec. 101.

**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, 2007, the following:

Operating expenditures (including official hospitality) ..... \$10,245,026  
*Provided*, That any unencumbered balance in the operating expenditures (including official

hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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
<i>Provided</i> , That expenditures may be made from the general fees fund to match federal grant moneys.	
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; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; animal resource center; 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 in the state treasury in accordance with the provisions of K.S.A. 75- 4215 and amendments thereto and shall be credited to 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
University federal fund .....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal 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.

(c) On July 1, 2006, 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 a total of \$15,000 from the general fees fund to the health professions student loan fund.

Sec. 102.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures (including official hospitality) .....	\$31,517,591
<i>Provided</i> , That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
Reading recovery program .....	\$242,889
Nat'l Board Cert/Future Teacher Academy .....	\$145,766

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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
<i>Provided</i> , 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 may be made from the general fees fund to match federal grant moneys.	
Interest on state normal school fund .....	No limit
Restricted fees fund .....	No limit
<i>Provided</i> , 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; gifts and grants (for teaching, research and capital improvements); business school contributions; state department of education (vocational); 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: <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 in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to 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 all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the midwestern student exchange account of the restricted fees fund.	
Service clearing fund .....	No limit
<i>Provided</i> , 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
Kansas career work study program fund .....	No limit
Student health fees fund .....	No limit
<i>Provided</i> , 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.	
Faculty of distinction matching fund .....	No limit
Bureau of educational measurements 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
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
University federal fund .....	No limit
<i>Provided</i> , That expenditures may be made by the above agency from the university federal	

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.

Leveraging educational assistance partnership federal fund ..... No limit

(c) On July 1, 2006, 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, 2006, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$28,791 from the student union account of the restricted fees fund of Emporia state university to the state general fund.

(e) On July 1, 2006, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,406 from the housing systems operations fund of Emporia state university to the state general fund.

Sec. 103.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures (including official hospitality) ..... \$34,583,136

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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

*Provided*, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund ..... No limit

*Provided*, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*, That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund ..... No limit

*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; library service collections and fines; and grants from other state agencies; *Midwest Quarterly*; chamber music series; contract — post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity — state match; Kansas career work study; regents supplemental grants; 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 in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to 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 expenditures may be made from this fund for official hospitality.

Service clearing fund .....	No limit
<i>Provided</i> , 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; photo services; telephone 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.	
Hospital and student health fees fund .....	No limit
<i>Provided</i> , 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: <i>Provided further</i> , That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.	
Suspense fund .....	No limit
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
Housing system suspense fund .....	No limit
Housing system operations fund .....	No limit
Housing system repairs, equipment and improvement fund .....	No limit
Kansas comprehensive grant fund .....	No limit
Kansas distinguished scholarship program fund .....	No limit
University federal fund .....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal 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. (c) During the fiscal year ending June 30, 2007, 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; nursing student loan fund.

Sec. 104.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures (including official hospitality) .....	\$133,844,559
<i>Provided</i> , That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	

Geological survey .....	\$6,201,915
<i>Provided</i> , That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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
Faculty of distinction matching fund .....	No limit
General fees fund .....	No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be 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 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 operations and development and for capital improvements at the Edwards campus:  
*Provided further*, That the fund may be pledged to debt service for capital improvements at the Edwards campus.

Interest fund ..... No limit

Sponsored research overhead fund ..... No limit

Law enforcement training center fund ..... No limit  
*Provided*, 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: *Provided, however*, That any academic credit granted through this program shall not be included in the university's budgeted enrollment figures: *Provided further*, 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  
*Provided*, 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  
*Provided*, 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; 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: *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 in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to 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 moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund ..... No limit  
*Provided*, 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  
*Provided*, 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
Federal Perkins loan fund .....	No limit
<i>Provided</i> , 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
Health professions student loan fund .....	No limit
Housing system suspense fund.....	No limit
Housing system revenue fund.....	No limit
Scientific research and development project — special 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
Fire service training fund.....	No limit
University federal fund .....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal 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.

Lumina foundation grant fund .....

(c) On July 1, 2006, 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.

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2007, for the water plan project or projects specified, the following:

Geological survey .....	\$40,000
-------------------------	----------

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2006, in the geological survey account is hereby reappropriated for fiscal year 2007.

(e) During the fiscal year ending June 30, 2007, the director of accounts and reports shall transfer one or more amounts specified by the chancellor of the university of Kansas from one or more accounts of the restricted fees fund to the multicultural resource center — construction fund.

Sec. 105.

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, 2007, the following:

Operating expenditures (including official hospitality) .....	\$104,434,402
---	---------------

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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.

Medical scholarships and loans .....	\$2,786,764
Cancer center .....	\$5,000,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 may be made from the general fees fund to match federal grant moneys.

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; expenses 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; e-learning fees; surplus property sales; student union fees; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; 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 for all sales, refunds and all other collections of receipts not specifically enumerated above; 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 in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to 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.

Scientific research and development — special revenue fund .....	No limit
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: Printing services; purchasing storeroom; university motor pool; clothing (uniforms); physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; graphic services; instructional services; biomedical engineering; audiovisual services; computing 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.

Educational nurse faculty loan program fund .....	No limit
Federal college work study fund .....	No limit
AMA education and research grant fund .....	No limit
Federal health professions/primary care student loan fund .....	No limit
Federal nursing student loan fund .....	No limit
Suspense fund .....	No limit

Federal student educational opportunity grant fund .....	No limit
Federal Pell grant fund .....	No limit
Federal Perkins student loan fund .....	No limit
Medical loan repayment fund .....	No limit
<i>Provided</i> , That expenditures from the medical loan repayment 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 loan repayment fund or on the total expenditures from the medical loan repayment fund.	
Graduate medical education administration reserve fund .....	No limit
University of Kansas medical center private practice foundation reserve fund .....	No limit
Robert Wood Johnson award fund .....	No limit
Federal scholarship for disadvantaged students fund .....	No limit
University federal fund .....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal 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.

(c) On July 1, 2006, 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: Federal Perkins student loan fund; federal nursing student loan fund; federal student education opportunity grant fund; federal college work study fund; educational nurse faculty loan program fund; federal health professions/primary care student loan fund.

(d) During the fiscal year ending June 30, 2007, 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. Within 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.

(e) During the fiscal year ending June 30, 2007, the director of accounts and reports shall transfer an amount specified by the chancellor prior to July 1, 2006, from the general fees fund to the student health insurance premiums account of the restricted fees fund.

(f) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2007, the following:

Telekid health care link .....	\$250,000
--------------------------------	-----------

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2006, in the telekid health care link account is hereby reappropriated for fiscal year 2007.

Sec. 106.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures (including official hospitality) .....	\$67,237,014
---	--------------

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Aviation research .....	\$2,000,000
-------------------------	-------------

*Provided*, That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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
<i>Provided</i> , That expenditures may be made from the general fees fund to match federal grant moneys: <i>Provided further</i> , That expenditures may be made from the general fees fund for official hospitality.	
Restricted fees fund.....	No limit
<i>Provided</i> , 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: <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 in the state treasury in accordance with the provisions of K.S.A. 75- 4215 and amendments thereto and shall be credited to 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 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: <i>And provided further</i> , That expenditures may be made from this fund for official hospitality.	
Service clearing fund.....	No limit
<i>Provided</i> , 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
Kansas career work study program 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
Matching education opportunity grant fund.....	No limit
Health professions student assistance program — loans fund.....	No limit
Nine month payroll clearing account fund.....	No limit
Pell grants fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system renovation principal and interest fund.....	No limit
Housing system renovation and bond reserve 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
WSU housing systems revenue fund.....	No limit
University federal fund.....	No limit
<i>Provided</i> , That expenditures may be made by the above agency from the university federal 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.	

Leveraging educational assistance partnership — federal fund..... No limit

(c) On July 1, 2006, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$40,348 from the WSU housing systems revenue fund of Wichita state university to the state general fund.

Sec. 107.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures (including official hospitality)..... \$3,257,292

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

State scholarship program..... \$1,133,199

*Provided*, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, 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: *And 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..... \$14,189,878

*Provided*, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Ethnic minority scholarship program..... \$315,213

*Provided*, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Kansas work-study program..... \$528,172

*Provided*, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, 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: *And 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..... \$186,401

*Provided*, That any unencumbered balance in the ROTC scholarship reimbursement account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Teachers scholarship program..... \$326,744

*Provided*, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

National guard educational assistance..... \$925,838

*Provided*, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Vocational scholarships..... \$121,275

*Provided*, That any unencumbered balance in the vocational scholarships account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Nursing student scholarship program..... \$443,592

*Provided*, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Optometry education program..... \$113,850

*Provided*, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Municipal university operating grant..... \$11,467,516

Postsecondary aid for vocational education..... \$24,673,603

Adult basic education..... \$1,348,998

Community college operating grant..... \$96,216,412  
 Technology equipment at community colleges and Washburn  
 university ..... \$424,077

*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.

Faculty salary enhancement ..... \$3,333,426

*Provided*, That the state board of regents is hereby authorized to transfer moneys from the faculty salary enhancement account to the appropriate account or accounts of the state general fund of any state educational institution under the control and supervision of the state board of regents: *Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the faculty salary enhancement account: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of the legislative research department.

Operating grant ..... \$7,907,875

*Provided*, That the state board of regents is hereby authorized to transfer moneys from the operating grant account to the appropriate account or accounts of the state general fund of any state educational institution under the control and supervision of the state board of regents: *Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the operating grant account: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of the legislative research department.

Payment to KPERS ..... \$1,756,004

Southwest Kansas access project ..... \$200,000

*Provided*, That any unencumbered balance in the southwest Kansas access project account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Out-district tuition off-set ..... \$6,400,000

*Provided*, That the state board of regents is hereby authorized to make expenditures from the out-district tuition off-set account for grants to community colleges and Washburn university: *Provided further*, That such grants shall be distributed in proportion to the amount of out-district tuition received by the community colleges and Washburn university.

Tuition waivers ..... \$90,000

Mathematics and science teacher service scholarship program..... \$250,000

*Provided*, That any unencumbered balance in the mathematics and science teacher service scholarship program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship repayment fund ..... No limit  
 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 through 72-6816 and amend-

ments thereto or a tuition grant under K.S.A. 72-6107 through 72-6111 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.

KAN-ED fund ..... No limit  
*Provided*, That expenditures may be made from the KAN-ED fund for official hospitality for the purposes of the KAN-ED act.

- KAN-ED federal fund ..... No limit
- 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
- Tuition waiver gifts, grants and reimbursements fund ..... No limit
- Adult basic education — federal fund ..... No limit
- Truck driver training fund ..... No limit
- No child left behind federal fund ..... 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
- Substance abuse education fund — federal ..... No limit
- Nursing service 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
- Motorcycle safety 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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the financial and services fee fund.

- Inservice education workshop fee fund ..... No limit
- Optometry education repayment fund ..... No limit
- Teacher scholarship repayment fund ..... No limit
- Advanced registered nurse practitioner service scholarship program fund ..... No limit
- Nursing service scholarship repayment fund ..... No limit
- ROTC service scholarship program fund ..... No limit
- ROTC service scholarship repayment fund ..... No limit
- Carl D. Perkins vocational and technical education — federal fund ..... No limit
- Carl D. Perkins vocational and technical education — federal fund — state operations ..... No limit
- 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 or equal to \$750,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2007 other than

moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature: *Provided, however,* That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$750,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during fiscal year 2007, other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature.

Kansas national guard educational assistance program repayment fund ..	No limit
Carl D. Perkins technical preparation — federal fund.....	No limit
Grants fund.....	No limit
Workforce development loan fund.....	No limit
Regents clearing fund.....	No limit
Private and out-of-state postsecondary educational institution fee fund ..	No limit

(c) During the fiscal year ending June 30, 2007, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2007, to another item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2007. The chief executive officer 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 legislative research department. As used in this subsection, "account" (1) means the operating expenditures (including official hospitality) account of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university; and (2) includes each account of the state general fund of the state board of regents.

(d) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2007, the following:

Vocational education capital outlay aid .....	\$2,565,000
---	-------------

*Provided,* That expenditures from the vocational education capital outlay aid account for each grant of vocational educational capital outlay aid shall be matched by the area vocational school, the area vocational-technical school or the technical college in an amount which is equal to 50% of the grant: *Provided further,* That any unencumbered balance in excess of \$100 as of June 30, 2006, in the vocational education capital outlay aid account is hereby reappropriated for fiscal year 2007.

Postsecondary aid for vocational education .....	\$6,957,162
--	-------------

*Provided,* That any unencumbered balance in excess of \$100 as of June 30, 2006, in the postsecondary aid for vocational education account is hereby reappropriated for fiscal year 2007.

Technology innovation and internship program .....	\$180,500
--	-----------

*Provided,* That any unencumbered balance in excess of \$100 as of June 30, 2006, in the technical innovation and internship program account is hereby reappropriated for fiscal year 2007.

(e) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 for such state educational institution as authorized by this or other appropriation act of the 2006 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided,* That such capital improvement projects are hereby approved for such state educational institution for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2007: *Provided, however,* That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided, further,* That the amount of the bond proceeds that may be utilized for any such capital improvement project 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, except that such approval also may be given while the legislature is in session: *And provided further*, That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such 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 payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*, That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal or greater than the cost of debt service on such bonds: *And provided further*, That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection at the beginning of the 2007 regular session of the legislature.

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

(f) In addition to other expenditures authorized to be made from the comprehensive grant program account of the state general fund for fiscal year 2007 for the awards of Kansas comprehensive grants in accordance with the provisions of K.S.A. 74-32,120 through 74-32,125, and amendments thereto, and policies and rules and regulations adopted by the state board of regents for the administration of the Kansas comprehensive grant program, expenditures shall be made from the comprehensive grant program account of the state general fund for fiscal year 2007 for awards of Kansas comprehensive grants to eligible Kansas students who are enrolling or enrolled at an institution of higher education which is accredited by the Association for Biblical Higher Education and which has its main campus or principal place of operation located in Kansas, and otherwise in accordance with and subject to the provisions of K.S.A. 74-32,120 through 74-32,125, and amendments thereto, and policies and rules and regulations adopted by the state board of regents for the administration of the Kansas comprehensive grant program.

Sec. 108.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Central administration operations and parole and postrelease supervision operations ..... \$17,375,093

*Provided*, That any unencumbered balance in the central administration operations and parole and postrelease supervision operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 central administration operations and parole and postrelease supervision operations account for official hospitality shall not exceed \$2,000.

Community corrections ..... \$15,548,912

*Provided*, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, 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 2007 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 centers and reentry programs ..... \$3,014,215

*Provided*, That any unencumbered balance in the day reporting centers and reentry pro-

grams account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, That all expenditures from the day reporting centers and reentry programs account shall be for the purposes of providing the required state match for receipt of local funds for reentry programs with the state match of two-thirds and a local match of one-third: *And provided further*, That all expenditures from the day reporting centers and reentry programs account shall be made pursuant to contracts which are hereby authorized to be entered into by the secretary of corrections with the counties of Sedgwick and Wyandotte and the city of Wichita for operation of such reentry programs.

Local jail payments ..... \$1,861,000

*Provided*, That, notwithstanding the provisions of K.S.A. 19-1930 and amendments thereto, payments by the department of corrections under subsection (b) of K.S.A. 19-1930 and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Community correctional conservation camp..... \$2,361,300

Conservation camp for female offenders ..... \$1,008,451

*Provided*, That any unencumbered balance in the conservation camp for female offenders account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

Treatment and programs ..... \$44,479,213

*Provided*, 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 ..... \$11,158,520

*Provided*, That any unencumbered balance in the Topeka correctional facility — facilities operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 Topeka correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility — facilities operations..... \$25,508,470

*Provided*, That any unencumbered balance in the Hutchinson correctional facility — facilities operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 Hutchinson correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility — facilities operations..... \$33,358,964

*Provided*, That any unencumbered balance in the Lansing correctional facility — facilities operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 Lansing correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility — facilities operations..... \$11,072,144

*Provided*, That any unencumbered balance in the Ellsworth correctional facility — facilities operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 Ellsworth correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility — facilities operations..... \$11,021,661

*Provided*, That any unencumbered balance in the Winfield correctional facility — facilities operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 Winfield correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility — facilities operations ..... \$12,829,130  
*Provided*, That any unencumbered balance in the Norton correctional facility — facilities operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 Norton correctional facility — facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility — facilities operations..... \$21,632,811  
*Provided*, That any unencumbered balance in the El Dorado correctional facility — facilities operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 El Dorado correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility — facilities operations ..... \$8,561,467  
*Provided*, That any unencumbered balance in the Larned correctional mental health facility — facilities operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 correctional mental health facility — facilities operations account for official hospitality shall not exceed \$500.

Facilities operations..... \$13,595,076  
*Provided*, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 of any moneys credited to this fund from any individual grant if the grant is: (1) Less than or equal to \$1,000,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2007 other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature: <i>Provided, however</i> , That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$1,000,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year.	
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
Violent offender incarceration and truth in sentencing incentive grants — federal fund.....	No limit
Chapter I — federal fund.....	No limit
Correctional industries fund.....	No limit

*Provided*, That expenditures may be made from the correctional industries fund for official hospitality.

Alcohol and drug abuse treatment fund..... No limit  
*Provided*, That expenditures may be made from the alcohol and drug abuse fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

State of Kansas — department of corrections inmate benefit fund .....	No limit
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 deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to this fund.	
JEHT reentry program fund .....	No limit
Sedgwick county reentry program fund .....	No limit
Wyandotte county reentry program fund .....	No limit
Topeka correctional facility — community development block grant — federal fund .....	No limit
Topeka correctional facility — bureau of prisons contract — federal fund .....	No limit
Topeka correctional facility — general fees fund .....	No limit
Hutchinson correctional facility — general fees fund .....	No limit
Lansing correctional facility — general fees fund .....	No limit
Ellsworth correctional facility — general fees fund .....	No limit
Winfield correctional facility — general fees fund .....	No limit
Norton correctional facility — general fees fund .....	No limit
El Dorado correctional facility — general fees fund .....	No limit
El Dorado correctional facility — community transition program federal fund .....	No limit
Larned correctional mental health facility — general fees fund .....	No limit

(c) During the fiscal year ending June 30, 2007, 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, 2007, 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 2007 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 director of the legislative research department.

(d) Notwithstanding the provisions of K.S.A. 75-3731 and amendments thereto or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim from the local jail payments account of the state general fund during fiscal year 2007 for costs pursuant to subsection (b) of K.S.A. 19-1930 and amendments thereto even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) On July 1, 2006, and on October 1, 2006, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$434,500 from the correctional industries fund to the department of corrections — general fees fund.

Sec. 109.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures .....	\$29,275,910
------------------------------	--------------

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*,

That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Management information systems..... \$1,107,955

*Provided*, That any unencumbered balance in the management information systems account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Kansas juvenile correctional complex facility operations..... \$14,610,879

*Provided*, That any unencumbered balance in the Kansas juvenile correctional complex facility operations account in excess of \$100 as of June 30, 2006, are hereby reappropriated to the Kansas juvenile correctional complex facility operations account for fiscal year 2007:

*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..... \$5,798,909

*Provided*, That any unencumbered balance in the Atchison juvenile correctional facility operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, 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..... \$4,285,135

*Provided*, That any unencumbered balance in the Beloit juvenile correctional facility operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 ..... \$7,939,515

*Provided*, That any unencumbered balance in the Larned juvenile correctional facility operations account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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 bidding requirements of K.S.A. 75-3739 and amendments thereto.

(b) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2007, the following:

Prevention program grant ..... \$5,414,487

*Provided*, That any unencumbered balance in the prevention program grant account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, That all expenditures by the above agency from the prevention program grant account for fiscal year 2007 shall be for prevention program grants and evaluation of prevention programs: *Provided further*, That grantees may use prevention grant funds for graduated sanctions and intervention programs with written approval from the commissioner of juvenile justice: *And Provided further*, That money awarded as grants from this account shall be distributed during fiscal year 2007 on the basis of the average amount of prevention grant awards received for the judicial district during fiscal year 2005 and fiscal year 2006: *And provided further*, That money awarded as grants from this account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Intervention and graduated sanctions community grants ..... \$3,585,513

*Provided*, That any unencumbered balance in the intervention and graduated sanctions community grants account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 accountability incentive block grant — federal fund.....	No limit
Juvenile justice delinquency prevention — federal fund.....	No limit
Juvenile detention facilities fund.....	\$4,500,000
Juvenile justice fee fund — central office.....	No limit
Juvenile justice federal fund — Atchison juvenile correctional facility....	No limit
Juvenile justice federal fund — Beloit juvenile correctional facility.....	No limit
Juvenile justice federal fund — Larned juvenile correctional facility.....	No limit
Juvenile justice federal fund — Kansas juvenile correctional complex....	No limit
Juvenile justice federal fund.....	No limit
Kansas juvenile delinquency prevention trust fund.....	No limit
Going home — federal fund.....	No limit
Byrne grant — federal fund.....	No limit
Atchison juvenile correctional facility fee fund.....	No limit
Atchison juvenile correctional facility — elementary and secondary education fund — federal.....	No limit
Beloit juvenile correctional facility fee fund.....	No limit
Beloit juvenile correctional facility — elementary and secondary education fund — federal.....	No limit
Larned juvenile correctional facility fee fund.....	No limit
Kansas juvenile correctional complex fee fund.....	No limit
Kansas juvenile correctional complex improvement fund.....	No limit
Kansas juvenile correctional complex — elementary and secondary education fund — federal.....	No limit

(d) During the fiscal year ending June 30, 2007, 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, 2007, 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 2007 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 director of the legislative research department.

(e) 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 2007, 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 2007 for purchase of services.

Sec. 110.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures.....	\$4,234,800
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: <i>Provided, however</i> , That expenditures from this account for official hospitality shall not exceed \$1,250.	
Civil air patrol — operating expenditures.....	\$27,409
Disaster relief.....	\$3,000,000
<i>Provided</i> , That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	

Military activation payments..... \$50,000

*Provided*, That all expenditures from the military activation payments account shall be for military activation payments which are hereby authorized and directed to be made in accordance with and subject to the procedures, guidelines, limitations and restrictions, including the eligibility conditions, prescribed in executive directive no. 05-356, to officers and employees of state agencies in the executive, judicial or legislative branches of state government, who are called or have been called to active military duty on or after September 11, 2001: *Provided further*, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

NG life insurance premium reimbursement..... \$390,000

Kansas military emergency relief ..... \$50,000

*Provided*, That expenditures may be made from the Kansas military emergency relief account of the state general fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account of the state general fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the Kansas military emergency relief fund.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 — federal fund.....	No limit
State disaster coordination — 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 management fee fund.....	No limit

*Provided*, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2007 pursuant to agreements which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act.

Military fees fund — federal .....

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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the military fees fund — federal.

Emergency management — federal fund .....

No limit

Homeland security federal fund.....

No limit

State emergency fund allocation — flood relief fund.....

No limit

Armories and units general fees fund.....

No limit

Emergency management — disaster fund — federal fund .....	No limit
State emergency fund allocation — several disasters fund .....	No limit
State emergency fund several disasters — summer 2004 fund .....	No limit
Radioactive materials fund .....	No limit
Hazardous materials emergency preparedness federal fund .....	No limit
Civil air patrol — grants and contributions — federal fund .....	No limit
Emergency management performance grant (EMPG) — federal fund...	No limit
NG — federal forfeiture fund .....	No limit
Inaugural expense fund .....	No limit
Indirect cost — federal fund .....	No limit
Kansas military emergency relief fund .....	No limit

*Provided*, That expenditures may be made from the Kansas military emergency relief fund for grants and interest — free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the Kansas military emergency relief fund.

National guard life insurance premium reimbursement fund .....	No limit
Emergency management assistance compact federal fund .....	No limit

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2006 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007, notwithstanding the provisions of K.S.A. 48-205 and amendments thereto or any other statute, in addition to other positions within the adjutant general's department in the unclassified service as prescribed by law: *Provided*, That the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*, That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general 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 2007 made by this or other appropriation act of the 2006 regular session of the legislature.

(d) On July 1, 2006, the emergency management — fee fund of the adjutant general is hereby redesignated as the emergency management — federal fund of the adjutant general.

(e) On July 1, 2006, the emergency management indirect cost fee fund of the adjutant general is hereby redesignated as the indirect cost — federal fund of the adjutant general.

Sec. 111.

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, 2007, 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.....	\$3,278,087
<i>Provided</i> , That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$500.	
Other federal grants fund.....	No limit
<i>Provided</i> , 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 or equal to \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2007 other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature: <i>Provided, however</i> , That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$250,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year.	
Gifts, grants and donations fund.....	No limit
Hazardous material program fund.....	\$382,076
Intragovernmental service fund.....	No limit
Liquified petroleum gas fee fund.....	\$152,478
Hazardous materials emergency fund.....	\$250,000

*Provided*, That expenditures may be made by the state fire marshal from the hazardous materials emergency fund for fiscal year 2007 for the purposes of responding to specific incidences of emergencies related to hazardous materials without prior approval of the state finance council: *Provided, however*, That expenditures from the hazardous materials emergency fund during fiscal year 2007 for the purposes of responding to any specific incidence of an emergency related to hazardous materials without prior approval by the state finance council shall not exceed \$25,000, except 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.

(b) On July 1, 2006, and January 1, 2007, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$139,668 from the fire marshal fee fund to the hazardous materials program fund of the state fire marshal.

(c) During the fiscal year ending June 30, 2007, 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 2007, 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 2007 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2007 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 2007 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

Sec. 112.

**KANSAS PAROLE BOARD**

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Parole from adult correctional institutions.....	\$444,488
--	-----------

*Provided*, That any unencumbered balance in the parole from adult correctional institutions account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Sec. 113.

**KANSAS HIGHWAY PATROL**

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures ..... \$33,861,169

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: 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 operating expenditures account for official hospitality shall not exceed \$3,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 all 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, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the general fees 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 replacement 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 all proceeds from the sale of personal sidearms and trigger locks to such resigning troopers and other sworn officers shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the general fees fund.

Homeland security 2005 — federal fund ..... No limit

Homeland security 2006 — federal fund ..... No limit

Homeland security 2007 — federal fund ..... No limit

For patrol of Kansas turnpike fund ..... No limit

Provided, That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225 and amendments thereto.

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 state fund ..... No limit

Provided, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225 and amendments thereto.

Motor carrier safety assistance program — federal fund ..... No limit

Provided, That expenditures shall be made from the motor carrier safety assistance program — federal fund for necessary moving expenses in accordance with K.S.A. 75-3225 and amendments thereto.

COPS grant — federal 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 agencies, local government agencies and not-for-profit organizations: *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 agencies, local government agencies and not-for-profit organizations: *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 agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the highway patrol training center clearing fund.

Aircraft fund — on budget .....	No limit
Highway safety fund .....	No limit
Capitol area security fund .....	No limit
Vehicle identification number fee fund.....	No limit
Motor vehicle fuel and storeroom sales fund.....	No limit

*Provided*, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol operations fund .....	\$17,240,790
---	--------------

*Provided*, That expenditures may be made from the Kansas highway patrol operations fund 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: *Provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225 and amendments thereto.

Highway patrol training center fund.....	No limit
Executive aircraft fund .....	No limit

*Provided*, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*, That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such 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 the executive aircraft fund.

1122 program clearing fund .....	No limit
Special services fund.....	No limit

(c) On or before the 10th of each month during the fiscal year ending June 30, 2007, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(d) On July 1, 2006, and January 1, 2007, the director of accounts and reports shall transfer \$658,318.50 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program state fund of the Kansas highway patrol.

(e) On July 1, 2006, October 1, 2006, January 1, 2007, and April 1, 2007, the director of accounts and reports shall transfer \$4,371,802 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2007 and notwithstanding the provisions of K.S.A. 68-416 and amendments

thereto or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2007 for support and maintenance of the Kansas highway patrol.

(f) On July 1, 2006, 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, 2006, the director of accounts and reports shall transfer \$326,000 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.

(h) On March 1, 2007, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-2136 and amendments thereto or any other statute, the director of accounts and reports shall transfer \$400,000 from the Kansas highway patrol motor vehicle fund to the aircraft fund — on budget of the Kansas highway patrol.

(i) On July 1, 2006, October 1, 2006, January 1, 2007, and April 1, 2007, the director of accounts and reports shall transfer \$8,639,668 from the state highway fund of the department of transportation to the state general fund. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2007 and notwithstanding the provisions of K.S.A. 68-416 and amendments thereto or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2007 for the support and maintenance of the Kansas highway patrol.

Sec. 114.

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, 2007, the following:

Operating expenditures ..... \$15,504,323

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated to the operating expenditures account for fiscal year 2007: *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 operating expenditures account for official hospitality shall not exceed \$750.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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

*Provided*, That the above agency is authorized to make expenditures from the Kansas bureau of investigation federal grants fund of any moneys credited to this fund from any individual federal grant if the grant is less than or equal to \$500,000 in the aggregate and the grant does not require the matching expenditure of any moneys in the state treasury during the current or any ensuing fiscal year, other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$500,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year not appropriated by this or other appropriation act of the 2006 regular session of the legislature.

High intensity drug trafficking area — federal fund ..... No limit  
Private detective fee fund ..... \$37,724  
Kansas bureau of investigation motor vehicle fund ..... No limit

*Provided*, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*, That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of

K.S.A. 75-4215 and amendments thereto and shall be credited to the Kansas bureau of investigation motor vehicle fund.

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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the forensic laboratory and materials fee 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; and (6) conducting agency operations: *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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the KBI general fees 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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the KBI general fees 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 gov-

ernment agencies and private organizations: *Provided, however*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the 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.

Intergovernmental service fund ..... No limit  
Sec. 115.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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:

Rural health options grant fund ..... No limit  
Rural access to emergency devices grant — federal fund ..... No limit  
Emergency medical services operating fund ..... \$1,491,859

*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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the emergency medical services operating fund: *And provided further*, That, notwithstanding any provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute to the contrary, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*, That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$1,000.

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the board of emergency medical services operating fund for fiscal year 2007 by this or other appropriation act of the 2006 regular session of the legislature, expenditures may be made by the emergency medical services board from the board of emergency medical services operating fund for fiscal year 2007 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants, instructor-coordinators and training officers: *Provided further*, That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants, instructor-coordinators and training officers: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants, instructor-coordinators and training officers who are obtaining a post-secondary education degree.

Sec. 116.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures ..... \$603,379

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Substance abuse treatment programs ..... \$8,850,000

*Provided*, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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
Statistical analysis — federal fund .....	No limit

Sec. 117.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures .....	\$11,003,138
------------------------------	--------------

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided, however*, That expenditures from such reappropriated balance shall be made only 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 \$5,000: *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, 2007, 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 fee fund .....	No limit
Meat and poultry inspection fee fund .....	No limit
Wheat quality survey fund .....	No limit
Entomology fee fund .....	No limit
Laboratory equipment fund .....	No limit
Water structures — state highway fund .....	\$96,077
Soil amendment fee fund .....	No limit
Agricultural liming materials fee fund .....	No limit
Weights and measures fee fund .....	No limit
Water appropriation certification fund .....	\$373,625
Water resources cost fund .....	No limit

*Provided*, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 2005 Supp. 82a-761 through 82a-773 and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the water resources cost fund.

Agriculture seed fee fund .....	No limit
Chemigation fee fund .....	No limit
Agriculture statistics fund .....	No limit
Petroleum inspection fee fund .....	No limit
Water transfer hearing fund .....	No limit
Grain commodity commission services fund .....	No limit
Kansas agricultural remediation board fund .....	No limit
Kansas agricultural remediation fund .....	No limit
Warehouse fee fund .....	No limit
U.S. geological survey cooperative gauge agreement grants fund .....	No limit

*Provided*, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*, That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the U.S. geological survey cooperative gauge agreement grants 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 gauges.

Computer services fund .....	No limit
Agricultural chemical fee fund .....	No limit
Feeding stuffs fee fund .....	No limit
Fertilizer fee fund .....	No limit
Plant pest emergency response fund .....	No limit
Pesticide use fee fund .....	No limit
Geographic information system fee fund .....	No limit
Egg fee fund .....	No limit
Fertilizer/pesticide compliance admin fund .....	No limit
Water structures fund .....	\$136,060
Meat and poultry inspection fund — federal .....	No limit
EPA pesticide performance partnership grant fund .....	No limit
FEMA dam safety fund .....	No limit
FEMA dam safety No. 2 fund .....	No limit
FEMA stream mapping fund .....	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
Speciality crop block grant 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 informational or educational materials related to the programs or functions of the Kansas department of agriculture: *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 such materials: *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 such materials: *And provided further*, That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non- federal source for the printing, publication and distribution of such materials: *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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the publications fee fund.

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 or equal to \$500,000 in the aggregate, and (2) does not require the matching expenditure of any moneys in the state treasury during fiscal year 2007 other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$500,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during fiscal year 2007, other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature: *Provided further*, That no grant for the farmers' assistance, counseling and training program shall be deposited to the credit of this fund.

Civil litigation fee fund .....

No limit

*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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the fund by the attorney general.



Information technology fund ..... No limit  
 Food safety fund ..... No limit

*Provided*, That expenditures may be made from the food safety 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 agriculture 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 remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215 and amendments thereto, deposited in the state treasury and shall be credited to the food safety fund: *And provided further*, That the secretary of agriculture is hereby authorized to make expenditures from the food safety fund for contracts or other agreements with local governments to inspect food service, food processing, grocery or other facilities for which the department of agriculture has inspection authority.

Gifts and donations fund ..... No limit

*Provided*, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the gifts and donations fund.

General fees fund ..... No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the secretary of agriculture is hereby authorized to fix, charge and collect fees in order to recover all or part of the costs incurred for such regulatory program activities and for official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for the regulatory program activity or official hospitality for which such fees are imposed: *And provided further*, That all amounts received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the general fees fund: *And provided further*, That the authority to fix, charge and collect such fees shall not authorize the secretary of agriculture to increase or otherwise change any fee authorized or fixed by any other statute or to fix, charge or collect any new or additional fees for any regulatory program of the Kansas department of agriculture for which fees are authorized or fixed by any other statute.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2007, for the water plan project or projects specified, the following:

Subbasin water resources management .....	\$667,474
Water use.....	\$71,121
Compliance water model .....	\$1,232,139

Any unencumbered balance in excess of \$100 as of June 30, 2006, in each of the following accounts is hereby reappropriated for fiscal year 2006: Floodplain management; interstate water issues; water appropriation subprogram.

(d) During the fiscal year ending June 30, 2007, the secretary of agriculture, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2007 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2007 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to (1) the director of the legislative research department, (2) the chairperson of the house of representatives agriculture and natural resources budget committee, and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2006, the director of accounts and reports shall transfer \$96,077 from the state highway fund of the department of transportation to the water structures — state highway fund of the Kansas department of agriculture.  
Sec. 118.

KANSAS ANIMAL HEALTH DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures ..... \$655,524

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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, 2007, 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

*Provided*, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Animal dealers fee fund ..... No limit

*Provided*, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300: *Provided further*, That expenditures shall be made from the animal dealers fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment in as authorized by K.S.A. 2005 Supp. 47-1707 and amendments thereto to be provided through the internet or printed booklets.

Veterinary inspection fee fund ..... No limit

Livestock market brand inspection fee fund ..... No limit

Livestock brand fee fund ..... No limit

*Provided*, That expenditures from the livestock brand fee fund for official hospitality shall not exceed \$250.

Livestock brand emergency revolving fund ..... No limit

County option brand fee fund ..... No limit

Livestock and pseudorabies indemnity fund ..... No limit

Legal services fund ..... No limit

*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.

Disease control fund — federal ..... No limit

Animal donation fund ..... No limit

*Provided*, That all moneys received to reimburse the Kansas animal health department for expenditures resulting from veterinary care provided to dogs seized in Anderson county on October 12, 2004, shall be deposited in the state treasury to the credit of the animal donation fund and shall be expended from the fund for such purpose.

(c) During the fiscal year ending June 30, 2007, as certified by the livestock commissioner of the Kansas animal health department, the director of accounts and reports shall transfer \$7,906 from the animal disease control fund to the state general fund to reimburse the state general fund for the 27th payroll chargeable to fiscal year 2006.

Sec. 119.

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, 2007, 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
<i>Provided</i> , That expenditures from the state fair fee fund for official hospitality shall not exceed \$10,000.	
State fair federal transfer fund.....	No limit
State fair special cash fund.....	No limit
State fair debt service special revenue fund.....	No limit

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

State fair debt service.....	\$1,547,251
------------------------------	-------------

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2007, the following:

Ticket marketing.....	\$50,000
Premiums competitive exhibitors.....	\$20,000
Largest classroom.....	\$19,960

Sec. 120.

STATE CONSERVATION COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures.....	\$855,987
-----------------------------	-----------

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *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, 2007, 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:

Agency motor pool fund.....	No limit
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
Buffer participation incentive fund.....	No limit
Riparian participation incentive fund.....	No limit
NRCS contribution agreement 2002 farm bill — federal fund.....	No limit
Environmental improvement incentives fund.....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2007, for the following water plan project or projects specified, the following:

Water resources cost share.....	\$3,412,218
---------------------------------	-------------

*Provided*, That any unencumbered balance in the land treatment cost share account in excess of \$100 as of June 30, 2006, is hereby reappropriated to the water resources cost share account for fiscal year 2007: *Provided further*, That expenditures from the water resources 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: *And provided further*, That an amount of not to exceed \$2,661,967 of the initial allocation among conservation districts for such grants for fiscal year 2007 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 2007 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 6% of the approved budget amount for fiscal year 2007 for the land treatment cost share programs account.

Nonpoint source pollution assistance .....	\$2,757,520
<i>Provided</i> , That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
Conservation district aid.....	\$1,048,000
<i>Provided</i> , That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
Watershed dam construction .....	\$601,499
<i>Provided</i> , That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: <i>Provided further</i> , That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the state conservation commission: <i>Provided, however</i> , That expenditures from this account for such engineering contracts for watershed planning shall not exceed \$50,000.	
Kansas water quality buffer initiatives .....	\$307,157
<i>Provided</i> , That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: <i>Provided further</i> , 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: <i>And provided further</i> , That such expenditures may be made from this account from the approved budget amount for fiscal year 2007 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: <i>Provided, however</i> , That expenditures from this account for contractual educational and technical assistance for fiscal year 2007 shall not exceed \$40,000.	
Riparian and wetland program .....	\$186,782
<i>Provided</i> , That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
Multipurpose small lakes program .....	\$1,100,000
<i>Provided</i> , That expenditures shall be made from the multipurpose small lakes program account for the construction of horsethief reservoir.	
Water rights purchase .....	\$398,120
Lake restoration.....	\$335,000
Salt cedar demonstration projects.....	\$65,000

(d) During the fiscal year ending June 30, 2007, the executive director of the state conservation commission, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2007 from the state water plan fund for the state conservation commission to another item of appropriation for fiscal year 2007 from the state water plan fund for the state conservation commission: *Provided*, That the executive director of the state conservation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to (1) the director of the legislative research department, (2) the chairperson of the house of representatives agriculture and natural resources budget committee, and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2006, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$150,000 from the wildlife fee fund of the department of wildlife and parks to the buffer participation incentive fund of the state conservation commission.

(f) On July 1, 2006, the land treatment cost share account of the state water plan fund of the state conservation commission is hereby redesignated as the water resources cost share account of the state water plan fund of the state conservation commission.

Sec. 121.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Water resources operating expenditures .....	\$2,159,085
<i>Provided</i> , That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007:	

*Provided, however,* 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, 2007, 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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to 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, Big Hill or Hillsdale reservoirs during fiscal year 2007, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 *et seq.*, and amendments thereto, to supply water to users which is not held under contract in such reservoirs.

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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the general fees 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, 2007, for the state water plan project or projects specified, the following:

Assessment and evaluation .....	\$884,011
---------------------------------	-----------

*Provided,* That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

GIS data base development .....	\$247,405
---------------------------------	-----------

*Provided,* That any unencumbered balance in the GIS data base development account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

MOU — storage operations and maintenance .....	\$409,132
<i>Provided</i> , That any unencumbered balance in the MOU — storage operations and maintenance account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
PMIB loan payment for storage.....	\$237,945
Technical assistance to water users .....	\$266,150
Water resource education .....	\$84,000
Weather modification program.....	\$120,000
Weather stations .....	\$60,000

Any unencumbered balance in excess of \$100 as of June 30, 2006, in each of the following accounts is hereby reappropriated for fiscal year 2006: Stream gaging program; water planning process; Kansas water authority.

(d) During the fiscal year ending June 30, 2007, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2007 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2007 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 (1) the director of the legislative research department, (2) the chairperson of the house of representatives agriculture and natural resources budget committee, and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2007, 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 director of legislative research department.

(f) During the fiscal year ending June 30, 2007, 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 a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each 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 such loan shall be made unless the terms thereof have been approved by the director of the budget. A copy of the terms of each such 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 each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(g) During the fiscal year ending June 30, 2007, 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 increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved 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. 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 each such 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 to 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.

(h) During the fiscal year ending June 30, 2007, 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, 2007, 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.

(i) During the fiscal year ending June 30, 2007, the amount transferred to the water conservation project reserve account of the state water plan fund pursuant to subsection 76(e) of chapter 206 of the 2005 Session Laws of Kansas and any additional amount or amounts transferred to the water conservation project reserve account of the state water plan fund pursuant to this or other appropriation act of the 2006 regular session of the legislature shall be reserved for use for water conservation projects as prescribed by subsection (a)(2) of K.S.A. 82a-1801 and amendments thereto no moneys shall be transferred from the water conservation project reserve account of the state water plan fund to any other fund in the state treasury and no expenditures shall be authorized or made from the water conservation project reserve account of the state water plan fund by any state agency, except upon specific authorization therefor by appropriation act of the legislature: *Provided*, That all amounts transferred to the water conservation project reserve account of the state water plan fund pursuant to subsection 76(e) of chapter 206 of the 2005 Session Laws of Kansas or pursuant to provisions of this or other appropriation act of the 2006 regular session of the legislature shall be reserved for use for water conservation projects as prescribed by subsection (a)(2) of K.S.A. 82a-1801 and amendments thereto: *Provided further*, That the state finance council shall have no authority to approve any transfer of moneys from the water conservation project reserve account of the state water plan fund, to authorize or approve any expenditure of moneys from the water conservation project reserve account of the state water plan fund, or to increase any expenditure limitation on the water conservation project reserve account of the state water plan fund: *And provided further*, That no expenditures shall be authorized or made from the water conservation project reserve account of the state water plan fund by any state agency, except upon specific authorization therefor by appropriation act of the legislature.

(j) During the fiscal years ending June 30, 2006, and June 30, 2007, notwithstanding the provisions of K.S.A. 82a-1801, and amendments thereto, or any other statute, the director of accounts and reports shall maintain the water conservation project reserve account of the state water plan fund into which \$4,842,212, which was part of the amount recovered by the state of Kansas from a settlement, judgment or decree in the litigation commenced in 1985 by the state of Kansas against the state of Colorado, was transferred and credited pursuant to section 76(e) of chapter 206 of the 2005 Session Laws of Kansas: *Provided further*, That the water conservation project reserve account of the state water plan fund is hereby specifically continued as a separate reserve account within the state water plan fund: *And provided further*, That the amount transferred to the water conservation project reserve account of the state water plan fund pursuant to section 76(e) of chapter 206 of the 2005 Session Laws of Kansas shall be reserved for use for water conservation projects as prescribed by subsection (a)(2) of K.S.A. 82a-1801 and amendments thereto: *And provided further*, That the state finance council shall have no authority to approve any transfer of moneys from the water conservation project reserve account of the state water plan fund,

to authorize or approve any expenditure of moneys from the water conservation project reserve account of the state water plan fund, or to increase any expenditure limitation on the water conservation project reserve account of the state water plan fund: *And provided further*, That no expenditures shall be authorized or made from the water conservation project reserve account of the state water plan fund by any state agency, except upon specific authorization therefor by appropriation act of the legislature.

(k) In addition to the other purposes for which expenditures may be made by the Kansas water office from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 by this or other appropriation act of the 2006 regular session of the legislature, expenditures shall be made by the Kansas water office from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 to negotiate and enter into an agreement with ground water management district #5 for the purchase of water rights along the rattlesnake creek for the purposes of stream flow augmentation.

Sec. 122.

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, 2007, the following:

Operating expenditures .....	\$3,282,506
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: <i>Provided, however</i> , That expenditures from this account for official hospitality shall not exceed \$1,000.	
State parks operating expenditures .....	\$800,000
<i>Provided</i> , That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
Prairie spirit trail operating expenditures .....	\$80,000
Reimbursement for annual licenses issued to national guard members...	\$60,000
<i>Provided</i> , That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2007 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses: <i>Provided, however</i> , That no other hunting or fishing licenses or permits shall be eligible to be paid from this account: <i>Provided further</i> , That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.	
Reimbursement for annual park permits issued to national guard members .....	\$206,000

*Provided*, That all moneys in the reimbursement for annual park vehicle permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2007 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park vehicle permits issued to national guard members account to pay the parks fee fund for such permits: *Provided, however*, That not more than one annual park vehicle permit per family shall be eligible to be paid from this account: *Provided further*, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 .....	\$18,824,955
<i>Provided</i> , That additional expenditures may be made from the wildlife fee fund for fiscal year 2007 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: <i>Provided further</i> , That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2007: <i>And provided further</i> , That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate: <i>And provided further</i> , That expenditures from this fund for official hospitality shall not exceed \$1,000.	
Parks fee fund .....	\$5,407,660
<i>Provided</i> , That additional expenditures may be made from the parks fee fund for fiscal year 2007 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: <i>Provided further</i> , That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2007: <i>And provided further</i> , That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.	
Boating fee fund .....	\$857,568
<i>Provided</i> , That additional expenditures may be made from the boating fee fund for fiscal year 2007 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: <i>Provided further</i> , That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2007: <i>And provided further</i> , That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate: <i>And provided further</i> , That expenditures from this fund for official hospitality shall not exceed \$1,000.	
Central aircraft fund .....	No limit
<i>Provided</i> , 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: <i>Provided further</i> , 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: <i>And provided further</i> , That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: <i>And provided further</i> , That all fees received for such services shall be credited to the central aircraft fund.	
Wildlife and parks nonrestricted fund .....	No limit
<i>Provided</i> , 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 in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the wildlife and parks nonrestricted fund: <i>Provided further</i> , 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
Nongame wildlife improvement fund — federal .....	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
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 or equal to \$750,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2007 other than moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$750,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year: *Provided further*, That, subject to the provisions of the other provisos prescribing guidelines for authority to make expenditures from the other federal grants fund, expenditures may be made from the other federal grants fund for capital improvements.

Suspense fund.....	No limit
Employee maintenance deduction clearing fund.....	No limit
Cabin revenue fund.....	No limit
Wildlife conservation fund — federal.....	No limit
Boating fund — federal.....	No limit
Wildlife fund — federal.....	No limit
Feed the hungry fund.....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2007, the following:

Stream monitoring.....	\$40,000
Almena water district.....	\$120,000

(d) During the fiscal year ending June 30, 2007, 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 2007 by this or other appropriation act of the 2006 regular session of the legislature to close any state park listed in K.S.A. 32-837, and amendments thereto, unless specifically authorized by appropriation or other act of the legislature enacted during the 2007 regular session: *Provided further*, That the secretary of wildlife and parks shall not close any state park listed in K.S.A. 32-837, and amendments thereto, unless specifically authorized by appropriation or other act of the legislature enacted during the 2007 regular session.

Sec. 123. During the fiscal year ending June 30, 2007, no moneys appropriated from the state general fund or any special revenue fund shall be expended by any state agency named in this or other appropriation act of the 2006 regular session of the legislature for the purchase or other acquisition of any seed, forage or mulch that is not certified by the Kansas department of agriculture in accordance with a memorandum of understanding entered into by the Kansas department of agriculture and the North American weed management association that such seed, forage or mulch meets the standards set forth in the North American weed management forage program: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department of agriculture from moneys appropriated by this or other appropriation act of the 2006 regular session of the legislature from the state general fund or any special revenue funds for fiscal year 2007, expenditures shall be made by the Kansas department of agriculture to provide for staff members of the Kansas department of agriculture, who are qualified to certify seed, forage and mulch to meet any additional or supplemental certification requirements of state agencies, to assist any such additional or supplemental certifications as may be required by any other state agency.

Sec. 124.

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, 2007, 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
-------------------------	----------

*Provided*, That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.

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
Transportation revolving 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, 2007, 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 the interagency motor vehicle fuel sales fund.

Coordinated public transportation assistance fund.....	No limit
Public use general aviation airport development fund.....	No limit
Highway bond proceeds fund.....	No limit
Communication system revolving fund.....	No limit
Other federal grants fund.....	No limit

*Provided*, That no moneys received by the department of transportation that are highway trust funds or moneys that are received by the department of transportation under federal grants received on an ongoing basis shall be credited to the other federal grants fund: *Provided, however*, That the secretary of transportation may transfer moneys between the other federal grants fund and the state highway fund.

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2007, from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2007 other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Agency operations.....	\$258,347,800
------------------------	---------------

*Provided*, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$4,000: *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
----------------------	----------

*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
Claims.....	No limit
Payments for city connecting links.....	\$3,360,000

Federal local aid programs .....	No limit
Pre-1992 bond services fees .....	No limit
Construction, remodeling and special maintenance projects for buildings .....	\$0

*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, 2006, 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 2007.

Other capital improvements .....	No limit
----------------------------------	----------

*Provided*, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2007, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2007 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings — rehabilitation and repair .....	\$2,596,662
Buildings — reroofing .....	\$326,726
Buildings — equipment storage sheds .....	\$478,802
Buildings — renovate district five crew building .....	\$405,000
Buildings — tuck-point Pittsburg area office .....	\$120,940
Buildings — tuck-point district one office Topeka .....	\$105,000
Buildings — Pave KHP — Chanute CDL parking lot .....	\$112,650
Buildings — replace district two materials lab .....	\$863,000
Buildings — update district four paint booth .....	\$168,000
Buildings — purchase various lands .....	\$75,000

(d) During the fiscal year ending June 30, 2007, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2007 from the state highway fund for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2007 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation 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) On April 1, 2007, 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.

(f) During the fiscal year ending June 30, 2007, 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.

(g) Any payment for services during the fiscal year ending June 30, 2007, 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, 2007.

(h) For the fiscal year ending June 30, 2007, 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. 68-2314a *et seq.*, and amendments thereto: *Provided*, That 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.

(i) *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, 2007, by the department of transportation for the following purposes: (A) Salary bonus payments and the cost of non-monetary awards in accordance with the provisions of K.S.A. 2005 Supp. 75-37,105 and amendments thereto, (B) purchase or other acquisition of technology equipment which was included in the budget estimates for fiscal year 2007 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 fiscal year 2007 shall be in addition to any expenditure limitation imposed on the agency operations account of the state highway fund for fiscal year 2007: *Provided, however*, That the total amount of such expenditures from the agency operations account of the state highway fund for fiscal year 2007 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 2007 for agency operations, as determined by the director of accounts and reports: *Provided further*, That the total cost of all such non-monetary awards to any individual employee during fiscal year 2007 under this subsection shall not exceed \$3,500: *And provided further*, That the total amount of any salary bonus payments to any individual employee during fiscal year 2007 pursuant to subsection (g)(1)(A) of K.S.A. 2005 Supp. 75-37,105 and amendments thereto shall not exceed \$3,500: *And provided further*, That the provisions of this subsection (i)(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, 2006, in any account of any special revenue fund of the department of transportation, which was appropriated by subsection (i)(2) of section 145 of chapter 174 of the 2005 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2006 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2007, for the purposes authorized in subsection (i)(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, 2007.

(3) No salary bonus payment paid pursuant to this subsection (i) during fiscal year 2007 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.

(j) On and after the effective date of this act, during the fiscal year ending June 30, 2007, in addition to the other purposes for which expenditures may be made by the department of transportation and the department of administration from the moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 by this or other appropriation act of the 2006 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures shall be made by the department of transportation and the department of administration from the moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 to adopt policies and procedures for use by officers and employees of the department of transportation to facilitate and provide for automatic issuance of purchasing contract waivers or exemptions to permit each subarea shop of the department of transportation to purchase automotive parts and supplies from vendors other than those prescribed in existing purchasing contracts in those cases when vendors prescribed in existing purchasing contracts are not located within the five-digit zip code of the subarea shop.

Sec. 125. *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, 2007, made in this or other appropriation act of the 2006 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.....	94.50
Secretary of State .....	54.00
State Treasurer.....	55.50
Insurance Department.....	146.70
<i>Provided</i> , 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 2007 for the department of insurance.	
Department of Commerce .....	426.10
Health Care Stabilization Fund Board of Governors .....	16.00
Judicial Council .....	4.00
Kansas Human Rights Commission.....	34.00
State Corporation Commission.....	214.00
Citizens' Utility Ratepayer Board .....	3.00
Department of Administration .....	759.53
State Board of Tax Appeals.....	26.00
Department of Revenue.....	1,146.00
Kansas Lottery .....	87.00
Kansas Racing and Gaming Commission — state racing operations .....	43.00
Kansas Racing and Gaming Commission — state gaming agency.....	24.00
Department of Labor.....	601.23
Kansas Commission on Veterans Affairs .....	557.80
Department of Health and Environment — Division of Health .....	416.70
Department of Health and Environment — Division of Environment .....	462.30
Department on Aging.....	208.00
Department of Social and Rehabilitation Services .....	3,670.61
Kansas Neurological Institute .....	575.20
Larned State Hospital .....	954.20
Osawatomie State Hospital.....	398.60
Parsons State Hospital and Training Center.....	467.20
Rainbow Mental Health Facility .....	115.20
Kansas, Inc. ....	4.50
Kansas Guardianship Program .....	12.00
State Library .....	27.00
Kansas Arts Commission .....	8.00
Kansas State School for the Blind.....	93.50
Kansas State School for the Deaf .....	173.50
State Historical Society .....	134.00
State Board of Regents .....	57.50
Department of Corrections.....	3,107.70
Juvenile Justice Authority.....	627.50
Adjutant General.....	217.00
State Fire Marshal .....	51.00
Kansas Parole Board.....	3.00
Attorney General — Kansas Bureau of Investigation .....	213.00
Emergency Medical Services Board .....	13.00
Kansas Sentencing Commission.....	8.00
Kansas Department of Agriculture.....	308.50
Kansas Animal Health Department.....	33.00
State Fair Board .....	24.00
State Conservation Commission.....	13.00

Kansas Water Office .....	22.50
Department of Wildlife and Parks .....	407.50
Department of Transportation .....	3,237.50

(b) During the fiscal year ending June 30, 2007, 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, 2007, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions, for the Kansas bureau of investigation that are paid from appropriations for the attorney general — Kansas bureau of investigation for fiscal year 2007 made in this or other appropriation act of the 2006 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 2007 for the attorney general — Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent 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. 126. *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, 2007, for any state agency named in this act for the following purposes: (1) Salary bonus payments and the cost of non-monetary awards in accordance with the provisions of K.S.A. 2005 Supp. 75-37,105 and amendments thereto, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for fiscal year 2007 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 fiscal year 2007 shall not exceed the amount equal to 50% of the amount of the unencumbered balance as of June 30, 2006, in such account of the state general fund that is reappropriated for fiscal year 2007 and that is in excess of the amount authorized to be expended for fiscal year 2007 from such reappropriated balance, as determined by the director of accounts and reports: *Provided further,* That the total cost of all such non-monetary awards to any individual employee during fiscal year 2007 that are paid under this subsection plus any amount paid for such awards under subsection (b) shall not exceed \$3,500: *And provided further,* That the total amount of any salary bonus payments to any individual employee pursuant to subsection (g)(1)(A) of K.S.A. 2005 Supp. 75-37,105 and amendments thereto during fiscal year 2007 that are paid under subsection (b) or this subsection shall not exceed \$3,500: *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 2007 shall be in addition to any expenditure limitation imposed on expenditures from the reappropriated balance in any such account for fiscal year 2007.

(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, 2007, for a state agency named in this act for the following purposes: (1) Salary bonus payments and the cost of non-monetary awards in accordance with the provisions of K.S.A. 2005 Supp. 75-37,105 and amendments thereto, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for fiscal year 2007 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 fiscal year 2007 shall be in addition to any expenditure limitation imposed on such fund or any account thereof for fiscal year 2007: *Provided, however*, That the total amount of such expenditures from such fund for fiscal year 2007 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 2006 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 cost of all such non-monetary awards to any individual employee during fiscal year 2007 that are paid under this subsection plus any amount paid for such awards under subsection (a) shall not exceed \$3,500: *And provided further*, That the total amount of any such salary bonus payments to any individual employee pursuant to subsection (g)(1)(A) of K.S.A. 2005 Supp. 75-37,105 and amendments thereto during fiscal year 2007 that are paid under subsection (a) or this subsection shall not exceed \$3,500: *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, 2006, 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 147 of chapter 174 of the 2005 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2006 regular session of the legislature, is hereby reappropriated for the fiscal year ending June 30, 2007, and may be expended for the purposes authorized in subsection (a).

(2) Any unencumbered balance in excess of \$100 as of June 30, 2006, 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 147 of chapter 174 of the 2005 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2006 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2007, and may be expended for the purposes authorized or specified in subsection (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 2007.

(d) No salary bonus payment paid pursuant to this section during fiscal year 2007 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 79 of chapter 174 of the 2005 Session Laws of Kansas or to the department of transportation.

Sec. 127. (a) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2006 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 as authorized by this or other appropriation act of the 2006 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 to provide a military pay differential for officers or employees of the state agency who are called or have been called to active military duty on or after September 11, 2001: *Provided, however*, That all such expenditures shall be made in accordance with and subject to the procedures, guidelines, limitations and restrictions, including the eligibility conditions, prescribed in executive directive no. 05-356.

(b) As used in this section, "state agency" means any state agency in the executive branch, legislative branch or judicial branch of state government.

Sec. 128. (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, 2007, expenditures shall be made by the governor's department from the governor's department account of the state general fund for fiscal year 2007 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 \$4,072.67 per biweekly pay period for each biweekly pay period commencing on or after June 18, 2006, which is chargeable to fiscal year 2007: *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 18, 2006, and which are chargeable to fiscal year 2007.

(b) (1) 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, 2007, expenditures shall be made by the lieutenant governor from the operations account of the state general fund for fiscal year 2007 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 \$1,151.94 per biweekly pay period for each biweekly pay period commencing on or after June 18, 2006, which is chargeable to fiscal year 2007: *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 18, 2006, and which are chargeable to fiscal year 2007.

(2) 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, 2007, expenditures shall be made by the lieutenant governor from the operations account of the state general fund for fiscal year 2007 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the lieutenant governor to the lieutenant governor at the rate prescribed by subsection (a)(1) of K.S.A. 75-3103 and amendments thereto, an aggregate amount of allowance of \$73.56 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2007 and for each of the 25 ensuing two-week periods thereafter as reimbursement for expenses which are chargeable to fiscal year 2007, notwithstanding the provisions of subsection (a)(1) of K.S.A. 75-3103 and amendments thereto: *Provided*, That all expenditures under this subsection (b)(2) for such purposes shall be made in the same manner that such allowance is payable to the lieutenant governor for such two-week periods for which such allowance is payable in accordance with subsection (a)(1) of K.S.A. 75-3103 and amendments thereto and which are chargeable to fiscal year 2007.

(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 and one or more special revenue funds for the fiscal year ending June 30, 2007, expenditures shall be made by the secretary of state from the operating expenditures account of the state general fund and one or more special revenue funds for fiscal year 2007 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 \$3,163.85 per biweekly pay period for each biweekly pay period commencing on or after June 18, 2006, which is chargeable to fiscal year 2007: *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 18, 2006, and which are chargeable to fiscal year 2007.

(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, 2007, expenditures shall be made by the attorney general from the operating expenditures account of the state general fund for fiscal year 2007 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 \$3,638.34 per biweekly pay period for each biweekly pay period commencing on or after June 18, 2006, which is chargeable to fiscal year 2007: *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 18, 2006, and which are chargeable to fiscal year 2007.

(e) In addition to the other purposes for which expenditures may be made by the state treasurer from one or more special revenue funds for the fiscal year ending June 30, 2007, expenditures shall be made by the state treasurer from one or more special revenue funds for fiscal year 2007 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 \$3,163.85 per biweekly pay period for each biweekly pay period commencing on or after June 18, 2006, which is chargeable to fiscal year 2007: *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 18, 2006, and which are chargeable to fiscal year 2007.

(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, 2007, expenditures shall be made by the insurance department from the insurance department service regulation fund for fiscal year 2007 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 \$3,163.85 per biweekly pay period for each biweekly pay period commencing on or after June 18, 2006, which is chargeable to fiscal year 2007: *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 18, 2006, and which are chargeable to fiscal year 2007.

(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, 2007, expenditures shall be made by each state agency from the appropriations made for fiscal year 2007 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 \$84.80 per calendar day for each member of a board for any calendar day occurring on or after June 18, 2006, 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 2007: *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 18, 2006, is payable and which are chargeable to fiscal year 2007.

(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, 2007, by chapter 174 or chapter 206 of the 2005 Session Laws of Kansas or by this act or any other appropriation act of the 2006 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 18, 2006, and ending June 30, 2007, expenditures shall be made by the Kansas turnpike authority for such period 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 \$84.80 per calendar day for each member of the Kansas turnpike authority for any calendar day occurring on or after June 18, 2006, 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 2007: *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 18, 2006, and prior to July 1, 2007, 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, 2007, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2007:

(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 \$84.80 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 18, 2006, which is chargeable to fiscal year 2007; 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 \$84.80 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 18, 2006, 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 2007: *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 18, 2006, is payable and which are chargeable to fiscal year 2007.

(j) (1) 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, 2007, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2007 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a and amendments thereto, an aggregate amount of allowance (A) of \$338.74 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2007 and for each of the 13 ensuing two-week periods thereafter, and (B) of \$338.74 for the two-week period which coincides with the biweekly payroll period which includes April 1, 2007, which is chargeable to fiscal year 2007 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2007, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (j)(1) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (j)(1) and which are chargeable to fiscal year 2007.

(2) 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, 2008, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2008 for an additional amount of allowance equal to the amount required to provide, along with (A) the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a and amendments thereto, an aggregate amount of allowance of \$338.74, except as otherwise provided in this subsection (j)(2), for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2008 and for each of the 14 ensuing two-week periods thereafter, and (B) for the two-week period which coincides with the biweekly payroll period which includes April 1, 2008, which is chargeable to fiscal year 2008 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2008, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That, if the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for the payroll periods chargeable to the fiscal year ending June 30, 2008, then the aggregate amount of allowance payable under this subsection (j)(2) for the two-week period which coincides with the first biweekly pay period that such increase is effective and each of the two-week periods thereafter, which are chargeable to fiscal year 2008 and for which such allowance is payable under this subsection (j)(2), shall be increased by an amount computed by multiplying the average of the percentage increases in all steps of such pay plan by the aggregate amount of allowance otherwise payable under this subsection (j)(2): *Provided further*, That all expenditures under this subsection (j)(2) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (j)(2) and which are chargeable to fiscal year 2008.

(k) 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, 2007, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2007 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 an aggregate amount of \$516.47 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 18, 2006, which is chargeable to fiscal year 2007;

(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 an aggregate amount of \$263.60 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 June 18, 2006, which is chargeable to fiscal year 2007;

(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 an aggregate amount of \$415.33 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 18, 2006, which is chargeable to fiscal year 2007;

(4) for the majority leaders of the senate and house of representatives equal to the amount required to provide an aggregate amount of \$465.94 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 18, 2006, which is chargeable to fiscal year 2007; and

(5) for the minority leaders of the senate and house of representatives equal to the amount required to provide an aggregate amount of \$465.94 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 18, 2006, which is chargeable to fiscal year 2007: *Provided*, That all expenditures under this subsection (k) 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 18, 2006, and which are chargeable to fiscal year 2007.

(l) 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, 2007, expenditures shall be made by the legislative coordinating council from the legislative coordinating council — operations account of the state general fund for fiscal year 2007 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 \$84.80 per calendar day for each member of the legislative coordinating council for any calendar day occurring on or after June 18, 2006, 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 2007: *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 coordinating council for the biweekly pay periods for which such per diem compensation is payable for calendar days occurring on or after June 18, 2006, and which are chargeable to fiscal year 2007.

(m) 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, 2007, 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 2007:

(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 \$84.80 per calendar day for each member of the legislative post audit committee for any calendar day occurring on or after June 18, 2006, 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 2007; 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 \$84.80 per calendar day for each member of the contract audit committee for any calendar day occurring on or after June 18, 2006, 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 2007: *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 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 18, 2006, and which are chargeable to fiscal year 2007.

(n) 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, 2007, expenditures shall be made by the judicial branch from the judiciary operations account of the state general fund for fiscal year 2007:

(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 \$84.80 per calendar day for each member of the advisory council on dispute resolution for any calendar day occurring on or after June 18, 2006, 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 2007; 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 \$84.80 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 18, 2006, 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 2007: *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 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 18, 2006, is payable and which are chargeable to fiscal year 2007.

(o) 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 and one or more special revenue funds for the fiscal year ending June 30, 2007, expenditures shall be made by the judicial council from the operating expenditures account of the state general fund for fiscal year 2007 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 \$84.80 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 18, 2006, 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 2007: *Provided*, That all expenditures under this subsection (o) 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 18, 2006, is payable and which are chargeable to fiscal year 2007.

(p) In addition to the other purposes for which expenditures may be made by state agencies from one or more accounts of the state general fund and one or more special revenue funds in accordance with appropriations for the fiscal year ending June 30, 2007, made by this or other appropriation act of the 2006 regular session of the legislature for additional amounts of compensation for state officers and employees in accordance with the following:

(1) (A) The governor is hereby authorized and directed to modify the pay plan for fiscal year 2006 in accordance with this subsection (p)(1)(A) and to adopt such pay plan as so modified. The existing pay plan for fiscal year 2006 shall be modified to provide for (i) a base pay rate increase of 1.5% in the pay rates of such pay plan, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2007, (ii) step movement of a single pay step increase on the pay plan for each person in the classified service under the Kansas civil service act who is on pay step 15 or lower and whose latest performance review rating during the twelve-month period preceding

September 10, 2006, is at least satisfactory, to the next pay step, which shall be effective on the first day of the payroll period commencing on September 10, 2006, which is chargeable to the fiscal year ending June 30, 2007, in accordance with the applicable provisions of the Kansas civil service act and rules and regulations adopted thereunder, (iii) a base pay rate increase equal to a single pay step increase for each person in the classified service under the Kansas civil service act who is at a pay rate above the pay grade for such person's job class, which shall be effective on the first day of the payroll period commencing on September 10, 2006, which is chargeable to the fiscal year ending June 30, 2007, (iv) a \$.30 per hour retention incentive pay rate differential for selected skilled job trade classes in the building trade job classes, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2007, (v) a single pay step increase pay rate differential for uniformed correctional officer job classes of the department of corrections and juvenile correctional officer job classes of the juvenile justice authority, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2007, (vi) a single pay step increase pay rate differential for those employees at Larned state hospital who currently earn an hourly pay rate differential for hazardous duty pay, and (vii) reassignment of entry level correctional officer job classes from pay grade 17, step 4, of the pay plan to pay grade 17, step 6, of the pay plan, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2007. The pay plan adopted by the governor under this subsection (p)(1)(A) shall be the pay plan for the classified service under the Kansas civil service act and shall be effective on the first day of the first biweekly payroll period which is specified therefor in this subsection (p)(1)(A) and which is chargeable to the fiscal year ending June 30, 2007. The pay plan adopted by the governor under this subsection for fiscal year 2007 shall be subject to modification and approval as provided under K.S.A. 75-2938 and amendments thereto and to any enactment of the legislature applicable thereto.

(B) The governor is hereby authorized to modify or authorize the modification of the salaries of state officers and employees who are in the unclassified service under the Kansas civil service act and whose salaries are subject to approval by the governor under K.S.A. 75-2935b or 75-2935c and amendments thereto to provide for base salary increases, to be effective on the first day of the first payroll period which commences on or after June 18, 2006, and which is chargeable to the fiscal year ending on June 30, 2007, for which the base salary increase is authorized in accordance with this subsection (p)(1)(B), and to be distributed from a salary increase pool: *Provided*, That for each biweekly payroll period commencing on or after June 18, 2006, which is chargeable to fiscal year 2007, the average of such increases shall not exceed an additional 2.0% of the base salaries of such officers and employees; and

(C) each elected state official of the executive branch of state government, including the state board of education, and the board of directors of the Kansas technology enterprise corporation, the members of Kansas, Inc., the state board of regents and the board of trustees of the Kansas public employees retirement system, in each such official, corporation or board's discretion, are hereby authorized to modify or to authorize the modification of the salaries of the state officers and employees of such official, corporation or board, who are in the unclassified service under the Kansas civil service act and whose salaries are not subject to approval by the governor under K.S.A. 75-2935b and amendments thereto, to provide for base salary increases to be effective on the first day of the first payroll period which commences on or after June 18, 2006, and which is chargeable to the fiscal year ending June 30, 2007, for which the base salary increase is authorized in accordance with this subsection (p)(1)(C), and to be distributed from a salary increase pool: *Provided*, That for each biweekly payroll period commencing on or after June 18, 2006, which is chargeable to fiscal year 2007, the average of such increases shall not exceed an additional 2.0% of the base salaries of such officers and employees of such official, corporation or board. The provisions of this subsection (p)(1)(C) shall not authorize or provide any salary increase for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance, or attorney general, or for any member of any state board, commission, council or committee receiving per diem compensation as provided by statute.

(q) (1) There is hereby appropriated for the state finance council from the state general fund for the fiscal year ending June 30, 2007, the sum of \$22,340,879 to be used for the purpose of paying the proportionate share of the cost to the state general fund of:

(A) The pay rate increases which are provided for by modification of the pay plan for state officers and employees in the classified service under the Kansas civil service act as provided in subsection (p)(1)(A), by providing (i) a base pay rate increase of 1.5% in the pay rates of such pay plan, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2007, (ii) step movement of a single pay step increase on the pay plan for each person in the classified service under the Kansas civil service act who is on pay step 15 or lower and whose latest performance review rating during the twelve-month period preceding September 10, 2006, is at least satisfactory, to the next pay step, which shall be effective on the first day of the payroll period commencing on September 10, 2006, which is chargeable to the fiscal year ending June 30, 2007, in accordance with the applicable provisions of the Kansas civil service act and rules and regulations adopted thereunder, (iii) a base pay rate increase equal to a single pay step increase for each person in the classified service under the Kansas civil service act who is at a pay rate above the pay grade for such person's job class, which shall be effective on the first day of the payroll period commencing on September 10, 2006, which is chargeable to the fiscal year ending June 30, 2007, (iv) a \$.30 per hour retention incentive pay rate differential for selected skilled job trade classes in the building trade job classes, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2007, (v) a single pay step increase pay rate differential for uniformed correctional officer job classes of the department of corrections and juvenile correctional officer job classes of the juvenile justice authority, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2007, (vi) a single pay step increase pay rate differential for those employees at Larned state hospital who currently earn an hourly pay rate differential for hazardous duty pay, and (viii) reassignment of entry level correctional officer job classes from pay grade 17, step 4, of the pay plan to pay grade 17, step 6, of the pay plan, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2007; and

(B) the salary increases for state officers and employees in the unclassified service under the Kansas civil service act which are provided for in subsection (p)(1)(B) and subsection (p)(1)(C) for biweekly pay periods which are chargeable to the fiscal year ending June 30, 2007.

(2) To pay the proportionate share of the cost to the state general fund of each state agency for the salary increases specified in subsection (q)(1), including associated employer contributions, upon recommendation of the director of the budget, 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 to approve the transfer of moneys from the appropriation under subsection (q)(1) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by state general fund appropriations for the fiscal year ending June 30, 2007.

(3) (A) There is hereby appropriated for the state finance council from the state economic development initiatives fund for the fiscal year ending June 30, 2007, the sum of \$175,202 to be used for the purpose of paying the proportionate share of the cost to the state economic development initiatives fund of the salary increases specified in subsection (q)(1).

(B) To pay the proportionate share of the cost to the state economic development initiatives fund of each state agency for the salary increases specified in subsection (q)(1), including associated employer contributions, upon recommendation of the director of the budget, 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 to approve the transfer of moneys from the appropriation under subsection (q)(3)(A) by the director of accounts and reports, who is hereby authorized and directed



to make such transfers in accordance with such approval, to the proper accounts created by state economic development initiatives fund appropriations for the fiscal year ending June 30, 2007.

(4) (A) There is hereby appropriated for the state finance council from the state water plan fund for the fiscal year ending June 30, 2007, the sum of \$24,260 to be used for the purpose of paying the proportionate share of the cost to the state water plan fund of the salary increases specified in subsection (q)(1).

(B) To pay the proportionate share of the cost to the state water plan fund of each state agency for the salary increases specified in subsection (q)(1), including associated employer contributions, upon recommendation of the director of the budget, 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 to approve the transfer of moneys from the appropriation under subsection (q)(4)(A) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by state water plan fund appropriations for the fiscal year ending June 30, 2007.

(5) Upon recommendation of the director of the budget, 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 to approve increases in expenditure limitations on special revenue funds and accounts established for the fiscal year ending June 30, 2007, by the director of accounts and reports, who is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts in accordance with such approval, for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases specified in subsection (q)(1) for the fiscal year ending June 30, 2007.

(6) The director of the budget, on behalf of the executive branch of state government, shall prepare a budget estimate based upon the most recent payroll information for the salary increases specified in subsection (q)(1), and all amendments and revisions of such estimate, and the director of the budget shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the director of the legislative research department.

(7)

LEGISLATIVE COORDINATING COUNCIL

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Legislative coordinating council — operations .....	\$13,292
Legislative research department — operations.....	\$52,514
Office of revisor of statutes — operations .....	\$40,036

(8)

LEGISLATURE

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operations (including official hospitality).....	\$147,740
--	-----------

(9)

DIVISION OF POST AUDIT

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operations (including legislative post audit committee) .....	\$36,210
---	----------

(10)

JUDICIAL BRANCH

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Judiciary operations .....	\$2,150,446
----------------------------	-------------

(B) During the fiscal year ending June 30, 2007, notwithstanding the provisions of K.S.A. 75-3120l and amendments thereto, this section or any other statute to the contrary, no

expenditures shall be made from any moneys appropriated for the judicial branch from the state general fund or any special revenue fund for fiscal year 2007 by this or other appropriation act of the 2006 regular session of the legislature to pay any amount of salary or other compensation to provide for any increase in salary or other compensation for the chief justice of the supreme court, any other justice of the supreme court, the chief judge of the court of appeals, any other judge of the court of appeals, any district judge or any district magistrate judge for fiscal year 2007 that is greater than a 2.0% increase in any such salary or other compensation: *Provided further*, That, during the fiscal year ending June 30, 2007, no provision of this section or any other statute shall be deemed to constitute or to otherwise authorize increases in the monthly rates of compensation from step movements of the pay plan for persons in the classified service under the Kansas civil service act under K.S.A. 75-3120l and amendments thereto that would provide an aggregate percentage increase of compensation for fiscal year 2007 that is greater than 2.0% in the salary or other compensation of the chief justice of the supreme court, any other justice of the supreme court, the chief judge of the court of appeals, any other judge of the court of appeals, any district judge or any district magistrate judge and no such salary or other compensation shall be increased for fiscal year 2007 based upon the provisions of this section or any other statute by any aggregate percentage increase of compensation greater than 2.0%: *And provided further*, That, notwithstanding any provision of K.S.A. 75-3120l and amendments thereto to the contrary, the provisions of K.S.A. 75-3120l and amendments thereto shall be construed to provide an aggregate percentage increase of compensation equal to 2.0% for fiscal year 2007 for the chief justice of the supreme court, each other justice of the supreme court, the chief judge of the court of appeals, each other judge of the court of appeals, each district judge and each district magistrate judge, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2007.

(11)

DEPARTMENT OF CORRECTIONS

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Central administration operations and parole and postrelease supervision operations .....	\$2,107,840
---	-------------

(12)

JUVENILE JUSTICE AUTHORITY

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Operating expenditures .....	\$257,807
------------------------------	-----------

(13)

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, 2007, the following:

Larned state hospital — operating expenditures .....	\$89,419
--	----------

Sec. 129. (a) On and after January 1, 2007, no expenditures shall be made by any state agency from any moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 by this or other appropriation act of the 2006 regular session of the legislature for media advertising that is associated with a state official unless such media advertising includes the following specific statement: "Paid for with taxes or public funds." In the case of print advertising, the statement shall be included so that it is easily seen and read. In the case of broadcast advertising, the statement shall be included as an audio tag line so that it is easily heard.

(b) As used in this section,

(1) "State agency" means any state agency or state official in the executive branch of state government;

(2) "media advertising" means all forms of advertising expressed or otherwise communicated, in any fashion, as print advertising or broadcast advertising;

(3) "state official" means any (A) statewide elected official of the executive branch of state government, (B) agency head of a state agency in the executive branch of state government who is appointed by the governor or any other statewide elected official, and (C) assistant

agency head or deputy agency head of any such state agency who is appointed by the agency head who was appointed by the governor or any other statewide elected official, regardless of the designation given to the position of the assistant agency head or deputy agency head;

(4) "associated" means named, pictured or otherwise identified in the media advertising;

(5) "print advertising" means any form of advertising expressed or otherwise communicated, in any fashion, through the use of billboards, newspapers, handbills or mailings, but shall not include any (A) employment ads or (B) ads in the classified advertising section of a newspaper; and

(6) "broadcast advertising" means any form of advertising expressed or otherwise communicated, in any fashion, through the use of television, radio or cable broadcasting.

(c) The provisions of this section shall be broadly construed, applied and administered to be as inclusive as possible.

(d) During the fiscal year ending June 30, 2007, expenditures shall be made from any moneys appropriated for the department of administration from the state general fund or any special revenue fund for fiscal year 2007 by this or other appropriation act of the 2006 regular session of the legislature for implementation, administration and enforcement of this section by the secretary of administration.

(e) The provisions of this section shall not apply to any media advertising that has been printed, manufactured or produced prior to January 1, 2007.

Sec. 130.

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, 2007, 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

(b) On or before the 10th of each month during the fiscal year ending June 30, 2007, 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.

Sec. 131.

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, 2007, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects ..... \$1,947,277

*Provided*, That the secretary of social and rehabilitation services is hereby authorized to transfer moneys during fiscal year 2007 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 2007 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.

Debt service — new state security hospital ..... \$3,489,907

Debt service — state hospitals rehabilitation and repair ..... \$2,052,723

(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 2007, expenditures may be made by the above agency from the other state fees fund for fiscal year 2007 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Area office rehabilitation and repair ..... \$300,000

*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 2007.

Sec. 132.

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, 2007, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects.....	\$67,451
Underground drain installation.....	\$57,150

Sec. 133.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2007, for the capital improvement project or projects specified, the following:

Dorm renovation.....	\$25,000
Rehabilitation and repair projects.....	\$185,000

Sec. 134.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Rehabilitation and repair projects.....	\$125,000
---	-----------

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

(b) There is hereby appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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
--	----------

(c) In addition to the other purposes for which expenditures may be made by the above agency from the general fees fund for fiscal year 2007, expenditures may be made by the above agency from the following capital improvement account or accounts of the general fees fund for fiscal year 2007 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Capital improvements .....	No limit
----------------------------	----------

*Provided*, That all expenditures from each such capital improvement account of the general fees fund shall be in addition to any expenditure limitation imposed on the general fees fund for fiscal year 2007.

Sec. 135.

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, 2007, 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
Insurance department rehabilitation and repair fund.....	No limit

Sec. 136.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities.....	\$200,000
---	-----------

*Provided*, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Judicial center improvements — debt service.....	\$101,653
--	-----------

Statehouse improvements — debt service.....	\$8,463,690
---	-------------

Energy conservation improvements — debt service .....	\$780,990
---	-----------

Judicial center rehabilitation and repair .....	\$100,000
---	-----------

*Provided*, That any unencumbered balance in the judicial center rehabilitation and repair account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Kansas department of transportation — CTP — debt service..... \$4,992,724  
 Any unencumbered balance in excess of \$100 as of June 30, 2006, in each of the following accounts is hereby reappropriated for fiscal year 2007: Memorial hall passive accessible entrance; Topeka state hospital cemetery memorial; Dillon house roof repair.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund .....	No limit
State facilities gift fund .....	No limit
Master lease program fund.....	No limit
State buildings depreciation fund .....	\$0
Executive mansion gifts fund.....	No limit
Topeka state hospital cemetery memorial gift fund .....	No limit

(c) 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 2007, 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 2007 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Motor pool shop — debt service.....	No limit
Paint and grounds shop — debt service .....	No limit
Parking improvements and repair.....	\$95,000

(d) In addition to the other purposes for which expenditures may be made from the building and ground fund for fiscal year 2007, expenditures may be made by the above agency from the building and ground fund for fiscal year 2007 from any unencumbered balance as of June 30, 2006, in each of the following capital improvement accounts of the building and ground fund: Parking improvements and repair: *Provided*, That the expenditures for fiscal year 2007 from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2006: *Provided further*, That all expenditures from the building and ground fund for the fiscal year 2007 from the unencumbered balance in any such account shall be in addition to any expenditure limitation imposed on the building and ground fund for the fiscal year 2007.

(e) 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 2007, 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 2007 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas facilities projects — debt service .....	No limit
Rehabilitation and repair .....	\$200,000

*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 2007.

(f) 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 2007, expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2007 from the unencumbered balance as of June 30, 2006, 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, 2006: *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 2007.

(g) 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 2007, 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 2007 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
Docking cooling towers replacement — debt service .....	No limit
Eisenhower building purchase and renovation — debt service.....	No limit

(h) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service fund for fiscal year 2007, 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 2007 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Printing plant — debt service .....	No limit
-------------------------------------	----------

(i) 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 2006 or for fiscal year 2007 as authorized by chapter 174 or chapter 206 of the 2005 Session Laws of Kansas or by this or other appropriation act of the 2006 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 2006 or for fiscal year 2007 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 provide additional financing for the capital improvement project to construct, equip, furnish, renovate, reconstruct and repair the state capitol: *Provided*, That such capital improvement project is 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 project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$16,227,091, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project 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 project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds: *And provided further*, That no such bonds shall be issued by the Kansas development finance authority unless the director of the budget has certified to the department of administration and to the Kansas development finance authority that sufficient moneys will be available to make debt service payments for such bonds.

Sec. 137.

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, 2007, 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
Memorial union renovation debt service fund.....	No limit

Sec. 138.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, 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, 2007, all moneys now or hereafter lawfully

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

Engineering complex phase II private gift fund.....	No limit
Ackert hall addition — gifts and grants fund.....	No limit
Salina runway improvements fund.....	No limit

(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, 2007, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2007 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
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 sponsored research overhead fund for fiscal year 2007, expenditures may be made by the above agency from the sponsored research overhead fund for the fiscal year 2007 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 natural gas machinery laboratory.....	No limit

(e) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2007 as authorized by this or other appropriation act of the 2006 regular session of the legislature, expenditures may be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2007 (1) to raze portions of building no. 025 (Seaton hall); and (2) to raze Salina campus building no. 701.

(f) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 as authorized by this or other appropriation act of the 2006 regular session of the legislature or by any appropriation act of the 2007 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2007 or fiscal year 2008, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project to redevelop, renovate and equip the Jardine apartments: *Provided*, 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: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$102,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project 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 project shall be financed by appropriations from the housing system operations fund or any other appropriate funds of Kansas state university.

(g) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 as authorized by this or other appropriation act of the 2006 regular session of the legislature or by any appropriation act of the 2007 regular session of the legislature, expenditures shall be made by Kansas state

university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2007 or fiscal year 2008, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project for the KSU parking structure: *Provided*, 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: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$17,500,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project 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 project shall be financed by appropriations from the parking fees fund of Kansas state university or from any other appropriate fund or funds.

Sec. 139.

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, 2007, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2007 for the following capital improvement project or projects:

Validation/fresh meats processing laboratory .....	No limit
Equine education and research center .....	No limit
Grain science center .....	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 2007, expenditures may be made by the above agency from the sponsored research overhead fund for the fiscal year 2007 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Southeast agriculture research center buildings .....	No limit
---	----------

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Greenhouse laboratory construction fund .....	No limit
Horticulture research/education center construction fund .....	No limit

(d) In addition to the other purposes for which expenditures may be made by Kansas state university extension systems and agriculture research programs from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 as authorized by this or other appropriation act of the 2006 regular session of the legislature or by any appropriation act of the 2007 regular session of the legislature, expenditures shall be made by Kansas state university extension systems and agriculture research programs from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project for greenhouse laboratory construction: *Provided*, That such capital improvement project is hereby approved for Kansas state university extension systems and agriculture research programs 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 Kansas state university extension systems and agriculture research



programs may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$1,700,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project 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 Kansas educational building fund or any other appropriate funds.

(e) In addition to the other purposes for which expenditures may be made by Kansas state university extension systems and agriculture research programs from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 as authorized by this or other appropriation act of the 2006 regular session of the legislature or by any appropriation act of the 2007 regular session of the legislature, expenditures shall be made by Kansas state university extension systems and agriculture research programs from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project for horticulture research/education center construction: *Provided*, That such capital improvement project is hereby approved for Kansas state university extension systems and agriculture research programs 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 Kansas state university extension systems and agriculture research programs may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$1,500,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project 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 Kansas educational building fund or any other appropriate funds.

Sec. 140.

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, 2007, 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
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

Sec. 141.

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, 2007, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Kansas polymer research center fund — private gifts .....	No limit
Suspense fund .....	No limit
Armory/classroom/recreation center — federal fund .....	No limit
Armory/classroom/recreation center — private fund .....	No limit

Horace Mann renovation revenue fund .....	No limit
Overman renovation revenue fund.....	No limit

(b) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 and fiscal year 2008 as authorized by this or other appropriation act of the 2006 regular session of the legislature or by any appropriation act of the 2007 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2007 or fiscal year 2008 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project for an armory/classroom/recreation center in conjunction with the adjutant general: *Provided*, That such capital improvement project 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: *Provided further*, That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$4,025,763, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project 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 project shall be financed by appropriations from the state general fund.

Sec. 142.

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, 2007, 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
Regents center revenue fund — K DFA D bonds, 1990 .....	No limit
Parking facilities surplus fund — K DFA G bonds, 1993 .....	No limit

*Provided*, That the university of Kansas may make expenditures from the parking facilities surplus fund — K DFA G bonds, 1993 for capital improvements to parking lots in addition to the expenditure of other moneys appropriated therefor.

Multicultural resource center — construction fund.....	No limit
--	----------

*Provided*, That all gifts received for the capital improvement project to construct and equip a multicultural resource center shall be deposited in the state treasury to the credit of the multicultural resource center — construction fund: *Provided further*, That the above agency may transfer moneys during fiscal year 2007 from the appropriate accounts of the restricted fees fund to this fund for such capital improvement project.

Athletic facilities enhancements special revenue fund K DFA A university proceeds .....	No limit
---	----------

Edwards campus facility expansion — special revenue fund .....	No limit
--	----------

*Provided*, 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.

Child care facility operations account fund.....	No limit
--	----------

Child care facility student fee account fund.....	No limit
---	----------

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 transfer moneys for fiscal year 2007 from appropriate accounts of the restricted fees fund to the construct student recreation and fitness center — special revenue fund for the capital improvement project to construct student recreation and fitness center.

Lied biomedical research building renovation — gift and grant fund..... No limit

Rehabilitation and repair projects for institutions of higher education fund ..... No limit

Rehabilitation and repair projects for disability act, etc fund..... No limit

Student union addition — university proceeds account KDFA T2 2001 fund ..... No limit

Edwards campus facility expansion — university proceeds account KDFA K 2002 fund..... No limit

Wescow hall infill construction fund ..... No limit  
*Provided*, That the university of Kansas may transfer moneys for fiscal year 2007 from the general fees fund to the Wescow hall infill construction fund for the capital improvement project to infill Wescow hall.

(b) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 as authorized by this or other appropriation act of the 2006 regular session of the legislature or by any appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project to construct an addition to the student recreation and fitness center at the university of Kansas: *Provided*, 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: *Provided further*, That the university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$6,200,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project 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 any appropriate special revenue fund or funds of the university of Kansas.

Sec. 143.

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, 2007, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facility revenue fund..... No limit

Rehabilitation and repair projects for institutions of higher education fund..... No limit

Construct and equip center for health in aging bond revenue fund ..... No limit

Construct and equip center for health in aging bond reserve fund ..... No limit

Construct parking facility #3 fund..... No limit

*Provided*, That the university of Kansas medical center may transfer moneys during fiscal year 2007 from appropriate accounts of the parking fees fund to the construct parking facility #3 fund for such capital improvement project.

Construct parking facility #4 fund..... No limit  
*Provided*, That the university of Kansas medical center may transfer moneys during fiscal year 2007 from appropriate accounts of the parking fees fund to the construct parking facility #4 fund for such capital improvement project.

(b) During the fiscal year ending June 30, 2007, 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 revenue fund.

(c) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 as authorized by this or other appropriation act of the 2006 regular of the legislature or by any appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project to construct parking facility #4: *Provided*, 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: *Provided further*, That the university of Kansas medical center may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$7,644,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project 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 parking fees fund or any other appropriate funds.

(d) (1) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 as authorized by this or other appropriation act of the 2006 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 to assist the state board of regents in the exchange and conveyance of university real property and association real property pursuant to this subsection (d) for the purposes of the capital improvement project for the university of Kansas medical center to construct parking facility #4 as approved by subsection (c).

(2) In addition to the other purposes for which expenditures may be made by the state board of regents from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 as authorized by this or other appropriation act of the 2006 regular session of the legislature, expenditures shall be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 to provide for the exchange and conveyance of university real property and association real property pursuant to this subsection (d) to provide for the capital improvement project approved for the university of Kansas medical center to construct parking facility #4 as provided in subsection (c).

(3) The state board of regents, for and on behalf of the university of Kansas is hereby authorized to exchange and convey the university real property to the Kansas university endowment association in consideration for the conveyance by the Kansas university association of the association real property to the university of Kansas and to accept such association real property.

(4) The exchange and conveyance of the university real property by the state board of regents under this subsection (d) shall be executed in the name of the state board of regents by the chairperson and executive officer, and shall be delivered upon receipt of a good and sufficient warranty deed from the Kansas university endowment association conveying the association real property. Before any such real property is exchanged and conveyed, the attorney general shall approve the instruments of conveyance of the state board of regents to the Kansas university endowment association and the instruments of conveyance of the Kansas university endowment association to the university of Kansas and shall approve the title to the association real property exchanged and conveyed by the Kansas university endowment association.

(5) The exchange and conveyance of university real property and association real property pursuant to this subsection (d) is incidental to and in facilitation of the capital improvement project approved for the university of Kansas medical center to construct parking facility #4 as provided in subsection (c).

(6) As used in this subsection (d): "University real property" has the meaning ascribed thereto by subsection (e)(1) of section 158 of chapter 123 of the 2004 Session Laws of Kansas; and "association real property" has the meaning ascribed thereto by subsection (e)(2) of section 158 of chapter 123 of the 2004 Session Laws of Kansas.

(e) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 as authorized by this or other appropriation act of the 2006 regular session of the legislature or by any appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project to construct the ambulatory care facility at the university of Kansas medical center: *Provided*, 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: *Provided further*, That the university of Kansas medical center may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$53,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project 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 any appropriate special revenue fund or funds of the university of Kansas medical center.

Sec. 144.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, the following:

Aviation research debt service.....	\$1,645,711
-------------------------------------	-------------

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 reserve account fund — K DFA B bonds.....	No limit
Parking system project — maintenance fund, K DFA revenue bonds.....	No limit
On campus parking principal and interest fund — K DFA B bonds .....	No limit
Parking system project revenue fund — K DFA bonds .....	No limit

WSU housing system surplus fund..... No limit  
Sec. 145.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2007, for the capital improvement project or projects specified as follows:

Debt service — revenue bonds issued for major remodeling and new construction projects at state educational institutions.....	\$15,000,000
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 .....	\$15,000,000

*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:

*Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of 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: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of the legislative research department.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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:

Research bond debt service fund ..... No limit

(c) In addition to the other purposes for which expenditures may be made by the state board of regents from the moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year 2007 or fiscal year 2008 as authorized by this or other appropriation act of the 2006 regular session of the legislature or by any appropriation act of the 2007 regular session of the legislature, expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 2005 Supp. 76-783 and amendments thereto to finance scientific research and development facilities, as defined by K.S.A. 2005 Supp. 76-779 and amendments thereto, including capital improvement projects therefor, at Kansas state university, Wichita state university and Pittsburg state university pursuant to the university research and development enhancement act: *Provided*, That, notwithstanding any provisions of K.S.A. 2005 Supp. 76-783 and amendments thereto to the contrary, such bonds and scientific research and development facilities, including capital improvement projects therefor, are hereby approved for the state board of regents for the purposes of the university research and development enhancement act and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 2005 Supp. 76-783 and amendments thereto: *Provided further*, That the state board of regents may make expenditures from the moneys received from the issuance of any such bonds for such scientific research and development facilities, including capital improvement projects therefor, in accordance with the procedures and guidelines authorized and prescribed for scientific research and development facilities pursuant to the university research and development enhancement act: *Provided, however*, That expenditures from the issuance of any such bonds for such scientific research and development facilities, including capital improvement projects therefor, shall not exceed \$5,000,000, plus

all amounts required for the costs of bond issuance, costs of interest on the bonds issued for scientific research and development facilities, including capital improvement projects therefor, during the completion of such scientific research and development facilities and 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 scientific research and development facilities, including capital improvement projects therefor, shall be financed by appropriations from any appropriate special revenue fund or funds of Kansas state university, Wichita state university, or Pittsburg state university.

Sec. 146.

DEPARTMENT OF COMMERCE

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

Debt service — 1430 Topeka facilities.

For the fiscal year ending June 30, 2007.....	\$133,803
---	-----------

Sec. 147.

DEPARTMENT OF LABOR

(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 2007, expenditures may be made by the above agency from the employment security administration fund for fiscal year 2007 from moneys made available to the state under section 903(d) of the federal social security act, as amended: *Provided*, That expenditures from this fund during fiscal year 2007 of moneys made available to the state under section 903(d) of the federal social security act, as amended, may be made for the following capital improvement purposes: (1) For major maintenance of existing buildings used by the department of labor 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 2007 of moneys made available to the state under section 903(d) of the federal social security act, as amended, for such capital improvement purposes shall not exceed \$235,000 plus the amounts of unencumbered balances as of June 30, 2006, for capital improvement projects approved for fiscal years prior to fiscal year 2007: *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 2007.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Remodel department of labor facilities fund .....	No limit
---	----------

*Provided*, That the department of labor may make expenditures from the remodel department of labor facilities fund for the capital improvement project to improve agency facilities: *Provided, however*, That expenditures from this fund for such capital improvement project, including necessary furniture and equipment, shall not exceed the amount transferred to the remodel department of labor facilities fund.

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

*Provided*, That the secretary of labor, 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 unemployment insurance program of the department of labor, including the initiation, planning 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 unemployment insurance program of the department of labor 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 labor on such real estate for such purposes, have been reviewed by the joint committee on state building construction.

(c) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund for fiscal year 2007 as authorized by this or other appropriation act of the 2006 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2007 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 labor: *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 labor 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 labor shall be executed 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 labor shall be deposited in the state treasury to the credit of the employment security administration property sale fund of the department of labor: *Provided, however*, That expenditures from such fund shall not exceed the limitation established for fiscal year 2007 by this or other appropriation act of the 2006 regular session of the legislature except upon approval of the state finance council.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2007, expenditures may be made by the above agency from the special employment security fund for fiscal year 2007 for the following capital improvement purposes: Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building; and payment on the master lease agreement for the renovation of the Eastman building on the Topeka west complex: *Provided*, That expenditures from this fund for fiscal year 2007 for such capital improvement purposes shall not exceed \$342,508: *Provided further*, That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitation imposed on the special employment security fund for fiscal year 2007.

Sec. 148.

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, 2007, for the capital improvement project or projects specified as follows:

Soldiers' home repair and rehabilitation projects .....	\$329,615
Veterans' home repair and rehabilitation projects.....	\$131,500
Soldiers' home facility conservation improvements .....	\$652,362
Veterans' home capital improvement match.....	\$505,956
Cemetery repair and rehabilitation projects.....	\$50,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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 fund.....	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.

Kansas soldiers home construction grant fund .....	No limit
Veterans' cemeteries federal construction grant fund.....	No limit

Sec. 149.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, for the capital improvement project or projects specified as follows:

Debt service payment for the revenue refunding bond issues.....	\$577,303
Debt service payment for the Ellsworth correctional facility at Ellsworth, Kansas .....	\$1,622,000
Debt service payment for the reception and diagnostic unit relocation bond issue .....	\$1,332,000

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2007, for the capital improvement project or projects specified as follows:

Debt service payment for the revenue refunding bond issues.....	\$1,689,697
Capital improvements — rehabilitation and repair of correctional institutions.....	\$3,246,170

*Provided*, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2007 from the capital improvements — rehabilitation 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 2007 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

Sec. 150.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2007, for the capital improvement project or projects specified as follows:

Capital improvements — rehabilitation and repair of juvenile correctional facilities.....	\$734,800
--	-----------

*Provided*, That the commissioner of juvenile justice, with the approval of the director of the budget, is hereby authorized to transfer moneys from the capital improvements — rehabilitation 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 2007 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.....	\$4,000,763
---	-------------

(b) On July 1, 2006, the capital improvements — rehabilitation, remodeling, renovation and repair account of the state institutions building fund of the juvenile justice authority is hereby redesignated as the capital improvements — rehabilitation and repair of juvenile correctional facilities account of the state institutions building fund of the juvenile justice authority.

Sec. 151.

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, 2007, for the capital improvement project or projects specified as follows:

Debt service — headquarters building .....	\$307,220
Rehabilitation and repair projects.....	\$100,000

(b) In addition to the other purposes for which expenditures may be made by attorney general — Kansas bureau of investigation from the moneys appropriated from the state

general fund or from any special revenue fund for fiscal year 2006 and fiscal year 2007 as authorized by chapter 174 or chapter 206 of the 2005 Session Laws of Kansas or by this or other appropriation act of the 2006 regular session of the legislature, expenditures may be made by the attorney general — Kansas bureau of investigation from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2006 or fiscal year 2007 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for capital improvement projects to finish the second floor of the Great Bend laboratory and for acquisition of the IMA Building: *Provided*, That such capital improvement projects are hereby approved for the attorney general — Kansas bureau of investigation 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 attorney general — Kansas bureau of investigation 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 \$2,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project 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 project shall be financed by appropriations from the state general fund.

(c) (1) On the effective date of this act, the \$357,310 appropriated for the above agency for the fiscal year ending June 30, 2006, by section 171(b) of chapter 174 of the 2005 Session Laws of Kansas from the forensic laboratory and materials fee fund in the KBI west laboratory at Great Bend — renovation account, is hereby lapsed.

(2) On July 1, 2006, the \$138,175 appropriated for the above agency for the fiscal year ending June 30, 2007, by section 171(b) of chapter 174 of the 2005 Session Laws of Kansas from the forensic laboratory and materials fee fund in the KBI west laboratory at Great Bend — renovation account, is hereby lapsed.

(3) On July 1, 2007, the \$121,947 appropriated for the above agency for the fiscal year ending June 30, 2008, by section 171(b) of chapter 174 of the 2005 Session Laws of Kansas from the forensic laboratory and materials fee fund in the KBI west laboratory at Great Bend — renovation account, is hereby lapsed.

Sec. 152.

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 2007, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2007 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service — training center — Salina .....	\$513,475
Rehabilitation and repair — training center — Salina .....	\$50,000

*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 2007.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2007, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2007 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service — vehicle inspection facility — Olathe .....	\$60,882
---	----------

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the vehicle identification number fee fund for fiscal year 2007.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2007, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2007 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service — Topeka fleet service .....	\$371,625
Debt service — port weigh stations.....	\$108,611
Scale replacement and rehabilitation and repair of buildings.....	\$201,233

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the Kansas highway patrol operations fund for fiscal year 2007.

(d) On July 1, 2006, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$681,469 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2007 and notwithstanding the provisions of K.S.A. 68-416 and amendments thereto or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2007 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2006, the replacement of scales account of the Kansas highway patrol operations fund of the Kansas highway patrol is hereby redesignated as the scale replacement and rehabilitation and repair of buildings account of the Kansas highway patrol operations fund of the Kansas highway patrol.

Sec. 153.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2007, for the capital improvement project or projects specified as follows:

Debt service — rehabilitation and repair of the statewide armories .....	\$2,026,811
Rehabilitation and repair projects.....	\$100,000

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

Sec. 154.

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, 2007, for the capital improvement project or projects specified as follows:

State parks repair and maintenance projects .....	\$305,000
---	-----------

Any unencumbered balance in excess of \$100 as of June 30, 2006, in each of the following capital improvement accounts of the state general fund is hereby reappropriated for fiscal year 2007: Crawford state fishing lake sewer repair.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2007, 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
-----------------------------------	----------

*Provided*, That, except in cases of emergencies or other unanticipated projects, all expenditures from the department access road fund for fiscal year 2007 shall be for projects at the state parks and for state park operations: *Provided further*, That, notwithstanding the provisions of K.S.A. 68-416 and amendments thereto or any other statute to the contrary, expenditures may be made from the department access road fund for fiscal year 2007 for salaries and wages and other operating expenditures for state park operations.

Bridge maintenance fund.....	No limit
Tuttle creek state mitigation — debt service — federal fund .....	\$700,000

(c) On July 1, 2006, 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, 2006, 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 2007, 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 2007 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Migratory waterfowl propagation and protection fund — rehabilitation and repair ..... \$250,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2007.

(f) 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 2007, expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2007 from the unencumbered balance as of June 30, 2006, 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, 2006: *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 2007.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the boating fund — federal for fiscal year 2007, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fund — federal for fiscal year 2007 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast Guard boating projects ..... \$100,000  
River access ..... \$100,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the boating fund — federal for fiscal year 2007.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2007, expenditures may be made by the above agency from the boating fee fund for fiscal year 2007 from the unencumbered balance as of June 30, 2006, 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, 2006: *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 2007 and shall be in addition to any other expenditure limitation imposed on any such account of the boating fee fund for fiscal year 2007.

(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 2007, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2007 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wildlife fee fund federally mandated boating access ..... \$210,000  
Wildlife fee fund rehabilitation and repair ..... \$350,000

*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 2007.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2007, expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2007 from the unencumbered balance as of June 30, 2006, 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, 2006: *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 2007.

(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 2007, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife conservation fund for fiscal year 2007 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wildlife conservation fund — wetlands acquisition/development .....	\$300,000
Wildlife conservation fund — land acquisition .....	\$450,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife conservation fund for fiscal year 2007.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2007, expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2007 from the unencumbered balance as of June 30, 2006, 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, 2006: *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 2007 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife conservation fund for fiscal year 2007.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund — federal for fiscal year 2007, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife conservation fund for fiscal year 2007 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wildlife conservation fund — federal — land acquisition .....	\$300,000
Wildlife conservation fund — federal — rehabilitation and repair .....	\$50,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife conservation fund for fiscal year 2007.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2007, expenditures may be made by the above agency from the parks fee fund for fiscal year 2007 from the unencumbered balance as of June 30, 2006, 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, 2006: *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 2007.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the land and water conservation fund for fiscal year 2007, expenditures may be made by the above agency from the following capital improvement account or accounts of the land and water conservation fund for fiscal year 2007 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation fund — rehabilitation and repair .....	\$775,000
--	-----------

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the land and water conservation fund for fiscal year 2007.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the land and water conservation fund for fiscal year 2007 expenditures may be made by the above agency from the unencumbered balance as of June 30, 2006, in each

existing capital improvement account of the land and water 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, 2006: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the land and water conservation fund for fiscal year 2007 and shall be in addition to any other expenditure limitation imposed on any such account of the land and water conservation fund for the fiscal year 2007.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fund — federal for fiscal year 2007, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fund — federal for fiscal year 2007 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Boating access projects ..... \$600,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife fund — federal for fiscal year 2007.

(r) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fund — federal for fiscal year 2007, expenditures may be made by the above agency from the wildlife fund — federal for fiscal year 2007 from the unencumbered balance as of June 30, 2006, in each existing capital improvement account of the wildlife fund — federal: *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, 2006: *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 fund — federal for fiscal year 2007 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife fund — federal for fiscal year 2007.

(s) On July 1, 2006, the boating fee fund — federal — Coast Guard boating projects account of the boating fund — federal of the department of wildlife and parks is hereby redesignated as the Coast Guard boating projects account of the boating fund — federal of the department of wildlife and parks.

(t) On July 1, 2006, the boating fee fund — federal — river access account of the boating fund — federal of the department of wildlife and parks is hereby redesignated as the river access account of the boating fund — federal of the department of wildlife and parks.

(u) On July 1, 2006, the wildlife fund — federal boating access projects account of the wildlife fund — federal of the department of wildlife and parks is hereby redesignated as the boating access projects account of the wildlife fund — federal of the department of wildlife and parks.

(v) During the fiscal year ending June 30, 2007, 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 construction of any new river access on the Kansas River, unless (1) in any case of a new river access project on the Kansas river to be located wholly or partially outside an incorporated municipality, the secretary of wildlife and parks has obtained the prior written permission for the proposed river access from each owner of each parcel of real property on the river which is immediately adjacent to the real property upon which the proposed river access project is to be constructed, and, if a parcel of any such immediately adjacent real property is being leased, then the secretary also has obtained the prior written permission for the proposed new river access project from the lessor of such immediately adjacent real property, and (2) in any case of a new river access project on the Kansas river to be located wholly within an incorporated municipality, the secretary has obtained the prior written permission for the proposed new river access project from the governing body of the municipality.

(w) During the fiscal year ending June 30, 2007, no expenditures shall be made from any moneys appropriated for the department of wildlife and parks or any other state agency from the state general fund or any special revenue fund for fiscal year 2007 by this or other appropriation act of the 2006 regular session of the legislature for the acquisition, operation

or maintenance of the Circle K Ranch except upon specific authorization of such acquisition, operation or maintenance in an appropriation act of the legislature enacted into law.

(x) During the fiscal year ending June 30, 2007, 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 2007 by this or other appropriation act of the 2006 regular session of the legislature for the development of state park no. 24 unless specifically authorized by appropriation act of the legislature during the 2006 regular session: *Provided, however*, That expenditures shall be made from moneys appropriated for the department of wildlife and parks from the state general fund or any special revenue fund for fiscal year 2007 by this or other appropriation act of the 2006 regular session of the legislature to prepare a plan for the development of state park no. 24 which shall be submitted to the legislature not later than the beginning of the 2007 regular session of the legislature for review prior to enacting any appropriation act making any appropriations for development of state park no. 24.

Sec. 155. (a) On or after July 1, 2006, during the fiscal year ending June 30, 2007, the director of accounts and reports shall not make any transfer directed to be made by subsection (f)(2) of K.S.A. 2005 Supp. 75-4265 and amendments thereto from the intergovernmental transfer fund of the department on aging to the senior services trust fund established by K.S.A. 2005 Supp. 75-4266 and amendments thereto.

(b) On or after July 1, 2006, during the fiscal year ending June 30, 2007, the director of accounts and reports shall not make any transfer directed to be made by subsection (f)(2) of K.S.A. 2005 Supp. 75-4265 and amendments thereto from the intergovernmental transfer fund of the department on aging to the long-term care loan and grant fund of the department on aging established by K.S.A. 2005 Supp. 75-4265 and amendments thereto.

(c) On or after July 1, 2006, during the fiscal year ending June 30, 2007, the director of accounts and reports shall not make any transfer directed to be made by subsection (f)(2) of K.S.A. 2005 Supp. 75-4265 and amendments thereto from the intergovernmental transfer fund of the department on aging to the state medicaid match fund — department on aging established by K.S.A. 2005 Supp. 75-4265 and amendments thereto.

(d) On or after July 1, 2006, during the fiscal year ending June 30, 2007, the director of accounts and reports shall not make any transfer directed to be made by subsection (f)(2) of K.S.A. 2005 Supp. 75-4265 and amendments thereto from the intergovernmental transfer fund of the department on aging to the state medicaid match fund — SRS established by K.S.A. 2005 Supp. 75-4265 and amendments thereto.

(e) On or after July 1, 2006, during the fiscal year ending June 30, 2007, the director of accounts and reports shall not make any transfer directed to be made by subsection (f)(2) of K.S.A. 2005 Supp. 75-4265 and amendments thereto from the intergovernmental transfer fund of the department on aging to the aging — IGT fund of the department on aging.

(f) Commencing on July 1, 2006, or as soon as moneys are available therefor, during the fiscal year ending June 30, 2007, the director of accounts and reports shall transfer to the SRS IGT fund of the department of social and rehabilitation services, on the dates when the following transfers would have been made under the statute specified, the following: All amounts of money that would have been directed by subsection (f)(2) of K.S.A. 2005 Supp. 75-4265 and amendments thereto to be transferred from the intergovernmental transfer fund of the department on aging to the senior services trust fund, the long-term care loan and grant fund, the state medicaid match fund — department on aging, and the state medicaid match fund — SRS.

Sec. 156. On July 1, 2006, K.S.A. 2005 Supp. 2-223 is hereby amended to read as follows: 2-223. (a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved 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.

(b) On each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital

improvements fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities. Upon receipt of such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

(c) On each July 1, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund, an amount equal to the amount certified by the state fair board pursuant to subsection (b), except that (1) no transfer from the state general fund under this subsection shall exceed \$300,000 in any fiscal year; and (2) all transfers made in accordance with the provisions of this section during the fiscal years ending June 30, ~~2006~~ 2007, and June 30, ~~2007~~ 2008, shall be considered to be revenue transfers from the state general fund.

Sec. 157. On July 1, 2006, K.S.A. 55-193 is hereby amended to read as follows: 55-193. On July 15, 1996, and on the 15th day of each calendar quarter thereafter before July 1, 2009, the director of accounts and reports shall transfer \$100,000 from the state general fund, \$100,000 from the state water plan fund established by K.S.A. 82a-951 and amendments thereto and \$100,000 from the conservation fee fund established by K.S.A. 55-143 and amendments thereto to the abandoned oil and gas well fund established by K.S.A. 55-192 and amendments thereto, except that: (a) No transfers shall be made pursuant to this section from the state general fund to the abandoned oil and gas well fund during state fiscal year ~~2006, and 2007~~; and (b) the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year ~~2006 2007~~ shall not exceed \$400,000.

Sec. 158. On July 1, 2006, K.S.A. 2005 Supp. 75-2319 is hereby amended to read as follows: 75-2319. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district which is obligated to make payments from its bond and interest fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. The state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district, except that the state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 5% for contractual bond obligations incurred by a school district prior to the effective date of this act, and 25% for contractual bond obligations incurred by a school district on or after the effective date of this act;

(5) determine the amount of payments in the aggregate that a school district is obligated to make from its bond and interest fund and, of such amount, compute the amount attributable to contractual bond obligations incurred by the school district prior to the effective



date of this act and the amount attributable to contractual bond obligations incurred by the school district on or after the effective date of this act;

(6) multiply each of the amounts computed under (5) by the applicable state aid percentage factor; and

(7) add the products obtained under (6). The amount of the sum is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, ~~2006~~ 2007, and June 30, ~~2007~~ 2008, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

Sec. 159. On July 1, 2006, K.S.A. 2005 Supp. 76-775 is hereby amended to read as follows: 76-775. (a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 2005 Supp. 76-774 and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either (1) the endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution, or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsection shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, ~~2006~~ 2007 and June 30, ~~2007~~ 2008, shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund which shall be administered by the state board of regents. All moneys transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such eligible educational institutions. The state board of regents shall pay from the faculty of distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be determined by the director of accounts and reports and shall be the amount of interest earnings that the

amount of the qualifying gift certified by the state board of regents would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section and amendments thereto for a fiscal year is equal to or greater than \$5,000,000.

Sec. 160. On July 1, 2006, K.S.A. 2005 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 3.63% 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 no moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund during state fiscal years ~~2006~~ 2007 and ~~2007~~ 2008. 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. 161. On July 1, 2006, K.S.A. 2005 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 2.823% 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 no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal years ~~2006~~ 2007 and ~~2007~~ 2008. 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. 162. On July 1, 2006, K.S.A. 2005 Supp. 79-3425c is hereby amended to read as follows: 79-3425c. (a) On July 15, ~~2005~~ 2006, October 15, ~~2005~~ 2006, February 15, ~~2006~~ 2007, and May 15, ~~2006~~ 2007, on July 15, ~~2006~~ 2007, October 15, ~~2006~~ 2007, February 15, ~~2007~~ 2008, and May 15, ~~2007~~ 2008, and on each January 15, April 15, July 15 and October 15 of each year thereafter, the director of accounts and reports shall transfer \$625,000 to the county equalization and adjustment fund from the special city and county highway fund and on such dates the state treasurer shall apportion and pay to the several counties of the state 57% of the moneys in the special city and county highway fund, created by K.S.A. 79-

3425, and amendments thereto, and shall apportion and pay to the several cities of the state the remaining 43% of such moneys.

(b) The allocation and payment to each county under the provisions of this section shall be made in the following manner:

*First*, Each county of the state shall receive a payment of \$5,000;

*Second*, Of the balance remaining, 44.06% thereof shall be apportioned and paid to each county on February 15, ~~2006~~ 2007, and May 15, ~~2006~~ 2007, on February 15, ~~2007~~ 2008, and May 15, ~~2007~~ 2008, and on each January 15 and April 15 of each year thereafter in the proportion that the total amount of money collected in such county from motor vehicle registration fees for the second preceding calendar year bears to the total amount of money collected in all counties from motor vehicle registration fees for the second preceding calendar year, and on July 15 and October 15 of each year in the proportion that the total amount of money collected in such county from motor vehicle registration fees for the preceding calendar year bears to the total amount of money collected in all counties from motor vehicle registration fees for the preceding calendar year;

*Third*, 44.06% of such balance shall be apportioned and paid to each county on February 15, ~~2006~~ 2007, and May 15, ~~2006~~ 2007, on February 15, ~~2007~~ 2008, and May 15, ~~2007~~ 2008, and on each January 15 and April 15 of each year thereafter in the proportion that the average daily vehicle miles traveled in such county for the second preceding calendar year bears to the average daily vehicle miles traveled in all counties of the state for the second preceding calendar year, and on July 15 and October 15 of each year in the proportion that the average daily vehicle miles traveled in such county for the preceding calendar year bears to the average daily vehicle miles traveled in all counties of the state for the preceding calendar year; and

*Fourth*, the remaining 11.88% of such balance shall be apportioned and paid to each county on February 15, ~~2006~~ 2007, and May 15, ~~2006~~ 2007, on February 15, ~~2007~~ 2008, and May 15, ~~2007~~ 2008, and on each January 15 and April 15 of each year thereafter in the proportion that the total road miles in such county for the second preceding calendar year bears to the total road miles in all counties of the state for the second preceding calendar year; and on July 15 and October 15 of each year in the proportion that the total road miles in such county for the preceding calendar year bears to the total road miles in all counties of the state for the preceding calendar year.

If the total amount of money received by any county pursuant to the foregoing distribution formula during the period from July 15 of any year to April 15 of the next succeeding year is less than the total amount received by such county from the special city and county highway fund and the county equalization and adjustment fund for fiscal year 1999, the state treasurer shall apportion and pay to each such county from the county equalization and adjustment fund an amount which together with the amount received pursuant to the foregoing distribution formula will equal the total amount received from the two aforementioned funds during such period of time. In the event that there is insufficient funds in the county equalization and adjustment fund to pay each county the amount to which it is entitled, each county shall receive a payment in the proportion that the amount to which such county is entitled bears to the amount to which all such counties are entitled. If there is money remaining in such fund after such distribution, the state treasurer shall distribute the balance to the several counties in the manner provided in the second and third clauses of the foregoing formula for distributing moneys to counties from the special city and county highway fund.

All payments shall be made to the county treasurers of the respective counties, and upon receipt of the same:

(1) The county treasurers of Sedgwick and Shawnee counties shall credit 50% of the moneys received to the road and bridge fund of such counties and apportion and pay the remainder of such moneys to the several cities located in such counties;

(2) the county treasurer of Wyandotte county shall credit 10% of the moneys received to the road and bridge fund of such county and apportion and pay the remainder of such moneys to the several cities located in such county;

(3) the county treasurers of Lyon, Cowley, Crawford, Montgomery, Butler, Saline, Leavenworth, Riley, Reno and Douglas counties shall credit 90% of the moneys so received to

the road and bridge fund of such counties and apportion and pay the remainder of such moneys to the several cities located in such counties except that no persons residing within the Fort Riley military reservation shall be included or considered in determining the population of any city located within Geary or Riley county; and

(4) the county treasurers of Johnson county and all other counties not listed in paragraphs (1), (2) or (3) shall credit all of the moneys received to the road and bridge fund of such counties.

Not less than 25% of the amount received by each county and credited to the county road and bridge fund under the provisions of this section shall be expended by the county on mail and school bus routes on county roads as defined in K.S.A. 68-101, and amendments thereto. Payments to the cities under the provisions of this subsection shall be in the proportion that the population of each city bears to the total population of all cities located in the same county as such city.

In counties which have not adopted the county-unit road system, the amount of money retained by such counties after distribution to the cities within such county pursuant to this subsection shall be distributed to each township within such county in not less than the proportion that the amount of money received by each township from the county and township road fund during the period from July 1, 1969, to June 30, 1970, bears to the total amount of money received by such county from the county and township road fund, the county road and city street funds, the special motor carrier fee county road fund and the special city and county highway fund during the period from July 1, 1969, to June 30, 1970, plus the amount such county would have received on July 15, 1970, from the special city and county highway fund based on the formula for distributing such fund in effect on June 30, 1970. All payments to townships hereunder shall be made to the treasurers thereof, and all moneys so received shall be deposited in the general road fund of such township.

(c) The allocation and payment of moneys to the several cities of the state from the special city and county highway fund shall be in the proportion that the population of each city bears to the total population of all cities in the state except that the population of any military reservation which has been annexed to a city after the date of December 31, 1981, shall not be included in the population of such city for the purpose of this allocation. All such payments shall be to the city treasurers of the respective cities. Upon receipt of same unless a consolidated street and highway fund is established pursuant to K.S.A. 12-1,119, and amendments thereto, the city treasurer of each city shall credit the same to a separate fund to be used for the construction, reconstruction, alteration, repair and maintenance of the streets and highways of such city and for the payment of bonds, and interest thereon, issued pursuant to K.S.A. 79-3425g, and amendments thereto.

(d) For the purposes of this section, the average daily vehicle miles traveled in each county shall be determined by the secretary of transportation, but it shall not include miles traveled on interstate highways, and the population of each city shall be reported in the annual enumeration by the secretary of agriculture for the preceding calendar year.

(e) In order to reduce vehicular traffic and congestion on its streets and highways, the board of county commissioners of any county, the governing body of any city or the township board of any township may use for the purpose of constructing, repairing and maintaining footpaths and bicycle paths not to exceed 10% of the moneys such government receives under K.S.A. 79-3425c, and amendments thereto, except that such limitation shall not apply to moneys received by a county that the county is required to distribute to a city or a township. Such moneys shall not be expended on any recreational trail, as defined in subsection (b) of K.S.A. 58-3211, and amendments thereto.

Sec. 163. On July 1, 2006, K.S.A. 2005 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 moneys transferred from the state general fund to the special city and county highway fund during state fiscal years ~~2006~~ 2007 and ~~2007~~ 2008 on each

such date shall not exceed \$5,031,832. All transfers under this section shall be considered to be demand transfers from the state general fund except that all such transfers during the fiscal years ending June 30, ~~2006~~ 2007, and June 30, ~~2007~~ 2008, shall be considered to be revenue transfers from the state general fund.

Sec. 164. On July 1, 2006, K.S.A. 2005 Supp. 82a-953a is hereby amended to read as follows: 82a-953a. During each fiscal year, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, one-half of such amount to be transferred on July 15 and one-half to be transferred on January 15, except that such transfers during each fiscal year commencing after June 30, ~~2006~~ 2007, are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers under this section shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, ~~2006~~ 2007, and June 30, ~~2007~~ 2008, shall be considered revenue transfers from the state general fund.

Sec. 165. On July 1, 2006, K.S.A. 55-193 and K.S.A. 2005 Supp. 2-223, 75-2319, 76-775, 79-2959, 79-2964, 79-3425c, 79-3425i and 82a-953a are hereby repealed.

Sec. 166. *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, 2006, made in chapter 174 or chapter 206 of the 2005 Session Laws of Kansas or in this act or in any other appropriation act of the 2006 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, 2007, made in chapter 174 or chapter 206 of the 2005 Session Laws of Kansas or in this act or in any other appropriation act of the 2006 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 167. *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, the state water plan fund or the Kansas endowment for youth fund, or to any account of any of such funds.

Sec. 168. *Savings.* (a) Any unencumbered balance as of June 30, 2006, 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 2006 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2007, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2006, in any special revenue fund, or account thereof, of any state agency named in section 79 of chapter 174 of the 2005 Session Laws of Kansas which is not otherwise specifically appropriated or limited for fiscal year 2007 by chapter 174 or chapter 206 of the 2005 Session Laws of Kansas or by this or other appropriation act of the 2006 regular session of the legislature, is hereby appropriated for fiscal year 2007 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, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund, or the correctional institutions building fund, or to any account of any of such funds.

Sec. 169. During the fiscal year ending June 30, 2007, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by this or other appropriation act of the 2006 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2007, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the

deposit of the proceeds of bonds issued by the Kansas development finance authority, for the payment of debt service for bonds issued by the Kansas development finance authority, or for any related purpose in accordance with applicable bond covenants.

Sec. 170. *Federal grants.* (a) During the fiscal year ending June 30, 2007, 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 2006 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2007, 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. This subsection shall not apply to any state agency named in section 79 of chapter 174 of the 2005 Session Laws of Kansas.

(b) During the fiscal year ending June 30, 2007, each federal grant or other federal receipt which is received by a state agency named in section 79 of chapter 174 of the 2005 Session Laws of Kansas and which is not otherwise appropriated to that state agency for fiscal year 2007 by this or other appropriation act of the 2006 regular session of the legislature, is hereby appropriated for fiscal year 2007 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 2007, until the governor has authorized the state agency to make expenditures from such federal grant or other federal receipt for fiscal year 2007.

(c) In addition to the other purposes for which expenditures may be made by any state agency which is named in chapter 174 or chapter 206 of the 2005 Session Laws of Kansas or in this or other appropriation act of the 2006 regular session of the legislature 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 2007 by chapter 174 or chapter 206 of the 2005 Session Laws of Kansas or by this or other appropriation act of the 2006 regular session of the legislature to apply for and receive federal grants during fiscal year 2007, 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. 171. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2006 regular session of the legislature, and having an unencumbered balance as of June 30, 2006, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2007, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2005.

Sec. 172. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2006 regular session of the legislature and having an unencumbered balance as of June 30, 2006, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2007, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2005.

Sec. 173. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2006 regular session of the legislature and having an unencumbered balance as of June 30, 2006, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2007, for the same use and

purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2005.

Sec. 174. Any transfers of money during the fiscal year ending June 30, 2007, 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, 2007.

Sec. 175. During the fiscal year ending June 30, 2007, each state agency named in this act that has a cost reduction for which an employee suggestion bonus is paid pursuant to subsection (f) of K.S.A. 2005 Supp. 75-37,105, and amendments thereto, shall transfer (1) from each state general fund appropriation or reappropriation account for fiscal year 2007 from which all or part of such cost reduction has been realized to the state general fund, in accordance with subsection (f) of K.S.A. 2005 Supp. 75-37,105, and amendments thereto, the amount equal to 80% of the cost reduction which is attributed to such account, and (2) from each special revenue fund, excluding federal funds, for fiscal year 2007 from which all or part of such cost reduction has been realized to the state general fund, in accordance with subsection (f) of K.S.A. 2005 Supp. 75-37,105, and amendments thereto, the amount equal to 80% of the cost reduction which is attributed to such special revenue fund, excluding federal funds.”;

And by renumbering the remaining section accordingly;

On page 1, in the title, by striking all in lines 15 through 18 and inserting the following to read as follows:

“AN ACT making and concerning appropriations for the fiscal years ending June 30, 2006, June 30, 2007, and June 30, 2008, 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. 55-193 and K.S.A. 2005 Supp. 2-223, 75-2319, 76-775, 79-2959, 79-2964, 79-3425c, 79-3425i and 82a-953a and repealing the existing sections.”;

And your committee on conference recommends the adoption of this report.

MELVIN J. NEUFELD  
BRENDA K. LANDWEHR  
BILL FEUERBORN  
*Conferees on part of House*

DWAYNE UMBARGER  
JAY SCOTT EMLER  
JIM BARONE  
*Conferees on part of Senate*

On motion of Rep. Neufeld, the conference committee report on **SB 480** was adopted.

On roll call, the vote was: Yeas 106; Nays 17; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, D. Johnson, E. Johnson, Kelsey, Kiegerl, Kilpatrick, Kirk, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Pauls, Phelps, Pilcher-Cook, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwartz, B. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Weber, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Brown, Carter, Flora, Freeborn, Huntington, Kelley, Kinzer, Krehbiel, Loyd, Masterson, Owens, Peck, Schwab, S. Sharp, Ward, Watkins, Wilk.

Present but not voting: None.

Absent or not voting: Peterson, Pottorff.

On motion of Rep. Aurand, the House resolved into Committee of the Whole, with Rep. Hill in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Hill, Committee of the Whole report, as follows, was adopted:

Recommended that **HR 6019** be adopted.

**H. Sub. for SB 340; H. Sub. for SB 422; SB 512** be passed over and retain a place on the calendar.

Committee report to **SB 379** be adopted; also, on motion of Rep. O'Malley be amended on page 16, after line 11, by inserting the following:

"Sec. 21. K.S.A. 24-409 is hereby amended to read as follows: 24-409. (a) All powers granted to drainage districts incorporated under the provisions of this act shall be exercised by a board of directors consisting of three persons who shall be owners of land located in the district. *Except as provided by subsection (b)*, directors also shall reside in the county in which such district is located, or if such district is located in more than one county, the directors shall reside in a county in which a portion of the drainage district is located. Except as provided in K.S.A. 24-412, and amendments thereto, the directors shall hold their offices for four years and until their successors are elected or appointed, as the case may be, and qualified, and shall be chosen at the time and in the manner provided by law.

(b) *If there are no residents within the district who are owners of land within the district, any owner of land located within the district shall be a qualified voter and shall be eligible to hold the office of director.*

Sec. 22. K.S.A. 24-484 is hereby amended to read as follows: 24-484. (a) The commissioners making the ~~said~~ application for the charter of incorporation as a drainage district, shall be named in ~~said the~~ charter as the directors of ~~said the~~ drainage district, to serve for the term of four years from the date of ~~said the~~ incorporation, unless one or more of ~~said the~~ commissioners should be disabled or refuse to serve, in any which event the district court having jurisdiction, as provided in K.S.A. 24-481, shall have jurisdiction to designate some suitable person or persons as commissioners to make ~~said the~~ application. At the expiration of the period of three and one-half years from the date of ~~said~~ incorporation of ~~said the~~ drainage district, and thereafter every four years, the ~~said~~ board of directors of ~~said the~~ drainage district shall cause an election to be called and held for the election of successors to ~~said the~~ board of directors.

The directors elected at ~~said the~~ first election shall qualify and assume the duties of their respective offices on the fourth anniversary of the date of ~~said~~ incorporation, unless same should fall on Sunday or a legal holiday, in which event they shall assume their offices on the preceding day, ~~likewise~~. Directors shall be elected and assume their offices at each four-year period. In event of the death, disqualification or resignation of any director, the remaining directors shall have authority to fill any such vacancies occurring in their number for the unexpired term of such director. *Except as provided by subsection (b)*, at the first and all subsequent elections held for the election of directors, only residents of ~~said the~~ drainage district shall be entitled to vote, but any qualified elector of the county ~~wherein said district is situate~~ in which the district is located may be elected a director of ~~said the~~ drainage district, whether ~~he or she shall reside in said~~ a resident of the drainage district or not.

(b) *If there are no residents in the drainage district, any owner of land within the district shall be a qualified voter and shall be qualified to hold the office of director.*

Sec. 23. K.S.A. 24-506 is hereby amended to read as follows: 24-506. (a) The board of directors of any drainage district incorporated pursuant to K.S.A. 24-501 et seq., and amendments thereto, shall consist of one person from each county in the district if the number of counties is odd, but if the number of counties is even, then there shall be an additional director at large. If the drainage district is located wholly within one county, the number of



directors shall be three. *Except as provided in subsection (b)*, the directors shall be freeholders who shall be residents of Kansas, whose lands in whole or in part are located within the district. The directors shall hold their offices for a term of four years and until their successors are elected and qualified. Elections to choose directors, except the first, shall be held on the first Tuesday in April and every four years thereafter. ~~Directors elected in any district prior to the effective date of this act shall hold their office until their successors are elected and qualified at the election in April, 1985.~~

*(b) If there are no residents in the drainage district, any owner of land within the district shall be a qualified voter and shall be qualified to hold the office of director.*;

And by renumbering the remaining sections accordingly;

Also on page 16, in line 13, by striking "and 18-202" and inserting ", 18-202, 24-409, 24-484 and 24-506";

On page 1, in the title, in line 14, after "concerning" by inserting "certain municipalities; concerning"; also in line 14, after the semicolon by inserting "relating to the governing bodies thereof"; in line 16, by striking "and 18-202" and inserting ", 18-202, 24-409, 24-484 and 24-506";

Also, on motion of Rep. Hayzlett, **SB 379** be amended on page 16, in line 1, by striking "and 16" and inserting ", 16, 24 and 26"; after line 11, by inserting the following:

"New Sec. 21. As used in sections 22 through 28, and amendments thereto:

(a) "Commission" means the unification commission appointed pursuant to section 22, and amendments thereto.

(b) "City" means any city located in Greeley county.

(c) "County" means Greeley county.

New Sec. 22. (a) Within 10 days of the effective date of this act, a unification commission shall be appointed. One member shall be appointed by the governing body of the city of Tribune, one member shall be appointed by the governing body of the city of Horace and two members shall be appointed by the board of county commissioners of the county. The fifth member shall be appointed by the members of the unification commission appointed by the cities and county and such member shall serve as the chairperson of the commission. Members of the commission shall include, but not be limited to, persons with experience in accounting, business management, municipal finance, law, education, political science or public administration. Members of the commission shall be residents of Greeley county.

(b) Members of the commission may be paid compensation, subsistence allowances, mileage and other expenses as provided by K.S.A. 75-3223, and amendments thereto.

(c) The members of the unification commission may appoint an executive director of the commission. The executive director may be paid compensation in an amount determined by the commission. If approved by the commission, the executive director may employ other staff and may contract with consultants, as the executive director deems necessary to carry out the functions of the commission. Staff employed by the executive director shall receive compensation established by the executive director.

(d) Within 30 days following the appointment of all members of the commission, the commission shall meet and organize by the election of a vice-chairperson and other officers deemed necessary. The commission may adopt rules governing the conduct of its meetings.

New Sec. 23. (a) The commission shall prepare and adopt a plan addressing the unification of the city and county or certain city and county offices, functions, services and operations. The commission shall conduct such studies and investigations as it deems appropriate to complete its work. Such studies and investigations shall include, but not be limited to, studies of the costs and benefits of unifying the city and county or certain city and county offices, functions, services and operations.

(b) The commission shall hold public hearings for the purpose of receiving information and materials which will aid in the drafting of the plan.

(c) Within one year following the appointment of all members of the commission, the commission shall prepare and adopt a preliminary plan addressing the unification of the city and county or certain city and county offices, functions, services and operations it deems advisable. Copies of the preliminary plan shall be filed with the county election officer, city clerk, each public library within the county and any other place designated by the commission. Copies of such plan shall be available to members of the public for inspection upon

request. The commission shall hold at least two public hearings to obtain citizen views concerning the preliminary plan. Notice of such hearings shall be published at least twice in a newspaper of general circulation within the county. Following the public hearings on the preliminary plan, the commission may adopt, or modify and adopt, the preliminary plan as the final plan.

(d) Within 30 days of the last public hearing held on the preliminary plan, the commission shall adopt its final plan. The final plan shall include the full text and an explanation of the proposed plan, and comments deemed desirable by the commission, a written opinion by an attorney admitted to practice law in the state of Kansas and retained by the executive director for such purpose that the proposed plan is not in conflict with the constitution or the laws of the state, and any minority reports. Copies of the final plan shall be filed with the county election officer, city clerk, each public library within the county and any other place designated by the commission. Copies of such plan shall be available to members of the public for inspection upon request. The commission shall continue in existence at least 90 days following the submission of the final plan pursuant to this subsection.

(e) (1) The final plan shall be submitted to the qualified electors of the county at the next regular general election held in November of an even-numbered year. If the statutorily mandated duties of an elective office are to be eliminated or if the office is to be eliminated and the duties transferred to a nonelective office, the question of elimination of such duties or office shall be submitted to the voters as a separate ballot question. Such election shall be called and held by the county election officer in the manner provided by the general election law. Such election may be conducted by mail ballot. A summary of the final plan shall be prepared by the commission and shall be published once each week for two consecutive weeks in a newspaper of general circulation within the county. If a majority of the qualified electors voting on the plan who reside within the corporate limits of the city and a majority of the qualified electors voting on the plan who reside outside of the corporate limits of the city vote in favor thereof, the unification plan shall be implemented in the manner provided by the plan. If a majority of the electors who reside within the corporate limits of the city or a majority of the qualified electors who reside outside of the corporate limits of the city vote against such plan, the proposed unification plan shall not be implemented.

(2) Any proposed unification which eliminates an elective office shall provide that the elimination of such office shall become effective upon the date of normal expiration of the term of such office.

(3) If the final plan provides for the unification of the city of Horace with the county or the unification or elimination of any of the offices or powers, duties and functions of such offices of the city of Horace and a majority of the qualified electors of the city of Horace voting on the plan do not vote in favor thereof, the city of Horace and officers thereof shall continue in existence and operation as if no unification had occurred.

(4) If the commission submits a final plan which does not recommend the unification of the city and county or certain city and county offices, functions, services and operations, the provisions of this subsection shall not apply.

New Sec. 24. (a) Any plan submitted by the commission shall provide for the exercise of powers of local legislation and administration not inconsistent with the constitution or other laws of this state.

(b) If the commission submits a plan providing for the unification of certain city and county offices, functions, services and operations, the plan shall:

(1) Include a description of the form, structure, functions, powers and officers and the duties of such officers recommended in the plan.

(2) Provide for the method of amendment of the plan.

(3) Specify the effective date of the unification.

(4) Include other provisions determined necessary by the commission.

(c) If the plan provides for the unification of the city and county, in addition to the requirements of subsection (b) the plan shall:

(1) Provide that the members of the governing body be elected on an at-large basis and fix the number, term and initial compensation of the governing body of the unified city-county and the method of election.

(2) Determine whether elections of the governing body of the unified city-county shall be partisan or nonpartisan elections and the time at which such elections shall be held.

(3) Determine the distribution of legislative and administrative duties of the unified city-county officials, provide for unification or expansion of services as necessary, authorize the appointment of a city-county administrator or manager, if deemed advisable, and prescribe the general structure of the unified city-county government.

(4) Provide for the official name of the unified city-county.

(5) Provide for the transfer or other disposition of property and other rights, claims and assets of the county and city.

(6) Fix the rate of the retailers' sales tax, if any.

New Sec. 25. Greeley county is hereby designated an urban area, as authorized under the provisions of section 17 of article 2 of the constitution of the state of Kansas, for the purpose of granting to such county and urban area powers of local government and unification of local government.

New Sec. 26. (a) If the voters approve a plan which provides for the unification of the city and county, such unified city-county shall be subject to the provisions of this section.

(b) The unified city-county shall be subject to the cash-basis and budget laws of the state of Kansas.

(c) Except as provided in subsection (e), and in any other statute which specifically exempts bonds from the statutory limitations on bonded indebtedness, the limitation on bonded indebtedness of the unified city-county under this act shall be 30% of the assessed value of all tangible taxable property within such county on the preceding August 25.

(d) The following shall not be included in computing the total bonded indebtedness of the unified city-county for the purposes of determining the limitations on bonded indebtedness:

(1) Bonds issued for the purpose of refunding outstanding debt, including outstanding bonds and matured coupons thereof, or judgments thereon.

(2) Bonds issued pursuant to the provisions of article 46 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto.

(3) Bonds issued for the purpose of financing the construction or remodeling of a courthouse, jail or law enforcement center facility, which bonds are payable from the proceeds of a retailers' sales tax.

(4) Bonds issued for the purpose of acquiring, enlarging, extending or improving any storm or sanitary sewer system.

(5) Bonds issued for the purpose of acquiring, enlarging, extending or improving any municipal utility.

(6) Bonds issued to pay the cost of improvements to intersections of streets and alleys or that portion of any street immediately in front of city or school district property.

(e) Any bonded indebtedness and interest thereon incurred by the city or county prior to unification shall remain an obligation of the property subject to taxation for the payment thereof prior to such unification.

(f) Upon the effective date of the unification of the city and county, any retailers' sales tax levied by the city or county in accordance with K.S.A. 12-187 et seq., and amendment thereto, prior to such date shall remain in full force and effect, except that part of the rate attributable to the former city of Tribune shall not apply to retail sales in any other city located in the county.

(g) Upon the effective date of the unification of the city and county, the territory of the unified city-county shall include:

(1) All of the territory of the county for purposes of exercising the powers, duties and functions of a county.

(2) (A) Except as provided by paragraph (B), all of the territory of the county, except the territory of cities located in the county other than the former city of Tribune and the unincorporated area of the county, for purposes of exercising the powers, duties and functions of a city; or

(B) all the territory of the county located within the incorporated areas of the county, for the purpose of exercising the powers, duties and functions of a city. The provisions of this paragraph shall apply only if the final plan provides for the unification of the city of Horace

with the county and a majority of the qualified electors of the county and a majority of the qualified electors of the city of Horace voting on the plan vote in favor thereof.

(h) For the purposes of section 1 of article 5 of the constitution of the state of Kansas, the "voting area" for the governing body of the unified city-county shall include all the territory within the county.

(i) Except for the unified city-county and unless otherwise provided by law, other political subdivisions of the county shall not be affected by unification of the city and county. Such other political subdivisions shall continue in existence and operation.

(j) Unless otherwise provided by law, the unified city-county shall be eligible for the distribution of any funds from the state and federal government as if no unification had occurred. Except as provided in this subsection, the population and assessed valuation of the territory of the unified city-county shall be considered its population and assessed valuation for purposes of the distribution of moneys from the state or federal government.

(k) The unified city-county shall be a county. The governing body of the unified city-county shall be considered county commissioners for the purposes of section 2 of article 4 of the constitution of the state of Kansas and shall have all the powers, functions and duties of a county and may exercise home rule powers in the manner and subject to the limitations provided by K.S.A. 19-101a, and amendments thereto, and other laws of this state.

The governing body of the unified city-county shall be responsible for any duties or functions imposed by the constitution of the state of Kansas and other laws of this state upon any county office abolished by the unification plan. Such duties may be delegated by the governing body or as provided in the unification plan.

(l) The unified city-county shall be a city of the first class. The governing body of the unified city-county shall have all the powers, functions and duties of a city of the first class and may exercise home rule powers in the manner and subject to the limitations provided by article 12 of section 5 of the constitution of the state of Kansas and other laws of this state.

(m) The governing body of the unified city-county may create special service districts within the city-county and may levy taxes for services provided in such districts.

(n) Changes in the form of government approved by the voters in accordance with the unification plan are hereby declared to be legislative matters and subject to initiative and referendum in accordance with K.S.A. 12-3013 et seq., and amendments thereto.

New Sec. 27. (a) The governing body of the unified city-county may not annex any land located outside the county.

(b) The governing body of the unified city-county may not initiate annexation procedures of land located within the county, but may annex land upon petition of the owners of any such land.

New Sec. 28. All costs incurred or authorized by the unification commission and all other costs incurred by the city and county pursuant to this act shall be paid by the city and county.

New Sec. 29. (a) Until a special election is held at which a final plan is submitted for approval to the electors or until a final plan which does not recommend unification of the city and county is adopted by a unification commission, the governing body of any city which is the subject of a study considering the unification of such city with the county in which such city is located may not initiate pursuant to K.S.A. 12-520, and amendments thereto, annexation procedures of land located within the county, but may annex land upon petition of the owners of any such land.

(b) As used in this section, "city" means any city located within Kansas.

(c) The provisions of this section shall expire on June 30, 2007.

New Sec. 30. If any provision of this act is held to be invalid or unconstitutional, it shall be presumed conclusively that the legislature would have enacted the remainder of this act without such invalid or unconstitutional provision.;

And by renumbering the remaining sections accordingly;

Also, on motion of Rep. Vickrey, **SB 379** be amended on page 9, by striking all in lines 21 through 43;

By striking all on pages 10 through 15;

On page 16, by striking all in lines 1 through 11;

By renumbering the remaining sections accordingly;

Also on page 16, in line 13, by striking “, 18-146, 18-1,105”; also in line 13, by striking “and” where it appears the last time; in line 14, by striking “19-205”

In the title, in line 15, by striking the last comma; in line 16, by striking “18-146, 18-1,105”; also in line 16, by striking “and 19-”; in line 17, by striking “205”;

Also, on motion of Rep. Dahl, **SB 379** be amended on page 16, after line 11, by inserting the following:

“Sec. 21. K.S.A. 64-101 is hereby amended to read as follows: 64-101. (a) The governing body of each city of the first class shall designate by resolution a newspaper to be the official city newspaper. Once designated, the newspaper shall be the official city newspaper until such time as the governing body designates a different newspaper.

No legal notice, advertisement or publication of any kind required or provided by any of the laws of the state of Kansas, to be published in a newspaper shall have any force or effect unless the same is published in a newspaper which:

(1) Is published at least weekly 50 times a year and has been so published for at least one year prior to the publication of any official city publication;

(2) is entered at the post office as periodical class mail matter;

(3) has general paid circulation on a daily, weekly, monthly or yearly basis in the county in which the city is located and is not a trade, religious or fraternal publication; and

(4) is published in the county in which the city publishing the official publication is located. If there is no newspaper published in the county, the newspaper shall be published in Kansas and shall have general paid circulation in the county.

(b) The board of county commissioners of each county shall designate by resolution a newspaper to be the official county newspaper. Once designated the newspaper shall be the official county newspaper until such time as the board designates a different newspaper. The newspaper selected for the official publications of a county shall be a newspaper which:

(1) Is published at least weekly 50 times each year and has been so published for at least one year prior to the publication of any official county publication;

(2) is entered at the post office in the county of publication as periodical class mail matter, which county shall be located in Kansas;

(3) has general ~~paid~~ circulation on a daily, weekly, monthly or yearly basis in the county and is not a trade, religious or fraternal publication; and

(4) is published in the county publishing the official publication. If there is no newspaper published in the county, the newspaper shall be printed in Kansas and have general paid circulation in the county.

(c) Whenever the board of education of a school district is required to publish a legal notice, advertisement or other publication in a newspaper having general circulation in the school district, such newspaper shall be one which:

(1) Is published at least weekly 50 times each year and has been so published for at least one year prior to the publication of any school district publication;

(2) is entered at the post office in the school district of publication as periodical class mail matter;

(3) has general paid circulation on a daily, weekly, monthly or yearly basis in the school district and is not a trade, religious or fraternal publication; and

(4) is published in the school district publishing the official publication. If there is no newspaper published in the school district, the newspaper shall be published in Kansas and shall have general paid circulation in the school district.

(d) Nothing contained in this section shall invalidate the publication in a newspaper which has resumed publication after having suspended publication all or part of the time that the United States has been engaged in war with any foreign nation and six months next following the cessation of hostilities if such newspaper resumes publication in good faith under the same ownership as it had when it suspended publication. Nothing in this section shall invalidate the publication in a newspaper which has simply changed its name or moved its place of publication from one part of the county to another part, or suspended publication on account of fire, flood, strikes, shortages of materials or other unavoidable accidents for not to exceed 10 weeks within the year last preceding the first publication of the legal notice, advertisement or publication. All legal publications heretofore made which otherwise would be valid, that have been made in a newspaper which, on account of flood, fire, strikes,

shortages of materials or other unavoidable accident, has suspended publication for a period of not exceeding 10 weeks, are hereby legalized.”;

And by renumbering the remaining sections accordingly;

Also on page 16, in line 13, by striking “and 18-202” and inserting “18-202 and 64-101”;

On page 1, in the title, in line 14, after “reorganization” by inserting “; relating to governmental publications”; in line 16, by striking “and 18-202” and inserting “; 18-202 and 64-101”; and **SB 379** be passed as amended.

Committee report recommending a substitute bill to **H. Sub. for SB 70** be adopted; also, on motion of Rep. Hawk be amended on page 1, in line 13, by striking all after “For”; in line 14, by striking “2005” and inserting “taxable years 2006, 2007 and 2008”;

On page 2, in line 30, by striking all after “for”; in line 31, by striking all before the second comma, by inserting “taxable years 2006, 2007 and 2008”; and the substitute bill be passed as amended.

Committee report to **SCR 1624** be adopted; also, on motion of Rep. Merrick be amended on page 1, in line 31, after the stricken material, by inserting “; and”; in line 43, by striking the colon; after line 43, by inserting the following:

“WHEREAS, Streamlined foreign investment procedures developed under a Taiwan-United States free trade agreement would lead to further investment by firms in both Taiwan and the United States and would create new business opportunities and new jobs; and

WHEREAS, A Taiwan-United States free trade agreement would encourage greater innovations and manufacturing efficiencies by stimulating joint technological development, practical applications and new cooperative ventures; and

WHEREAS, A recent study by the United States International Trade Commission supports the negotiation of a Taiwan-United States free trade agreement to further boost trade between the two countries and serve the broader interests of the United States in the Asia-Pacific region.”;

On page 2, in line 4, by striking “contin-”; by striking all in line 5; in line 6, by striking “States” and inserting “the negotiation of a Taiwan-United States free trade agreement”;

On page 1, in the title, by striking all in line 11; in line 12, by striking all before the period and inserting “a Taiwan-United States free trade agreement”;

Also, roll call was demanded on motion of Rep. Trimmer to amend **SCR 1624** on page 1, after line 13, by inserting:

“WHEREAS, Trade between Taiwan, Japan and other nations of Southeast Asia and the United States is essential to the economic well-being of all nations; and

WHEREAS, All available efforts to open, sustain and expand trade with Taiwan, Japan and other nations of Southeast Asia are encouraged and will result in growth of the Kansas economy and provide enormous economic opportunities to the citizens of Kansas; and”;

Also on page 1, in line 31, after the stricken material, by inserting “; and”; in line 43, by striking the colon; after line 43, by inserting the following:

“WHEREAS, The closure of export markets for American beef at the end of 2003 has cost the U.S. economy an estimated \$3.3 billion a year; and

WHEREAS, Many countries which have shut their borders to American beef are demanding significantly increased testing and in some cases, demanding the testing of all animals; and

WHEREAS, Creekstone Farms, a Kansas beef packing company which normally exports 20% of its beef to Japan, which has banned all imports of untested beef, is losing approximately \$200,000 a day; and

WHEREAS, In response, Creekstone Farms has spent over \$500,000 to build a laboratory and hired scientists, to test over 300,000 of its own animals to regain its lost market; and

WHEREAS, A basic tenet of the American way and a free market economy is the producer supplying what the consumer is demanding; and

WHEREAS, For the U.S. regulatory agency with responsibility to ensure the safety of American beef products to give permission to relax testing standards would be unacceptable, but to not give a company the authority to exceed such standards is nonsensical in light of this difficult time for American beef producers; and

WHEREAS, The Legislature of the State of Kansas does not dispute the USDA contention that 100% testing for BSE is not necessary for protecting health and should not be mandatory; and

WHEREAS, To deny a small specialty firm the right to voluntarily test all its animals to meet the legitimate demands of one of its best customers is inappropriate, especially with regard to current market conditions; and

WHEREAS, The USDA should not ban contractual agreements between a willing buyer and a willing seller when such agreements do not hurt consumers and help the American economy; and

WHEREAS, Significant opportunities for trade with Taiwan, Japan and other nations of Southeast Asia exist and the development of all opportunities to open, sustain and expand such trade is beneficial to Kansas.;

On page 2, in line 5, after "Taiwan" by inserting ", Japan and other nations in Southeast Asia"; in line 6, after "States" by inserting ", and urging the United States Department of Agriculture to allow Creekstone Farms and other beef producers to test 100% of its beef for BSE to satisfy its customers and open markets for American beef";

On page 1, in the title, in line 12, after "Taiwan" by inserting ", Japan and other nations of Southeast Asia"; also in line 12, after "States" by inserting ", and urging the United States Department of Agriculture to grant companies the necessary permission to test 100% of their animals to meet market demand";

On roll call, the vote was: Yeas 72; Nays 41; Present but not voting: 0; Absent or not voting: 12.

Yeas: Aurand, Ballard, Beamer, Bethell, Carlin, Carlson, Crow, Dahl, Davis, DeCastro, Decker, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, Goico, Grant, Hawk, Henderson, Henry, Holland, C. Holmes, Huebert, Kelley, Kiegerl, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Loganbill, Long, Loyd, Lukert, Mast, McCreary, McKinney, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Neufeld, O'Malley, Oharah, Otto, Pauls, Peck, Phelps, Powers, Proehl, Ruff, Ruiz, Sawyer, B. Sharp, Sloan, Storm, Swenson, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Williams, Winn, Yoder.

Nays: Brown, Brunk, Burgess, Colloton, Cox, Craft, Freeborn, George, Gordon, Grange, Hill, M. Holmes, Horst, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelsey, Kilpatrick, Kinzer, Mah, Mays, McLeland, Myers, O'Neal, Owens, Pilcher-Cook, Powell, Roth, Schwab, Schwartz, S. Sharp, Siegfried, Tafanelli, Weber, Wilk, Wolf, Yonally.

Present but not voting: None.

Absent or not voting: Burroughs, Carter, Dillmore, Hayzlett, Light, Masterson, Menghini, Olson, Peterson, Pottorff, Shultz, Svaty.

The motion of Rep. Trimmer prevailed, and **SCR 1624** be adopted as amended.

Committee report to **SB 528** be adopted; also, on motion of Rep. Pauls to amend, Rep. Kirk requested a ruling on the amendment being germane to the bill. The Rules Vice Chair ruled the amendment germane. The question then reverted back to the motion of Rep. Pauls and the bill be amended on page 4, after line 31, by inserting the following:

"New Sec. 3. (a) As used in this section:

(1) "Abortion" or "abortion procedure" means any surgical or other procedure or drug used to terminate a pregnancy, whether the fetus is viable or not.

(2) "Institution" means any secondary school which receives public moneys.

(3) "Pregnancy related instruction" means a course, special event, seminar or forum on any or all of the following topics: human reproduction, human sexuality and sex education.

(b) Whenever any institution offers pregnancy-related instruction, there shall be included in such instruction information and materials specifically addressing human fetal development and gestation. Such information and materials shall describe the anatomical and physiological characteristics of the fetus at four-week gestational increments from fertilization to full term, including pictures or realistic drawings, or both, giving actual size dimensions. Such information and materials shall be objective and designed to convey only accurate scientific information about the fetus at various gestational stages.

(c) Whenever any instruction discusses abortion, such information shall include a description of all methods of abortion, including, but not limited to: (1) morning after pill; (2) suction; (3) RU 486/methotrexate; (4) dilation and extraction; (5) saline; (6) prostaglandin; and (7) partial birth abortions. The information and materials shall be objective and designed to convey only accurate scientific information about the medical risks associated with each procedure as well as information concerning the fetal development at the time of each procedure. Such fetal information shall include the probable physical sensations or pain a fetus feels or detects, or may feel or detect, during the various abortion procedures. Such fetal information shall also include relevant information on the survival of the fetus, if the fetus is not killed during an abortion procedure.

(d) The method of implementing this act shall be determined by the governing body of the institution.

(e) A parent or legal guardian of a child may choose to remove such child from the instruction required by this section by notifying the school administration.”;

And by renumbering sections accordingly;

In the title, in line 13, after the semicolon, by inserting “pregnancy related instruction.”;

Also, on motion of Rep. Kirk to amend **SB 528**, the motion did not prevail. Also, on further motion of Rep. Kirk to amend, the motion did not prevail, and the bill be passed as amended.

Committee report to **SB 503** be adopted; also, on motion of Rep. Hayzlett to amend, the motion did not prevail.

Also, on motion of Rep. Phelps to amend **SB 503**, the motion did not prevail.

Also, on motion of Rep. Bethell, **SB 503** be amended on page 2, after line 23, by inserting the following:

“Sec. 3. K.S.A. 2005 Supp. 82a-303b is hereby amended to read as follows: 82a-303b. (a)

(1) In order to secure conformity with adopted rules and regulations and to assure compliance with the terms, conditions or restrictions of any consent or permit granted pursuant to the provisions of K.S.A. 82a-301 through 82a-303, and amendments thereto, the chief engineer or an authorized representative of the chief engineer shall have the power and the duty to inspect any dam or other water obstruction *except that the dam located on Lake Barton country club property shall not be subject to such inspection*. Upon a finding pursuant to subsection (a) of K.S.A. 82a-303c, and amendments thereto, by the chief engineer that a dam is unsafe, the chief engineer shall order an annual inspection of the dam until it is either in compliance with all applicable provisions of this act, any rules and regulations promulgated pursuant to this act, permit conditions and orders of the chief engineer; or the dam is removed. The safety inspection shall be conducted by the chief engineer or authorized representative and the cost shall be paid by the dam owner. The class and size of a dam provided for by the provisions of this act shall be defined by rules and regulations adopted by the chief engineer pursuant to K.S.A. 82a-303a, and amendments thereto. Inspection fees are as follows:

Size of Dam	Inspection fee
Class 1	\$1,500
Class 2	\$1,500
Class 3	\$2,500
Class 4	\$4,000.

(2) Each hazard class C dam shall be required to have a safety inspection conducted by a licensed professional engineer qualified in design, construction, maintenance and operation of dams once every three years, unless otherwise ordered by the chief engineer.

(3) Each hazard class B dam shall be required to have a safety inspection conducted by a licensed professional engineer qualified in design, construction, maintenance and operation of dams once every five years unless otherwise ordered by the chief engineer.

(4) Within 60 days of the date of inspection, a report of the inspection shall be provided to the chief engineer by the licensed professional engineer who conducted the inspection. The report shall document the physical condition of the dam, describing any deficiencies observed, an analysis of the capacity of the dam and its spillway works, compliance of the dam with approved plans and permit conditions, changes observed in the condition of the dam since the previous inspection, an assessment of the hazard classification of the dam



including a statement that the engineer either agrees or disagrees with the current classification, and any other information relevant to the safety of the dam or specifically requested by the chief engineer.

(5) Upon failure of a dam owner to comply with the applicable inspection interval, the chief engineer or such chief engineer's authorized representative shall conduct a mandatory inspection of the dam and the costs as established by this act for the inspection shall be paid by the owner, in addition to any other remedies provided for violations of this act.

(6) The failure to file a complete and timely report as required by the provisions of this act, or the failure to submit the fees assessed for inspections conducted by the chief engineer or such chief engineer's authorized representative shall be deemed a violation of this act and subject to the penalties provided by K.S.A. 82a-305a, and amendments thereto.

(b) For the purpose of inspecting any dam or other water obstruction, the chief engineer or an authorized representative of the chief engineer shall have the right of access to private property. Costs for any work which may be required by the chief engineer or the authorized representative prior to or as a result of the inspection of a dam or other water obstruction shall be paid by the owner, governmental agency or operator of such dam or other water obstruction.

(c) All fees collected by the chief engineer pursuant to this section shall be remitted to the state treasurer as provided in K.S.A. 2005 Supp. 82a-328, and amendments thereto.

Sec. 4. K.S.A. 2005 Supp. 82a-303b is hereby repealed.”; And by renumbering the remaining section accordingly;

On page 1, in the title, in line 12, before the period, by inserting “; relating to dam inspections; amending K.S.A. 2005 Supp. 82a-303b and repealing the existing section”; and **SB 503** be passed as amended.

Committee report to **HB 2618** be adopted; and the bill be passed as amended.

#### REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **SB 546** be amended on page 2, by striking all in lines 31 through 43;

On page 3, by striking all in lines 1 through 3;

And by renumbering the remaining section accordingly; and the bill be passed as amended.

#### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6024—

By Representatives Williams and Lukert

A RESOLUTION requiring the attorney general to bring action to determine certain issues of law concerning unborn children and to seek a permanent injunction to prohibit the expenditure of state funds for the purpose of terminating the lives of innocent human beings including the unborn whether in utero or ex utero.

WHEREAS, The constitution of Kansas provides for the basic organization of state government, defines and limits the powers of the state and guarantees certain fundamental rights to all men; and

WHEREAS, The Bill of Rights of the constitution is a declaration of the basic rights of all men that may not be denied or infringed upon by the state or any local government; and

WHEREAS, Section one of the Bill of Rights of the constitution of Kansas states that “All men are possessed of equal and inalienable natural rights, among which are life, liberty, and the pursuit of happiness.” The right to life, logically enumerated first, is the basic, most fundamental right without which all others are meaningless; and

WHEREAS, The term “men” is accepted to include adult males, women and children, in other words all human beings [see *Ex Parte Dunkerton*, 104 Kan. 481, 179 P.347 (1919); *Pauley v. Gross*, 1 Kan. App.2d 736, 574 P.2d 234 (1977); and *In re Gordon's Estate*, 183 Kan. 238, 246, 326 P.2d 264,270 (1958)]; and

WHEREAS, In 1854 the first territorial legislature enacted three laws that protected preborn children. All three laws were again enacted by the first state legislature in 1861.

The first of these made it a misdemeanor to commit the act of abortion unless it was necessary to preserve the mother's life. One made the willful killing of an unborn quick child by injury to the mother manslaughter in the first degree. The third prescribed a penalty of manslaughter in the second degree for merely attempting an abortion after "quickening". It was presumed that quickening was the only way to prove that a child was alive in the womb; and

WHEREAS, All medical and scientific evidence now acknowledges and affirms that children before birth share all the basic attributes of human personality—that they in fact are identifiable individual human beings; the unborn child is considered a person for purposes of qualifying for medical care under the federal medicaid program; modern medicine treats unborn children as patients; through ultrasound imaging and other techniques we can see the child's amazing development; by using DNA profiling, before birth, indeed, even before the new being is implanted in her mother's womb, we can be absolutely sure we are monitoring the same individual from conception/fertilization through the various stages of growth; and

WHEREAS, The state of Kansas acknowledges that a human being exists before birth by requiring the postponement of the execution of a pregnant convict "until the child is born." [K.S.A. 22-4009 (b)]; and

WHEREAS, The House of Representatives of The State of Kansas did acknowledge during the 2005 legislative session that an unborn child is in existence at any stage of development from conception/fertilization and that this unborn child is a person and/or a human being as used in the Kansas criminal code.[HB 2300, the unborn victims of violence act, passed by a vote of 85 in favor with 38 against. (House Journal 3-24-2005)]; and

WHEREAS, The Kansas Supreme Court acknowledged in *Smith v. Deppish*, 248 Kan. 217, 231 (1991) that "we humans create human offspring by transferring our DNA to our children" and that this is done "during reproduction....," also known biologically as fertilization or conception, or both. The court further acknowledged in *Smith v. Deppish*, 248 Kan. 217, 232 (1991) that "each person's" DNA can be "individualized"; and

WHEREAS, A controversy now exists when the state of Kansas expends state funds for the purpose of terminating the lives of preborn human beings. Through the use of matching funds in, and the administration of, the medicaid and healthwvave programs and the use of state funds to finance the major portion of the premiums for state employees health care many of which pay for the termination of the lives of innocent human beings, the state has become a direct party in violating section 1 of the Bill of Rights of the constitution of Kansas; and

WHEREAS, This matter involves issues of law which have never been resolved by the courts of the state of Kansas except to the extent questions have been raised in the Kansas Supreme Court by *City of Wichita vs. Elizabeth A. Tilson*, 253 Kan. 285 (1991) and *State v. Kleypas*, 272 Kan. 894, 1051-52, 40 P.3d 139, 253 (2001): Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That, based on undeniable medical, biological and scientific facts, we do hereby acknowledge and affirm that the unborn children in the state of Kansas have an equal and inalienable right to life from conception/fertilization and that allowing and expending state funds for the termination of the lives of innocent human beings even before birth violates section 1 of the Bill of Rights of the Kansas Constitution; and

*Be it further resolved:* That in accordance with K.S.A. 75-702, and amendments thereto, the attorney general of the state of Kansas no later than 90 days from passage of this resolution, it hereby required to begin proceedings to seek resolution of this issue in the supreme court of the state of Kansas and to prosecute the case vigorously; the attorney general is further directed to bring action in mandamus and quo warranto against the governor as chief executive officer of the state and the secretary of the Kansas Department of Administration and the director of the Division of Health Policy and Finance as administrative officers of health programs in Kansas for the granting of a prospective permanent injunction barring the defendants from expending state funds for the purpose of paying for the termination of the lives of innocent human beings, whether in utero or ex utero; and the attorney general is further directed and ordered to plead to the court that upon conception/fertilization there is life, that this life is that of a human being and to further plead

to the court to acknowledge and affirm that this human being is an "individual", a "man" under the constitution of the state of Kansas. The most recent medical, biological and scientific facts and developments, especially those concerning the beginning of life and the incontestable reliance on DNA profiling as a positive means of identification, must be presented to the court in support of the above mentioned plea.

On motion of Rep. Aurand, the House recessed until 8:00 p.m.

---

### NIGHT SESSION

The House met pursuant to recess with Speaker Mays in the chair.

#### MESSAGE FROM THE SENATE

The Senate nonconcur in House amendments to **H. Sub. for SB 47**, requests a conference and has appointed Senators Brungardt, Reitz and Hensley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H. Sub. for SB 51**, requests a conference and has appointed Senators Vratil, Bruce and Goodwin as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H. Sub. for Sub. SB 85**, requests a conference and has appointed Senators Umbarger, Emler and Barone as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H. Sub. for SB 243**, requests a conference and has appointed Senators Umbarger, Emler and Barone as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 297**, requests a conference and has appointed Senators Brungardt, Reitz and Hensley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 421**, requests a conference and has appointed Senators Brungardt, Reitz and Hensley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 549**, requests a conference and has appointed Senators Brungardt, Reitz and Hensley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SCR 1618**, requests a conference and has appointed Senators Schodorf, Vratil and Lee as conferees on the part of the Senate.

Announcing rejection of **Sub. HB 2986**.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **H. Sub. for SB 47**.

Speaker Mays thereupon appointed Reps. Edmonds, Siegfried and Burroughs as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **H. Sub. for SB 51**.

Speaker Mays thereupon appointed Reps. Neufeld, Landwehr and Feuerborn as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **H. Sub. for SB 85**.

Speaker Mays thereupon appointed Reps. Neufeld, Landwehr and Feuerborn as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **H. Sub. for SB 243**.

Speaker Mays thereupon appointed Reps. Neufeld, Landwehr and Feuerborn as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 297**.

Speaker Mays thereupon appointed Reps. Merrick, McLeland and Pauls as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 421**.

Speaker Mays thereupon appointed Reps. Edmonds, Siegfried and Burroughs as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 549**.

Speaker Mays thereupon appointed Reps. Neufeld, Landwehr and Feuerborn as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SCR 1618**.

Speaker Mays thereupon appointed Reps. Decker, Horst and Storm as conferees on the part of the House.

#### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Hayzlett, the House concurred in Senate amendments to **HB 2878**, An act relating to motor fuel permits; providing for 24-hour or 72-hour permits; amending K.S.A. 2005 Supp. 79-34,118 and 79-34,122 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Masterson, Weber.

On motion of Rep. Ruff, the House concurred in Senate amendments to **HB 2671**, An act concerning workers compensation; relating to closure of claims; deductibles; amending K.S.A. 44-559a and K.S.A. 2005 Supp. 44-523 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls,

Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Masterson, Weber.

On motion of Rep. Schwab, the House concurred in Senate amendments to **HB 2772**, An act concerning employment; relating to the employment relationship between an owner-operator and a licensed motor carrier; relating to misclassification of employees; amending K.S.A. 2005 Supp. 79-3234 and repealing the existing section.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Masterson, Weber.

On motion of Rep. Dahl, the House concurred in Senate amendments to **HB 2696**, An act concerning workers compensation; relating to administrative law judges; amending K.S.A. 2005 Supp. 44-551 and 75-5708 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Masterson, Weber.

#### CHANGE OF CONFEREES

Speaker Mays announced the appointment of Rep. M. Miller as a member of the conference committee on **H. Sub. for SB 47** to replace Rep. Burroughs.

Also, the appointment of Rep. Schwab as a member of the conference committee on **H. Sub. for SB 51** to replace Rep. Landwehr.

Also, the appointment of Rep. Hutchins as a member of the conference committee on **SB 549** to replace Rep. Landwehr.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 332**, 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, in line 38, by striking "to 75-6511, inclusive" and inserting "through 75-6511";

On page 2, in line 3, by striking "to 75-6511, inclusive" and inserting "through 75-6511"; in line 8, by striking "to 75-3744, inclusive" and inserting "through 75-3744"; in line 23, by striking "to 75-3744, inclusive" and inserting "through 75-3744"; by striking all in lines 35 through 37 and inserting the following:

"(e) The state board of regents may enter into one or more group insurance contracts to provide health and accident insurance coverage or health care services of a health maintenance organization for all students attending a state educational institution as defined in K.S.A. 76-711, and amendments thereto, and such students' dependents. The participation by a student in such coverage shall be voluntary. In the case of students who are employed by a state educational institution in a student position, the level of employer contributions toward such coverage shall be determined by the board of regents. The board of regents may adopt rules and regulations necessary to administer and implement the provisions of this section.

Sec. 2. K.S.A. 2005 Supp. 75-6501 is hereby amended to read as follows: 75-6501. (a) Within the limits of appropriations made or available therefor and subject to the provisions of appropriation acts relating thereto, the Kansas state employees health care commission shall develop and provide for the implementation and administration of a state health care benefits program.

(b) The state health care benefits program may provide benefits for persons qualified to participate in the program for hospitalization, medical services, surgical services, nonmedical remedial care and treatment rendered in accordance with a religious method of healing and other health services. The program may include such provisions as are established by the Kansas state employees health care commission, including but not limited to qualifications for benefits, services covered, schedules and graduation of benefits, conversion privileges, deductible amounts, limitations on eligibility for benefits by reason of termination of employment or other change of status, leaves of absence, military service or other interruptions in service and other reasonable provisions as may be established by the commission.

(c) The Kansas state employees health care commission shall designate by rules and regulations those persons who are qualified to participate in the state health care benefits program, including active and retired public officers and employees and their dependents as defined by rules and regulations of the commission. *Such rules and regulations shall not apply to students attending a state educational institution as defined in K.S.A. 76-711, and amendments thereto, who are covered by insurance contracts entered into by the board of regents pursuant to K.S.A. 75-4101, and amendments thereto.* In designating persons qualified to participate in the state health care benefits program, the commission may establish such conditions, restrictions, limitations and exclusions as the commission deems reasonable. Such conditions, restrictions, limitations and exclusions shall include the conditions contained in subsection (d) of K.S.A. 75-6506, and amendments thereto. Each person who was formerly elected or appointed and qualified to an elective state office and who was covered immediately preceding the date such person ceased to hold such office by the provisions of group health insurance or a health maintenance organization plan under the law in effect prior to August 1, 1984, or the state health care benefits program in effect after that date, shall continue to be qualified to participate in the state health care benefits program and shall pay the cost of participation in the program as established and in accordance with the procedures prescribed by the commission if such person chooses to participate therein.

~~(d) The state health care benefits program established under this act shall be effective on and after August 1, 1984.~~

*(d) The commission shall have no authority to assess charges for employer contributions under the student health care benefits component of the state health care benefits program for persons who are covered by insurance contracts entered into by the board of regents pursuant to K.S.A. 75-4101, and amendments thereto.*

*(e) Nothing in this act shall be construed to permit the Kansas state employees health care commission to discontinue the student health care benefits component of the state health care benefits program until the state board of regents has contracts in effect that provide student coverage pursuant to the authority granted therefor in K.S.A. 75-4101, and amendments thereto.*

New Sec. 3. (a) As used in this section:

(1) "Federal poverty level" means the most recent poverty income guidelines published in the calendar year by the United States department of health and human services.

(2) "Program" means the low-income family postsecondary savings accounts incentive program established by this section.

(3) "Qualified individual or family" means an individual or family who resides within the state of Kansas and whose household income is not more than 200% of the federal poverty level at the time of application.

(4) "Participant" means a qualified individual or family who has been approved for participation in the program.

(5) "District" means a congressional district of the state of Kansas.

(6) Words and phrases have the meanings provided by K.S.A. 75-643, and amendments thereto, unless otherwise provided by this section.

(b) There is hereby established the low-income family postsecondary savings accounts incentive program. The purpose of the program is to encourage the establishment of family postsecondary savings accounts pursuant to K.S.A. 75-640, and amendments thereto, by qualified individuals and families.

(c) The treasurer shall:

(1) Implement and administer the program;

(2) develop marketing plans and promotional material for the program;

(3) prescribe the procedure for, and requirements relating to, the submission and approval of applications;

(4) do all things necessary and proper to carry out the purposes of this act; and

(5) adopt any rules and regulations and policies deemed necessary for implementation and administration of the program.

(d) Applications for participation in the program shall be submitted to the treasurer in the manner and form required by the treasurer. Applications shall be accompanied by any information deemed necessary by the treasurer.

(e) During fiscal year 2007, the treasurer may approve no more than 400 applications. Each fiscal year thereafter, the treasurer may approve up to 400 applications in addition to those approved in the previous fiscal year. In each fiscal year, the treasurer shall approve no more than 100 applications from residents of a single district. If 100 applications from residents of a district are not approved in any fiscal year, the treasurer may approve additional applications submitted by residents of the remaining districts. The treasurer shall provide written notice, to an applicant, of the approval or nonapproval of such person's application. No application shall be approved after June 30, 2009.

(f) The provisions of this subsection shall be subject to the limitations of appropriations. The amount of contributions made to an account by a participant who establishes a family postsecondary savings account pursuant to K.S.A. 75-640 et seq., and amendments thereto, shall be matched by the state on a dollar-for-dollar basis if the participant contributes at least \$100 in each calendar year in which the account is open. The aggregate of all matching amounts for any participant shall not exceed \$600 in any calendar year. No moneys shall be appropriated for the purpose of marketing or administering this program in an amount which exceeds \$50,000. No moneys shall be appropriated for the purpose of matching contributions after June 30, 2009.

(g) Between January 1 and January 31 of each year, the director of accounts and reports shall transfer from the state general fund to the Kansas postsecondary education savings program trust fund the amount, as certified by the treasurer, necessary to meet the matching obligations under subsection (f) for the preceding calendar year. On or before January 31 of each year, the treasurer shall transfer from the Kansas postsecondary education savings program trust fund to the account of each participant the amount determined by the treasurer to meet the matching obligation due to such participant under subsection (f) for the preceding calendar year.

(h) The treasurer shall ensure that all withdrawals of matching funds are used for qualified withdrawals under K.S.A. 75-640 et seq., and amendments thereto.

(i) On or before January 15, 2009, the treasurer shall prepare and submit to the governor and legislature a report on the program. Such report shall include the number of accounts opened under the program, the amount of moneys contributed to such accounts by participants, the amount of matching moneys transferred by the treasurer pursuant to subsection (g), the average income of the participants, an analysis of the success of the program in meeting the purpose of the program and any other information deemed appropriate by the treasurer.

(j) The provisions of this section shall be part of and supplemental to the Kansas postsecondary education savings program.

Sec. 4. K.S.A. 75-4101 and K.S.A. 2005 Supp. 75-6501 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.;

In the title, by striking all in line 12 and 13 and inserting "AN ACT concerning postsecondary education; relating to the state board of regents and postsecondary educational institutions; relating to the powers and duties thereof; relating to postsecondary savings programs; amending K.S.A. 75-4101 and K.S.A. 2005 Supp. 75-6501 and repealing the existing sections.;"

And your committee on conference recommends the adoption of this report.

TOM SLOAN  
EVERETT JOHNSON  
SYDNEY CARLIN  
*Conferees on part of House*

JEAN SCHODORF  
JOHN VRATIL  
JANIS K. LEE  
*Conferees on part of Senate*

On motion of Rep. Sloan, the conference committee report on **SB 332** was adopted.

On roll call, the vote was: Yeas 92; Nays 31; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Bethell, Burgess, Burroughs, Carlin, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, Goico, Grange, Grant, Hawk, Henderson, Henry, Hill, Holland, C. Holmes, Horst, Huff, Humerickhouse, Huntington, D. Johnson, E. Johnson, Kelsey, Kiegerl, Kilpatrick, Kirk, Knox, Krehbiel, Kuether, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mays, McLeland, Menghini, F. Miller, M. Miller, Jim Morrison, O'Malley, O'Neal, Oharah, Otto, Owens, Pauls, Peterson, Phelps, Pottorff, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, B. Sharp, S. Sharp, Shultz, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Beamer, Brown, Brunk, Carlson, Carter, Edmonds, Faber, George, Gordon, Hayzlett, M. Holmes, Huebert, Hutchins, Huy, Kelley, Kinzer, Landwehr, Mast, McCreary, McKinney, Merrick, Judy Morrison, Myers, Neufeld, Olson, Peck, Pilcher-Cook, Powell, Schwartz, Siegfried, Watkins.

Present but not voting: None.

Absent or not voting: Masterson, Weber.



**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 408**, 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 3, in line 19, by striking “(2)”; in line 20, by striking “Cruelty” and inserting a starting new paragraph as follows:

“(2) The first conviction of cruelty”;

Also on page 3, in line 25, following the stricken material, by inserting “The second or subsequent conviction of cruelty to animals as described in subsection (a)(2), (a)(3), (a)(4) and (a)(5) is a non-person felony. Upon such conviction, a person shall be sentenced to not less than five days or more than one year’s imprisonment.”;

On page 9, in line 25, by striking “subsection (a)(1) of”; in line 38, by striking “subsection (a)(1) of”;

And your committee on conference recommends the adoption of this report.

MICHAEL R. O’NEAL

LANCE KINZER

JANICE L. PAULS

*Conferees on part of House*

JOHN VRATIL

TERRY BRUCE

DAVID HALEY

*Conferees on part of Senate*

On motion of Rep. O’Neal, the conference committee report on **SB 408** was adopted.

On roll call, the vote was: Yeas 116; Nays 7; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Davis, DeCastro, Decker, Dillmore, Edmonds, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Mays, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, O’Malley, O’Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Dahl, Faber, M. Holmes, McCreary, Neufeld, Powell, Schwartz.

Present but not voting: None.

Absent or not voting: Masterson, Weber.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 374**, 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 2, after line 22, by inserting the following:

“Sec. 2. From and after January 1, 2007, K.S.A. 8-129 is hereby amended to read as follows: 8-129. (a) Applications for the registration of a vehicle required to be registered shall be made by the owner, by mail, on-line, electronically or otherwise, in the office of the county treasurer of:

(1) The county in which such owner resides; or

(2) the county in which the owner has a bona fide place of business, if such vehicle is garaged in such county for a period exceeding 90 days. Such place of business shall not be an office or facility established or maintained solely for the purpose of obtaining registration.

Such applications for registration shall be made upon appropriate forms furnished by the department and every application shall contain the name of the owner, such owner's residence address or bona fide place of business, a brief description of the vehicle to be registered and such other information as may be required by the department. If the owner is not a resident of or does not have a bona fide place of business in this state, the owner may make application for registration in any county which the department shall designate, except that in the case of members of the armed forces of the United States, the application may be signed by the owner's spouse, parent, eldest brother or sister, in the order named. ~~If the application is made by mail, on-line or electronically, such application shall be accompanied by a fee of \$.50 for postage and other expenses incidental to mailing the license plates, which fee shall be in addition to the registration fee, and the county treasurer shall deposit the sum in the special fund provided by K.S.A. 8-145, and amendments thereto, to be used for the purpose of paying the postage, necessary help and expenses.~~ With reference to every foreign vehicle which has been registered outside of this state, the owner shall exhibit to the department the certificate of title and registration card, or other evidence of such former registration as may be in the applicant's possession or control, or such other evidence as will satisfy the department that the applicant is the lawful owner or possessor of the vehicle.

(b) The applicant for the registration of a vehicle required to be registered, upon the filing of the application, shall submit a statement certifying that such person has a certificate of title for the motor vehicle, showing the date and identification thereof, or file an application therefor, as provided in this act.”;

And by renumbering sections accordingly;

On page 5, after line 16, by inserting the following:

“Sec. 4. From and after July 1, 2006, K.S.A. 8-166 is hereby amended to read as follows: 8-166. The following words and phrases when used in this act shall for the purpose of this act have the following meaning:

(a) ~~“Antique.”~~ “Antique” means any vehicle, including an antique military vehicle, more than ~~thirty-five (35)~~ 35 years old, propelled by a motor using petroleum fuel, steam or electricity or any combination thereof.

(b) ~~“Person.”~~ “Person” means every natural person, firm, copartnership, association, corporation, club or organization.

(c) “Antique military vehicle” means a vehicle, regardless of the vehicle's size or weight, which was manufactured for use in any country's military forces and is maintained to represent its military design, except that an antique military vehicle shall not include a fully tracked vehicle.

~~(d)~~ (d) The words and phrases defined in K.S.A. 8-126 and 8-126a, and amendments thereto, when used in this act shall have the meanings respectively ascribed to them by ~~said~~ such sections.

Sec. 5. From and after July 1, 2006, K.S.A. 2005 Supp. 8-145 is hereby amended to read as follows: 8-145. (a) All registration and certificates of title fees shall be paid to the county treasurer of the county in which the applicant for registration resides or has an office or principal place of business within this state, and the county treasurer shall issue a receipt in triplicate, on blanks furnished by the division of vehicles, one copy of which shall be filed in the county treasurer's office, one copy shall be delivered to the applicant and the original copy shall be forwarded to the director of vehicles.

(b) The county treasurer shall deposit \$.75 of each license application, \$.75 out of each application for transfer of license plate and \$2 out of each application for a certificate of title, collected by such treasurer under this act, in a special fund, which fund is hereby appropriated for the use of the county treasurer in paying for necessary help and expenses incidental to the administration of duties in accordance with the provisions of this law and extra compensation to the county treasurer for the services performed in administering the provisions of this act, which compensation shall be in addition to any other compensation provided by any other law, except that the county treasurer shall receive as additional compensation for administering the motor vehicle title and registration laws and fees, a sum

computed as follows: The county treasurer, during the month of December, shall determine the amount to be retained for extra compensation not to exceed the following amounts each year for calendar year ~~1990~~ 2006 or any calendar year thereafter: The sum of ~~\$60~~ \$110 per hundred registrations for the first 5,000 registrations; the sum of ~~\$45~~ \$90 per hundred registrations for the ~~next~~ second 5,000 registrations; *the sum of \$5 per hundred for the third 5,000 registrations*; and the sum of \$2 per hundred registrations for all registrations thereafter. In no event, however, shall any county treasurer be entitled to receive more than ~~\$9,500~~ \$15,000 additional annual compensation.

If more than one person shall hold the office of county treasurer during any one calendar year, such compensation shall be prorated among such persons in proportion to the number of weeks served. The total amount of compensation paid the treasurer together with the amounts expended in paying for other necessary help and expenses incidental to the administration of the duties of the county treasurer in accordance with the provisions of this act, shall not exceed the amount deposited in such special fund. Any balance remaining in such fund at the close of any calendar year shall be withdrawn and credited to the general fund of the county prior to June 1 of the following calendar year.

(c) The county treasurer shall remit the remainder of all such fees collected, together with the original copy of all applications, to the secretary of revenue. The secretary of revenue shall remit all such fees remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state highway fund, except as provided in subsection (d).

(d) (1) Three dollars and fifty cents of each certificate of title fee collected and remitted to the secretary of revenue, shall be remitted to the state treasurer who shall credit such \$3.50 to the Kansas highway patrol motor vehicle fund. Three dollars of each certificate of title fee collected and remitted to the secretary of revenue, shall be remitted to the state treasurer who shall credit such \$3 to the VIPS/CAMA technology hardware fund.

(2) For repossessed vehicles, \$3 of each certificate of title fee collected and remitted to the secretary of revenue, shall be remitted to the state treasurer who shall credit such \$3 to the repossessed certificates of title fee fund.

(3) Three dollars and fifty cents of each reassignment form fee collected and remitted to the secretary of revenue, shall be remitted to the state treasurer who shall credit such \$3.50 to the Kansas highway patrol motor vehicle fund. Three dollars of each reassignment form fee collected and remitted to the secretary of revenue, shall be remitted to the state treasurer who shall credit such \$3 to the VIPS/CAMA technology hardware fund.

Sec. 6. From and after January 1, 2007, K.S.A. 2005 Supp. 8-145d is hereby amended to read as follows: 8-145d. In addition to the annual vehicle registration fees prescribed by K.S.A. 8-143, 8-143b, 8-143c, 8-143g, 8-143h, 8-143i, 8-167, 8-172 and 8-195, and amendments thereto, and K.S.A. 2005 Supp. 8-143l, and amendments thereto, any applicant for vehicle registration or renewal thereof for registration shall pay a service fee in the amount of ~~\$3~~ \$5 to the county treasurer at the time of making such application. In addition to such service fee, the county treasurer may charge any applicant for vehicle registration or renewal thereof for registration, a satellite registration fee in an amount not to exceed \$5 per vehicle registration or renewal thereof for registration, when such application is made at a satellite registration facility established by the county treasurer. The county treasurer shall deposit all amounts received under this section in the special fund created pursuant to K.S.A. 8-145, and amendments thereto, and such amounts shall be used by the county treasurer for all purposes for which such fund has been appropriated by law, and such additional amounts are hereby appropriated as other amounts deposited in such fund.”;

And by renumbering sections accordingly;

Also on page 5, after line 18, by inserting the following:

“Sec. 7. From and after July 1, 2006, K.S.A. 8-166 and K.S.A. 2005 Supp. 8-145 are hereby repealed.

Sec. 8. From and after January 1, 2007, K.S.A. 8-129 and K.S.A. 2005 Supp. 8-145d are hereby repealed.”;

And by renumbering the remaining section accordingly;

On page 1, in the title, in line 13, after the semicolon, by inserting “relating to antique military vehicles; concerning certain fees and compensation for county treasurers;”; also in line 13, after “8-128” by inserting “, 8-129 and 8-166”; also in line 13, after “8-142” by inserting “, 8-145 and 8-145d”;

And your committee on conference recommends the adoption of this report.

GARY K. HAYZLETT  
JOHN FABER  
MARGARET LONG

*Conferees on part of House*

LES DONOVAN  
DENNIS M. WILSON  
MARK GILSTRAP

*Conferees on part of Senate*

On motion of Rep. Hayzlett, the conference committee report on **SB 374** was adopted.

On roll call, the vote was: Yeas 120; Nays 3; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treasurer, Trimmer, Vickrey, Watkins, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Hutchins, Landwehr, Ward.

Present but not voting: None.

Absent or not voting: Masterson, Weber.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 505**, 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, in line 25, by striking “charge” and inserting “authorize the charging of”;

And your committee on conference recommends the adoption of this report.

MICHAEL R. O'NEAL  
LANCE KINZER  
JANICE L. PAULS

*Conferees on part of House*

JOHN VRATIL  
TERRY BRUCE  
GRETA GOODWIN

*Conferees on part of Senate*

On motion of Rep. O'Neal, the conference committee report on **SB 505** was adopted.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood,

George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Masterson, Weber.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **Substitute for SB 449**, 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, in line 15, by striking "This act" and inserting "Sections 1 through 6, and amendments thereto,"; in line 17, by striking "this act: (a)" and inserting "the video competition act:

(a)";

Also on page 1, in line 26, by striking "franchising entity" and inserting "municipality"; in line 30, by striking "—Franchising entity" or"; in line 32, by striking "municipality" and inserting "Municipality"; by striking all in line 33; in line 34, by striking all before the period;

On page 2, in line 12, by striking "secretary of state" and inserting "state corporation commission";

On page 3, in line 29, by striking "require" and inserting ":

(1) Require";

Also on page 3, in line 29, by striking ": (1) Obtain" and inserting "obtain"; in line 31, after "tax" by inserting "on video service providers"; in line 36, after "conditions" by inserting "on video service providers";

On page 4, in line 4, by striking all after "than"; by striking all in lines 5 through 7; in line 8, by striking "expires, a maximum of"; in line 36, by striking "provider or a" and inserting "operator or competitive"; in line 43, by striking "provider" and inserting "operator";

On page 5, in line 4, by striking "franchise" and inserting "video service authorization"; in line 6, by striking "franchise" and inserting "video service authorization"; in line 11, by striking "provider" and inserting "operator"; in line 16, by striking "franchise" and inserting "video service authorization"; in line 21, by striking "franchise" and inserting "video service authorization"; in line 26, by striking "franchise" and inserting "video service authorization"; in line 32, by striking "video or cable"; in line 33, by striking "service providers" and inserting "competitive video service providers and cable operators"; in line 43, after "and" by inserting "video service";

On page 8, by striking all in lines 9 through 14; in line 15, by striking "(f)" and inserting "(e)"; in line 28, by striking "(1)" and inserting "(2)"; in line 29, by striking "(2)" and inserting "(3)"; in line 33, by striking "(3)" and inserting "(4)"; in line 35, by striking "(g)" and inserting "(f)"; also in line 35, by striking "city" where it appears the first time and inserting "municipality"; also in line 35, by striking "city" where it appears the second time and inserting "municipality"; in line 39, by striking "(h)" and inserting "(g)";

On page 9, in line 3, by striking "city" and inserting "municipality"; in line 6, after "a" by inserting "competitive"; in line 7, by striking "city" and inserting "municipality"; in line 18, by striking all after "(b)"; in line 19, by striking all before "The"; in line 24, by striking

“video competition act” and inserting “public service regulation”; by striking all in lines 25 through 40;

On page 14, in line 17, after “act” by inserting “, sections 1 through 6 and K.S.A. 2005 Supp. 17-1902, and amendments thereto,”;

And your committee on conference recommends the adoption of this report.

CARL DEAN HOLMES

CARL C. KREHBIEL

ANNIE KUETHER

*Conferees on part of House*

KARIN BROWNLEE

NICK JORDAN

LAURA KELLY

*Conferees on part of Senate*

On motion of Rep. C. Holmes, the conference committee report on **Sub. SB 449** was adopted.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Masterson, Weber.

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Dahl, the House concurred in Senate amendments to **HB 2658**, An act relating to gift certificates and gift cards; concerning certain restrictions.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 96; Nays 27; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brunk, Burgess, Burroughs, Carlin, Cox, Craft, Crow, Dahl, DeCastro, Decker, Edmonds, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, George, Goico, Grange, Grant, Hawk, Hayzlett, Henderson, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, D. Johnson, E. Johnson, Kelsey, Kilpatrick, Kirk, Knox, Krehbiel, Kuether, Landwehr, Light, Loganbill, Long, Loyd, Mays, McKinney, McLeland, Menghini, Merrick, M. Miller, Jim Morrison, Myers, Neufeld, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Treaster, Trimmer, Vickrey, Ward, Wilk, Williams, Winn, Wolf, Yonally.

Nays: Brown, Carlson, Carter, Colloton, Davis, Dillmore, Faber, Freeborn, Gordon, Henry, Huy, Kelley, Kiegerl, Kinzer, Lane, Lukert, Mah, Mast, McCreary, F. Miller, Judy Morrison, O'Malley, Phelps, Pilcher-Cook, Thull, Watkins, Yoder.

Present but not voting: None.

Absent or not voting: Masterson, Weber.

On motion of Rep. Aurand, the House resolved into Committee of the Whole, with Rep. Neufeld in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Neufeld, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2345** be adopted; also, on motion of Rep. Holland be amended on page 2, preceding line 1, by inserting:

“Sec. 2. A part-time student enrolled in an accredited public school in Kansas who is enrolled in a music or debate related class shall be eligible to participate in Kansas state high school activities association related activities in the school district where the student is enrolled provided that the student maintains at least a 2.0 grade point average on a 4.0 scale, or its equivalent.”;

And by renumbering the remaining section accordingly;

Also, roll call was demanded on motion to recommend **HB 2345** favorably for passage.

On roll call, the vote was: Yeas 41; Nays 79; Present but not voting: 2; Absent or not voting: 3.

Yeas: Brunk, Burgess, Carlson, Carter, Colloton, DeCastro, Edmonds, Freeborn, George, Goico, Gordon, Holland, Huebert, Huntington, Hutchins, Huy, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Landwehr, Mah, Mays, McLeland, Merrick, F. Miller, Judy Morrison, Neufeld, O'Malley, Olson, Pilcher-Cook, Pottorff, Powell, Schwab, Schwartz, S. Sharp, Siegfried, Sloan, Wolf.

Nays: Aurand, Ballard, Beamer, Bethell, Brown, Burroughs, Carlin, Cox, Craft, Crow, Dahl, Davis, Decker, Dillmore, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, C. Holmes, M. Holmes, Horst, Huff, Humerickhouse, D. Johnson, Kirk, Knox, Krehbiel, Kuether, Lane, Light, Loganbill, Long, Loyd, Lukert, Mast, McCreary, McKinney, Menghini, M. Miller, Jim Morrison, O'Neal, Oharah, Owens, Pauls, Peck, Peterson, Phelps, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, B. Sharp, Shultz, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Wilk, Williams, Winn, Yoder, Yonally.

Present but not voting: Otto, Watkins.

Absent or not voting: Masterson, Myers, Weber.

The motion to recommend **HB 2345** favorably for passage did not prevail.

#### REPORT ON ENROLLED RESOLUTIONS

**HR 6021, HR 6022** reported correctly enrolled and properly signed on March 30, 2006.

On motion of Rep. Aurand, the House adjourned until 9:45 a.m., Friday, March 31, 2006.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

