

# Journal of the House

## FORTY-SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, March 19, 2009, 11:00 a.m.

The House met pursuant to recess with Speaker pro tem Siegfried in the chair. The roll was called with 120 members present. Reps. Aurand, Benlon, Brookens, Svaty and Winn were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Michael Keith Stubbs, pastor, Victory Fellowship, Emporia, and guest of Rep. Mast:

Our Heavenly Father,

We come to you in prayer this morning for wisdom, knowledge and understanding. You are a wise Counselor who assures us in the book of James that you will never ignore a man or woman who comes to you to seek wisdom. The Bible further assures us you have wisdom for all applications of life and leadership. Most, as leaders, desire to make decisions that are recognized as wise and prudent. The old saying is true, "Truth crushed to the ground will always rise again." Help us be on the right side of it when it rises. I pray today that each person in this room would not forget to trust you as our wise Counselor, to remember he or she can approach you even in the quietness of his or her mind and ask for advice and counsel as from a life coach or friend. Let us make decisions as leaders that leave no room for regret later, don't come back to haunt us, and assure we are recognized as people of integrity. The Old Testament records King Asa never managed to complete everything you told him to do, yet it says all he did, he did with his whole heart. Let each person here be wholehearted and known as a person who produced the best the human heart is capable of by the grace of God. In the name of Jesus I pray, Amen.

The Pledge of Allegiance was led by Rep. Goico.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2388**, An act concerning the county business restoration assistance program; amending K.S.A. 2008 Supp. 75-3713e and repealing the existing section, by Committee on Taxation.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Transportation and Public Safety Budget: **HB 2387**.

### CHANGE OF REFERENCE

Speaker pro tem Siegfried announced the withdrawal of **HB 2105** from Committee on Education Budget and rereferral to Committee on Appropriations.

Also, the withdrawal of **HB 2239**, **HB 2280** from Committee on Education Budget and referral to Committee on Appropriations.

Also, the withdrawal of **HR 6015** from Committee on Federal and State Affairs and referral to Committee on Agriculture and Natural Resources.

Also, the withdrawal of **SB 69**, **SB 215** from Committee on Judiciary and referral to Committee on Agriculture and Natural Resources.

#### MESSAGES FROM THE GOVERNOR

**HB 2147** approved on March 18, 2009.

#### MESSAGES FROM THE SENATE

Announcing passage of **Sub. SB 214**; **SB 218**, **SB 300**.

Announcing adoption of **SCR 1610**.

Announcing passage of **HB 2054**.

Announcing passage of **HB 2052**, as amended; **HB 2098**, as amended; **HB 2171**, as amended; **HB 2185**, as amended; **HB 2233**, as amended.

Also, the Senate accedes to the request of the House for a conference on **HB 2121** and has appointed Senators Taddiken, Ostmeyer and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2265** and has appointed Senators McGinn, Vratil and Hensley as conferees on the part of the Senate.

#### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills and concurrent resolution were thereupon introduced and read by title:

**Sub. SB 214**; **SB 218**, **SB 300**; **SCR 1610**.

#### CONSENT CALENDAR

No objection was made to **HB 2310**, **HB 2366**; **SB 183** appearing on the Consent Calendar for the first day.

No objection was made to **SB 175** appearing on the Consent Calendar for the second day.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**SB 11**, An act concerning postsecondary institutions; relating to community colleges and the powers and duties thereof; amending K.S.A. 2008 Supp. 71-201 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 5; Present but not voting: 0; Absent or not voting: 5.

Yeas: Ballard, Bethell, Bowers, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kleeb, Knox, Kuether, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: A. Brown, S. Gatewood, Kinzer, Landwehr, McLeland.

Present but not voting: None.

Absent or not voting: Aurand, Benlon, Brookens, Svaty, Winn.

The bill passed, as amended.

**SB 64**, An act concerning the Kansas water appropriation act; amending K.S.A. 82a-705, 82a-707 and 82a-709 and K.S.A. 2008 Supp. 82a-701 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 100; Nays 20; Present but not voting: 0; Absent or not voting: 5.

Yeas: Ballard, Bethell, Bowers, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlson, Colloton, Craft, Crum, Davis, DeGraaf, Donohoe, Faber, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, George, Goico, Gordon, Goyle, Grange, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Landwehr, Light, Maloney, Mast, McCray-Miller, McLeland, Merrick, Morrison, Moxley, Myers, Navinsky, Neufeld, O'Brien, O'Neal, Otto, Palmer, Patton, Pauls, Peck, Peterson, Pottorff, Powell, Prescott, Proehl, Quigley, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Carlin, Crow, Dillmore, Feuerborn, D. Gatewood, S. Gatewood, Grant, Hawk, Johnson, Kuether, Lane, Loganbill, Long, Lukert, Mah, Menghini, Neighbor, Olson, Phelps, Rardin.

Present but not voting: None.

Absent or not voting: Aurand, Benlon, Brookens, Svaty, Winn.

The bill passed, as amended.

**SB 70**, An act concerning trusts; relating to the uniform principal and income act, was considered on final action.

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

Yeas: Ballard, Bethell, Bowers, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Kuether.

Present but not voting: None.

Absent or not voting: Aurand, Benlon, Brookens, Svaty, Winn.

The bill passed, as amended.

**SB 80**, An act concerning cities; dealing with certain elections; relating to cities' power to relinquish authority to regulate natural gas and water utilities to the state corporation commission; amending K.S.A. 15-809 and 66-104e and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 82; Nays 38; Present but not voting: 0; Absent or not voting: 5.

Yeas: Bethell, Bowers, A. Brown, T. Brown, Brunk, Burgess, Carlson, Colloton, Craft, Crum, DeGraaf, Donohoe, Faber, Finney, Fund, Furtado, S. Gatewood, George, Goico, Gordon, Grange, Hawk, Hayzlett, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Landwehr, Light, Maloney, Mast, McCray-Miller, McLeland, Merrick, Morrison, Moxley, Myers, Neufeld, O'Brien, O'Neal, Otto, Patton, Peck, Pottorff, Powell, Prescott, Proehl, Quigley, Rhoades, Roth, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Spalding, Swanson, Tafanelli, Talia, Vickrey, Watkins, Whitham, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Ballard, Burroughs, Carlin, Crow, Davis, Dillmore, Feuerborn, Flaharty, Frownfelter, Garcia, D. Gatewood, Goyle, Grant, Henderson, Henry, Kuether, Lane, Loganbill,

Long, Lukert, Mah, Menghini, Navinsky, Neighbor, Olson, Palmer, Pauls, Peterson, Phelps, Rardin, Ruiz, Sawyer, Slattery, Swenson, Tietze, Trimmer, Ward, Wetta.

Present but not voting: None.

Absent or not voting: Aurand, Benlon, Brookens, Svaty, Winn.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **SB 80**. There is much more to this bill with the amendment. In committee we decided the local gas company issue needed more time to be resolved.—

VINCENT L. WETTA

**SB 132**, An act enacting the business entity transactions act; amending K.S.A. 17-7675, 17-7681, 56a-401, 56a-502, 56a-905, 56a-906, 56a-907 and 56a-908 and repealing the existing sections; also repealing K.S.A. 17-7684, 17-7685, 17-7701, 17-7702, 17-7703, 17-7704, 17-7705, 17-7706, 17-7707, 17-7708, 17-7709, 56a-901, 56a-902, 56a-903 and 56a-904, was considered on final action.

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

Yeas: Ballard, Bethell, Bowers, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Aurand, Benlon, Brookens, Svaty, Winn.

The bill passed, as amended.

**H. Sub. for SB 145**, An act regulating traffic; concerning cotton modules; amending K.S.A. 2008 Supp. 8-1916 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 7; Present but not voting: 0; Absent or not voting: 5.

Yeas: Ballard, Bethell, Bowers, A. Brown, T. Brown, Brunk, Burgess, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Myers, Navinsky, Neighbor, Neufeld, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Watkins, Wetta, Whitham, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Burroughs, Dillmore, Donohoe, Landwehr, Moxley, O'Brien, Ward.

Present but not voting: None.

Absent or not voting: Aurand, Benlon, Brookens, Svaty, Winn.

The substitute bill passed.

**SB 171**, An act concerning Sherman county; pertaining to the election of county commissioners; amending K.S.A. 19-201, 19-202, 19-203, 19-204 and 19-204a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 76; Nays 44; Present but not voting: 0; Absent or not voting: 5.

Yeas: Bethell, Bowers, A. Brown, Brunk, Burgess, Carlson, Colloton, Craft, Crum, DeGraaf, Donohoe, Fund, George, Goico, Gordon, Goyle, Grange, Hayzlett, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Jack, Johnson, Kelley, Kerschen, King, Kinzer, Kleeb, Knox, Landwehr, Light, Maloney, Mast, McLeland, Merrick, Morrison, Moxley, Myers, Neufeld, O'Brien, O'Neal, Olson, Otto, Patton, Pauls, Peck, Pottorff, Powell, Prescott, Proehl, Quigley, Rhoades, Roth, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Spalding, Tafanelli, Talia, Vickrey, Watkins, Wetta, Whitham, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Ballard, T. Brown, Burroughs, Carlin, Crow, Davis, Dillmore, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Furtado, Garcia, D. Gatewood, S. Gatewood, Grant, Hawk, Henderson, Henry, Huntington, Kiegerl, Kuether, Lane, Loganbill, Long, Lukert, Mah, McCray-Miller, Menghini, Navinsky, Neighbor, Palmer, Peterson, Phelps, Rardin, Ruiz, Sawyer, Slattery, Swanson, Swenson, Tietze, Trimmer, Ward.

Present but not voting: None.

Absent or not voting: Aurand, Benlon, Brookens, Svaty, Winn.

The bill passed, as amended.

On motion of Rep. Merrick, the House resolved into Committee of the Whole, with Rep. Vickrey in the chair.

**COMMITTEE OF THE WHOLE**

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

Recommended that **SB 38, SB 16** be passed.

Committee report to **SB 85** be adopted; and the bill be passed as amended.

Committee report to **HB 2295** be adopted; and the bill be passed as amended.

Committee report to **SB 19** be adopted; also, on motion of Rep. Schwab to amend, Rep. Loganbill requested a ruling on the amendment being germane to the bill. Rep. Schwab subsequently withdrew his amendment; and **SB 19** be passed as amended.

Committee report to **SB 97** be adopted; and the bill be passed as amended.

**REPORTS OF STANDING COMMITTEES**

Committee on **Appropriations** recommends **HB 2369** be amended on page 1, in line 34, by striking "\$188,160" and inserting "\$185,488"; in line 39, by striking "\$94,080" and inserting "92,830";

On page 2, in line 4, by striking "\$2,822,400" and inserting "\$2,784,900"; in line 6, by striking "\$39,030,000" and inserting "\$28,615,000"; in line 35, by striking "\$24,050,000" and inserting "\$13,635,000";

On page 8, by striking all in lines 30 through 43;

On page 9, by striking all in line 1;

And by renumbering sections accordingly;

Also on page 9, by striking all in line 6; in line 7, by striking "Provided, That any" and inserting "Any";

On page 11, following line 14, by inserting the following material to read as follows:

"Soccer facility fund ..... No limit  
Wind power generation facility fund..... No limit";

On page 12, following line 26, by inserting the following material to read as follows:

"Sheep and goat facility fund..... No limit";

On page 32, following line 40, by inserting the following material to read as follows:

"(d) On the effective date of this act, notwithstanding the provisions of chapter 167 or 201 of the 2007 Session Laws of Kansas, chapter 131, 156, 159, 160, 164, 172 or 184 of the 2008 Session Laws of Kansas, 2009 House Substitute for Substitute for Senate Bill No. 23, or this or any other appropriation act or any other act of the 2009 regular session or any other statute and notwithstanding the provisions of state finance council resolution no. 07-572, the approval of the state finance council 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 expand prison capacity, as set forth in state finance council resolution no. 07-572 pursuant to subsection (d) of section 185 of chapter 167 of the 2007 Session Laws of Kansas, and the authority of the Kansas development finance authority to issue any bonds on or after the effective date of this act to finance the cost of such capital improvement projects to expand prison capacity pursuant to such approval, are hereby modified as follows: (A) The limitation on the aggregate amount of revenue bonds authorized to be issued for capital improvement projects to expand prison capacity pursuant to subsection (d) of section 11 of chapter 184 of the 2008 Session Laws of Kansas is hereby decreased from \$19,525,000 to \$1,700,000 and (B) no moneys appropriated for the department of corrections or any correctional institution by chapter 131 or 184 of the 2008 Session Laws of Kansas, 2009 House Substitute for Substitute for Senate Bill No. 23, or this or any other appropriation act or any other act of the 2009 regular session for the fiscal years ending June 30, 2009, or June 30, 2010, shall be expended to authorize or enter into any contract or other agreement to initiate, implement or administer any actual construction work for any such capital improvement project to expand prison capacity prior to July 1, 2010, or to authorize any expenditure of any bond proceeds for any actual construction work for any such capital improvement project to expand prison capacity prior to July 1, 2010, or to authorize, request or otherwise provide for the issuance of any revenue bonds to finance any actual construction work for any such capital improvement project to expand prison capacity to commence, prior to July 1, 2010: *Provided*, That no bonds shall be issued by the Kansas development finance authority to finance any actual construction work for any such capital improvement project to expand prison capacity prior to July 1, 2010, and no money received as proceeds for any such revenue bonds for any actual construction work for any such capital improvement project to expand prison capacity shall be expended prior to July 1, 2010.”;

On page 33, following line 35, by inserting the following material to read as follows:

“(b) On July 1, 2009, of the unencumbered balance in the land acquisition account of the state general fund in excess of \$100 as of June 30, 2009, the amount of \$57,717 is hereby reappropriated to the operating expenditures account of the attorney general — Kansas bureau of investigation for fiscal year 2010: *Provided*, That, if the unencumbered balance in the land acquisition account of the state general fund in excess of \$100 as of June 30, 2009, is less than \$57, 717, then any unencumbered balance in the land acquisition account of the state general fund in excess of \$100 as of June 30, 2009, is hereby reappropriated to the operating expenditures account of the attorney general — Kansas bureau of investigation for fiscal year 2010.”;

On page 35, in line 5, by striking “\$464,829” and inserting “\$462,279”; in line 29, by striking “\$492,872” and inserting “\$474,122”;

On page 36, in line 5, by striking “\$1,617,470” and inserting “\$2,617,470”; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2373** be amended on page 1, in line 43, by striking “\$21,854” and inserting “\$21,207”;

On page 2, by striking all in lines 1 through 14; in line 23, by striking “\$304,992” and inserting “\$322,832”; in line 27, by striking “\$326,861” and inserting “\$322,832”;

On page 3, by striking all in lines 33 through 43;

On page 4, by striking all in lines 1 through 3; in line 12, by striking “\$8,065,558” and inserting “\$8,495,544”; in line 19, by striking “\$8,632,686” and inserting “\$8,671,721”;

On page 5, by striking all in lines 10 through 23; in line 32, by striking “\$137,655” and inserting “\$141,070”; in line 33, by striking “\$144,251” and inserting “\$141,070”; by striking all in lines 34 through 43;

On page 6, by striking all in lines 1 through 4; in line 13, by striking “\$581,336” and inserting “\$595,421”; in line 21, by striking “\$624,847” and inserting “\$595,421”; by striking all in lines 29 through 43;

On page 7, in line 9, by striking “\$3,755,815” and inserting “\$3,836,348”; in line 16, by striking “\$3,941,681” and inserting “\$3,836,348”; by striking all in lines 23 through 36;

On page 8, in line 2, by striking “\$755,501” and inserting “\$772,817”; in line 5, by striking “\$790,229” and inserting “\$772,817”; by striking all in lines 8 through 21; in line 30, by

striking "\$876,497" and inserting "\$932,476"; in line 33, by striking "\$949,371" and inserting "\$932,476"; by striking all in lines 36 through 43;

On page 9, by striking all in lines 1 through 6; in line 15, by striking "\$361,976" and inserting "\$366,774"; in line 18, by striking "\$382,560" and inserting "\$366,774"; by striking all in lines 21 through 34; in line 43, by striking "\$265,102" and inserting "\$270,657";

On page 10, in line 1, by striking "\$287,975" and inserting "\$270,657"; by striking all in lines 2 through 15; in line 25, by striking "\$29,922" and inserting "\$29,293"; in line 26, by striking "\$31,297" and inserting "\$29,293"; by striking all in lines 27 through 42;

On page 11, in line 9, by striking "\$1,767,760" and inserting "\$1,874,499"; in line 13, by striking "\$1,817,328" and inserting "\$1,874,499"; by striking all in lines 26 through 39;

On page 12, in line 5, by striking "\$138,149" and inserting "\$152,768"; by striking all in lines 11 through 24; in line 33, by striking "\$734,616" and inserting "\$766,076"; in line 37, by striking "\$786,435" and inserting "\$766,076";

On page 13, by striking all in lines 1 through 14; in line 23, by striking "\$309,299" and inserting "\$313,212"; in line 26, by striking "\$341,118" and inserting "\$313,212"; by striking all in lines 32 through 43;

On page 14, by striking all in lines 1 and 2; in line 11, by striking "\$1,090,343" and inserting "\$1,206,413"; in line 14, by striking "\$1,167,217" and inserting "\$1,206,413"; by striking all in lines 35 through 43;

On page 15, by striking all in lines 1 through 5 and by inserting the following material to read as follows:

"(b) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 58-3066, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$200,000 from the real estate recovery revolving fund to the real estate fee fund of the Kansas real estate commission for the purpose of converting the licensing system software: *Provided, however*, That, if the expense of converting the licensing system software is less than \$200,000, then the Kansas real estate commission shall certify to the director of accounts and reports the amount equal to the difference between \$200,000 and the expense of converting the licensing system software and, at the same time that such certification is transmitted to the director of accounts and reports, the Kansas real estate commission shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the real estate fee fund to the real estate recovery revolving fund."

Also on page 15, in line 14, by striking "\$2,699,518" and inserting "\$2,820,232"; in line 24, by striking "\$2,874,844" and inserting "\$2,818,984";

On page 16, in line 9, by striking "\$576,291" and inserting "\$583,468"; in line 13, by striking "\$619,188" and inserting "\$583,468"; by striking all in lines 42 and 43;

On page 17, by striking all in lines 1 through 12; in line 21, by striking "\$261,162" and inserting "\$283,863"; in line 22, by striking "\$282,293" and inserting "\$283,863"; by striking all in lines 23 through 36; in line 42, by striking "\$478,031" and inserting "\$472,393";

On page 18, in line 3, by striking "\$520,214" and inserting "\$472,393"; in line 13, by striking "\$181,582" and inserting "\$200,797"; by striking all in lines 15 through 29;

On page 21, following line 3, by inserting the following material to read as follows:

"Sec. 24. *Kansas savings incentive program*. (a) In addition to other expenditures authorized by law, expenditures may be made for fiscal year 2010 or fiscal year 2011, as the case may be, from any account of the state general fund reappropriated by this act for such fiscal year for any state agency named in section 23 of 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. 2008 Supp. 75-37,105, and amendments thereto, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for such fiscal year submitted by the state agency pursuant to K.S.A. 75-3717, and amendments thereto, and (3) professional development training including official hospitality: *Provided*, That the total of all such expenditures from such account of the state general fund for such fiscal year shall not exceed the amount equal to 50% of the amount of the unencumbered balance as of the June 30 immediately preceding such fiscal year, in such account of the state general fund that is reappropriated for such fiscal year and that is in excess of the

amount authorized to be expended for such fiscal year from such reappropriated balance, as determined by the director of accounts and reports: *Provided further*, That the total cost of all such non-monetary awards to any individual employee during such fiscal year that is paid under this subsection plus any amount paid for such awards under subsection (b) 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 such fiscal year shall be in addition to any expenditure limitation imposed on expenditures from the reappropriated balance in any such account for such fiscal year.

(b) In addition to other expenditures authorized by law, expenditures may be made for fiscal year 2010 or fiscal year 2011, as the case may be, from any special revenue fund appropriated by this act for such fiscal year for a state agency named in section 23 of 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. 2008 Supp. 75-37,105, and amendments thereto, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for such fiscal year submitted by the state agency pursuant to K.S.A. 75-3717, and amendments thereto, and (3) professional development training including official hospitality: *Provided*, That all such expenditures from such fund for such fiscal year shall be in addition to any expenditure limitation imposed on such fund or any account thereof for such fiscal year: *Provided, however*, That the total amount of such expenditures from such fund for such fiscal year shall not exceed the amount equal to 50% of the unexpended portion of the amount authorized to be expended from such fund for the fiscal year preceding such fiscal year for state operations, as determined by the director of accounts and reports, or, in the case of no limit appropriations, as determined by the director of the budget: *Provided further*, That the 50% limitation shall not apply to purchase or other acquisition of technology equipment which was included in the budget estimates for such fiscal year submitted by the state agency pursuant to K.S.A. 75-3717, and amendments thereto: *And provided further*, That the total cost of all such non-monetary awards to any individual employee during such fiscal year that is paid under this subsection plus any amount paid for such awards under subsection (a) 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, 2009, in any account of the state general fund of any state agency named in section 23 of this act, which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2009 regular session of the legislature, is hereby reappropriated for the fiscal year ending June 30, 2010, and any unencumbered balance in excess of \$100 as of June 30, 2010, in any account of the state general fund of any state agency named in section 23 of this act, which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2009 regular session of the legislature, is hereby reappropriated for the fiscal year ending June 30, 2011, and may be expended for the purposes authorized in subsection (a).

(2) Any unencumbered balance in excess of \$100 as of June 30, 2009, in any Kansas savings incentive account or KSIP account of any special revenue fund of any state agency named in section 23 of this act, which was appropriated by section 89 of chapter 167 of the 2007 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2009 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2010, and any unencumbered balance in excess of \$100 as of June 30, 2010, in any such account of any such special revenue fund is hereby appropriated for the fiscal year ending June 30, 2011, and may be expended for fiscal year 2010 or fiscal year 2011, as the case may be, for the purposes authorized in subsection (a). All expenditures from any such account of any such special revenue fund shall be in addition to any expenditure limitation imposed on such special revenue fund for such fiscal year.



(d) No salary bonus payment paid pursuant to this section during fiscal year 2010 or fiscal year 2011 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.”;

Also on page 21, in line 8, by striking “\$615,817” and inserting “\$610,895”; in line 12, by striking “\$3,647,407” and inserting “\$3,643,401”; in line 16, by striking “\$3,350,314” and inserting “\$3,324,250”; in line 30, by striking “\$18,045,348” and inserting “\$17,737,891”;

On page 24, in line 17, by striking “\$2,741,385” and inserting “\$2,727,487”; in line 42, by striking “\$2,415,536” and inserting “\$2,426,067”;

On page 25, in line 5, by striking “\$4,253,230” and inserting “\$4,227,715”; in line 12, by striking “\$999,957” and inserting “\$986,800”;

On page 27, in line 9, by striking “\$173,210” and inserting “\$169,440”;

On page 28, in line 5, by striking “\$4,491,016” and inserting “\$4,521,955”; in line 10, by striking “\$41,257” and inserting “\$40,741”; in line 14, by striking “\$325,000” and inserting “\$320,937”; in line 18, by striking “\$98,190” and inserting “\$96,732”;

On page 31, by striking all in lines 19 through 43;

On page 32, by striking all in lines 1 through 17;

On page 36, by striking all in lines 13 through 43;

On page 37, by striking all in lines 1 through 40;

On page 41, in line 14, by striking “\$497,961” and inserting “\$25,073”; in line 40, by striking “\$1,373,854” and inserting “\$1,658,928”; in line 42, preceding the period by inserting “: *Provided further*, That \$251,834 shall be expended from this account for technology improvements and professional development before June 30, 2010”;

On page 43, in line 15, by striking “\$10,877,935” and inserting “\$11,020,352”; in line 30, by striking “\$9,265,000” and inserting “\$9,148,750”; in line 36, by striking “\$1,757,549” and inserting “\$1,763,666”; in line 42, by striking “\$288,584” and inserting “\$283,628”;

On page 44, in line 35, by striking “\$109,989,504” and inserting “\$111,130,588”;

On page 47, in line 4, after “for” by inserting “the interest portion only of”; in line 11, by striking “\$8,884,044” and inserting “\$9,037,114”; in line 19, by striking “\$85,786” and inserting “\$88,047”; in line 36, by striking “\$1,639,149” and inserting “\$1,658,091”;

On page 50, in line 22, by striking “\$15,930,934” and inserting “\$16,290,795”;

On page 51, by striking all in lines 22 through 43;

On page 52, by striking all in lines 1 through 21; preceding line 22, by inserting the following material to read as follows:

“(g) (1) In addition to other purposes for which expenditures may be made by the state corporation commission from the public service regulation fund for fiscal year 2010 for the state corporation commission as authorized by this or other appropriation act of the 2009 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, the state corporation commission may make expenditures from the public service regulation fund for fiscal year 2010 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 for fiscal year 2010 shall not exceed \$98,413.

(2) In addition to other purposes for which expenditures may be made by the state corporation commission from the public service regulation fund for fiscal year 2011 for the state corporation commission as authorized by this or other appropriation act of the 2009 regular session of the legislature or by any appropriation act of the 2010 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, the state corporation commission may make expenditures from the public service regulation fund for fiscal year 2011 for expenses incurred by the Kansas electric transmission authority, if the total expenditures for such purpose authorized by the expenditure limitation prescribed by this subsection (h) for fiscal year 2010 are not expended or encumbered for fiscal year 2010, then the amount equal to the amount of such unexpended or encumbered expenditure authority for fiscal year 2010 remaining may be expended by the state corporation com-

mission from the public service regulation fund for fiscal year 2011 for expenses incurred by the Kansas electric transmission authority and any such expenditures for fiscal year 2011 shall be in addition to any expenditure limitation imposed on the public service regulation fund for expenses incurred by the Kansas electric transmission authority for fiscal year 2011.”;

Also on page 52, in line 29, by striking “\$765,919” and inserting “\$814,127”; by striking all in lines 30 through 37;

On page 53, by striking all in lines 5 through 17; preceding line 18, by inserting material to read as follows:

“(c) During the fiscal year ending June 30, 2011, in addition to other purposes for which expenditures may be made by the citizens’ utility ratepayer board from the utility regulatory fee fund for fiscal year 2011 for the citizens’ utility ratepayer board as authorized by this or other appropriation act of the 2009 regular session of the legislature or by any appropriation act of the 2010 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2010, then the amount equal to the amount of such expenditure authority for fiscal year 2010 remaining may be expended from the utility regulatory fee fund for fiscal year 2011 pursuant to contracts for professional services and any such expenditure for fiscal year 2011 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2011.”;

Also on page 53, in line 22, by striking “\$1,073,524” and inserting “\$1,088,339”; in line 31, by striking “\$956,242” and inserting “\$944,067”; in line 35, by striking “\$2,525,427” and inserting “\$2,491,872”; in line 41, by striking “\$2,002,595” and inserting “\$2,028,728”;

On page 54, in line 2, by striking “\$530,589” and inserting “\$539,099”; in line 6, by striking “\$1,433,706” and inserting “\$1,445,089”; in line 15, by striking “\$63,975” and inserting “\$63,125”; in line 19, by striking “\$2,008,966” and inserting “\$2,042,989”; in line 23, by striking “\$2,113,379” and inserting “\$2,129,390”; in line 38, by striking “\$25,731,305” and inserting “\$36,146,305”; in line 40, by striking “\$185,244” and inserting “\$179,201”;

On page 55, in line 2, by striking “\$284,520” and inserting “\$292,881”;

On page 70, in line 17, by striking “\$1,586,859” and inserting “\$1,604,271”; in line 27, by striking “\$545,043” and inserting “\$546,101”;

On page 71, in line 5, by striking “\$19,473,899” and inserting “\$19,771,774”; in line 16, by striking “\$44,979,455” and inserting “\$45,964,242”;

On page 81, in line 2, before “credited” by inserting “, other than moneys, received for privilege fees, that are”; in line 5, after “That” by inserting “no moneys received for privilege fees that are credited to the expanded lottery act revenues fund shall be transferred to the state general fund pursuant to this subsection: *Provided further*, That”;

On page 84, in line 11, by striking “\$323,779” and inserting “\$324,008”; in line 15, by striking “\$2,056,395” and inserting “\$2,062,499”; in line 19, by striking “\$4,234” and inserting “\$4,364”; in line 20, by striking “\$229,127” and inserting “\$234,650”; by striking all in line 22; in line 23, by striking “\$15,408,558” and inserting “\$13,721,803”;

On page 87, by striking all in line 26;

On page 88, following line 31, by inserting the following material to read as follows:  
“Sec. 49.

KANSAS, INC.

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2010, the following:

Operations (including official hospitality)..... \$374,824

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2010, 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

Sec. 50.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2010, the following:

Operations, assistance and grants (including official hospitality) ..... \$10,494,718

*Provided*, That any unencumbered balance in the operations, assistance and grants (including official hospitality) account as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures from the operations, assistance and grants (including official hospitality) account for the fiscal year 2010 for salary and wages shall not exceed \$1,376,416.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2010, 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

(c) No moneys appropriated for the fiscal year ending June 30, 2010, by this or other appropriation act of the 2009 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 or other bonus payments that are in conformance with the governor's executive order no. 07-25, which was filed with the secretary of state and was effective on June 17, 2007.

(d) In addition to the other purposes for which expenditures may be made by the Kansas technology enterprise corporation from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2010 for the Kansas technology enterprise corporation as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures shall be made by the Kansas technology enterprise corporation from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2010, notwithstanding the provisions of any other statute, to adopt, implement and administer policies limiting bonus payments that are applicable to all officers and employees of the Kansas technology enterprise corporation for fiscal year 2010, that are equivalent to the provisions of the governor's executive order no. 07-25, or a succeeding executive order of the governor for fiscal year 2010, and that, in addition, include a prohibition on payment of any employee bonuses from any moneys of KTEC Holding, Inc., and to take all administrative and other actions as may be required, including adopting additional policies and entering into such new agreements, or modifications of existing agreements as may be required for the implementation and administration of such policies limiting bonus payments to officers and employees of Kansas technology enterprise corporation for fiscal year 2010.;

On page 89, in line 10, by striking "\$544,385" and inserting "\$549,065"; in line 25, by striking "\$13,163,857" and inserting "\$13,435,128"; in line 39, by striking "\$345,706" and inserting "\$355,169";

On page 91, in line 15, by striking "\$1,123,908" and inserting "\$1,144,928"; in line 19, by striking "\$529,418" and inserting "\$541,729"; in line 25, by striking "\$2,720,422" and inserting "\$2,703,628"; in line 29, by striking "\$3,131,119" and inserting "\$3,217,601"; in line 34, by striking "\$436,096" and inserting "\$435,056"; in line 38, by striking "\$491,774" and inserting "\$497,807"; in line 42, by striking "\$523,635" and inserting "\$516,418";

On page 92, in line 16, by striking "\$2,202,053" and inserting "\$2,262,066"; in line 20, by striking "\$3,263,395" and inserting "\$3,359,588"; in line 31, by striking "\$2,980,996" and inserting "\$3,077,188"; in line 32, by striking "\$3,397,689" and inserting "\$3,530,819"; in line 33, by striking "\$246,508" and inserting "\$250,259"; in line 40, by striking "\$3,740,044" and inserting "\$3,766,857";

On page 93, in line 3, by striking "\$4,320,184" and inserting "\$4,365,617"; in line 7, by striking "\$850,000" and inserting "\$839,120"; in line 11, by striking "\$181,939" and inserting "\$178,529"; in line 22, by striking "\$6,692,375" and inserting "\$6,854,483"; in line 26, by

striking "\$298,660" and inserting "\$161,916"; in line 33, by striking "\$98,880" and inserting "\$97,644"; in line 40, by striking "\$539,000" and inserting "\$532,125";

On page 94, in line 2, by striking "\$750,000" and inserting "\$740,625"; in line 23, by striking "\$230,000" and inserting "\$227,125"; in line 27, by striking "\$50,000" and inserting "\$49,375"; in line 31, by striking "\$341,846" and inserting "\$95,017"; in line 35, by striking "\$534,982" and inserting "\$292,752"; in line 39, by striking "\$110,000" and inserting "\$108,625"; following line 42, by inserting the following material to read as follows:

"Pregnancy initiative....."	\$355,000
PKU treatment....."	\$208,000";

On page 98, in line 13, by striking "\$317,876" and inserting "\$321,309";

On page 100, in line 36, by striking "\$4,907,137" and inserting "\$4,270,717"; in line 42, by striking "\$3,890,883" and inserting "\$3,948,770";

On page 101, by striking all in lines 3 through 6;

On page 102, by striking all in lines 10 through 13; in line 17, preceding "management" by inserting "emergency";

On page 104, in line 36, by striking "\$567,216" and inserting "\$689,322"; in line 40, by striking "\$210,780" and inserting "\$259,659";

On page 105, in line 1, by striking "\$481,042" and inserting "\$640,521"; in line 5, by striking "\$1,066,942" and inserting "\$1,284,839"; in line 9, by striking "\$291,241" and inserting "\$303,337"; in line 16, by striking "\$1,884,806" and inserting "\$1,898,457";

On page 106, in line 37, by striking "\$806,118" and inserting "\$794,192";

On page 107, in line 3, by striking "\$88,756" and inserting "\$88,523"; in line 7, by striking "\$47,250" and inserting "\$46,606"; in line 11, by striking "\$335,179" and inserting "\$330,457"; in line 15, by striking "\$1,687,220" and inserting "\$1,703,264"; in line 19, by striking "\$34,839" and inserting "\$35,065"; in line 23, by striking "\$177,214" and inserting "\$178,825"; in line 27, by striking "\$2,021,842" and inserting "\$1,973,021";

On page 108, in line 2, by striking "\$3,544,246" and inserting "\$3,498,366"; in line 22, by striking "\$1,844,067" and inserting "\$1,480,935";

On page 109, in line 9, by striking "\$1,825,129" and inserting "\$1,769,485"; in line 19, by striking "\$1,797,801" and inserting "\$1,814,286"; in line 23, by striking "\$998,396" and inserting "\$1,008,474";

On page 110, in line 28, by striking "\$841,115" and inserting "\$864,259";

On page 113, in line 17, by striking "\$20,542,079" and inserting "\$20,392,623"; in line 21, by striking "\$102,968" and inserting "\$104,955"; in line 25, by striking "\$369,341,328" and inserting "\$369,220,105"; in line 29, by striking "\$19,769,867" and inserting "\$18,314,609"; by striking all in line 34; in line 40, by striking "\$329,652" and inserting "\$333,815";

On page 114, in line 1, by striking "\$2,270,336" and inserting "\$2,325,014"; in line 5, by striking "\$3,298,206" and inserting "\$3,345,959"; in line 9, by striking "\$132,191" and inserting "\$133,902"; in line 10, by striking "\$159,396" and inserting "\$164,662"; in line 15, by striking "\$334,707" and inserting "\$339,223"; in line 23, by striking "\$252,665" and inserting "\$252,644";

On page 115, in line 7, by striking "\$115,753,346" and inserting "\$115,470,727"; in line 16, by striking "\$3,501,535" and inserting "\$3,429,615"; in line 21, by striking "\$139,842,853" and inserting "\$137,685,037"; following line 24, by inserting the following material to read as follows:

"Community mental health centers supplemental funding....."	\$4,912,500";
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Also on page 115, in line 25, by striking "\$11,396,168" and inserting "\$11,665,821"; in line 37, by striking "\$29,573,910" and inserting "\$30,265,217";

On page 116, in line 8, by striking "\$12,028,156" and inserting "\$12,293,994"; in line 12, by striking "\$16,990,433" and inserting "\$17,431,428"; in line 20, by striking "\$10,424,288" and inserting "\$10,747,244"; in line 40, by striking "\$5,525,712" and inserting "\$5,442,369";

On page 117, in line 4, by striking "\$1,500,000" and inserting "\$1,481,250"; in line 10, by striking "\$115,946,762" and inserting "\$115,673,005"; in line 14, by striking "\$6,536,322" and inserting "\$6,445,715"; in line 26, by striking "\$57,848,381" and inserting "\$58,305,398"; in line 30, by striking "\$57,773,557" and inserting "\$57,215,055";

On page 118, in line 19, by striking "\$1,137,354" and inserting "\$1,178,211"; in line 39, by striking "\$3,896,704" and inserting "\$3,897,760";

On page 119, in line 34, by striking "\$5,225,263" and inserting "\$5,225,669";

On page 120, in line 11, by striking "\$1,062,915" and inserting "\$1,063,053"; in line 16, by striking "\$29,187,804" and inserting "\$29,496,729";

On page 121, in line 17, by striking "\$8,442,190" and inserting "\$8,443,161"; in line 33, by striking "\$11,098,462" and inserting "\$11,099,830"; in line 40, by striking "\$254,995" and inserting "\$259,093";

On page 126, in line 2, by striking "\$1,223,430" and inserting "\$1,229,221"; in line 10, by striking "\$10,907,638" and inserting "\$10,988,939"; in line 32, by striking "\$374,253,137" and inserting "\$369,788,630";

On page 127, in line 5, by striking "\$1,985,365,466" and inserting "\$2,001,654,934"; in line 37, by striking "\$250,070,131" and inserting "\$260,771,162";

On page 131, following line 3, by inserting the following material to read as follows:  
"General state aid..... \$100,000";

Also on page 131, by striking all in lines 18 through 41;

On page 132, in line 5, by striking "\$1,710,997" and inserting "\$1,727,355"; in line 11, by striking "\$3,222,315" and inserting "\$3,180,700"; in line 16, by striking "\$2,151,140" and inserting "\$2,121,197"; in line 17, by striking "\$603,744" and inserting "\$595,936"; in line 18, by striking "\$467,431" and inserting "\$463,567"; in line 33, by striking "\$309,254" and inserting "\$306,175"; in line 43, by striking "\$1,217,417" and inserting "\$1,179,554";

On page 133, in line 29, by striking "\$5,503,196" and inserting "\$5,595,307"; in line 34, by striking "\$142,500" and inserting "\$140,625";

On page 134, in line 25, by striking "\$9,127,454" and inserting "\$9,256,004";

On page 135, in line 13, by striking "\$5,676,065" and inserting "\$5,752,859"; in line 19, by striking "\$76,183" and inserting "75,160";

On page 137, in line 15, by striking "\$33,433,880" and inserting "\$33,923,284"; in line 19, by striking "\$137,425" and inserting "\$137,382"; in line 20, by striking "\$285,881" and inserting "\$282,466";

On page 139, following line 23, by inserting the following material to read as follows:  
"Provided, That expenditures made from the federal higher education fiscal stabilization fund — Fort Hays state university shall be expended only for deferred maintenance.";

Also on page 139, following line 34, by inserting the following material to read as follows:  
"Provided, That expenditures made from the federal higher education fiscal stabilization fund — Fort Hays state university shall be expended only for deferred maintenance.";

Also on page 139, in line 39, by striking "\$106,469,392" and inserting "\$107,838,367"; in line 43, by striking "\$139,500" and inserting "\$137,625";

On page 142, following line 24, by inserting the following material to read as follows:  
"Provided, That expenditures made from the federal higher education fiscal stabilization fund — Kansas state university shall be expended only for deferred maintenance.";

Also on page 142, following line 35, by inserting the following material to read as follows:  
"Provided, That expenditures made from the federal higher education fiscal stabilization fund — Kansas state university shall be expended only for deferred maintenance.";

Also on page 142, in line 42, by striking "\$19,148,941" and inserting "\$19,472,577";

On page 143, in line 4, by striking "\$30,950,628" and inserting "\$31,079,453";

On page 144, following line 19, by inserting the following material to read as follows:  
"Provided, That expenditures made from the federal higher education fiscal stabilization fund — Kansas state university extension systems and agricultural research programs shall be expended only for deferred maintenance.";

Also on page 144, in line 23, by striking "\$293,911" and inserting "\$294,617";

On page 145, following line 3, by inserting the following material to read as follows:  
"Provided, That expenditures made from the federal higher education fiscal stabilization fund — Kansas state university extension systems and agricultural research programs shall be expended only for deferred maintenance.";

Also on page 145, in line 8, by striking "\$10,193,209" and inserting "\$10,318,980"; in line 12, by striking "\$400,000" and inserting "\$396,250";

On page 146, following line 15, by inserting the following material to read as follows:

*“Provided, That expenditures made from the federal higher education fiscal stabilization fund — Kansas state university veterinary medical center shall be expended only for deferred maintenance.”;*

Also on page 146, following line 26, by inserting the following material to read as follows: *“Provided, That expenditures made from the federal higher education fiscal stabilization fund — Kansas state university veterinary medical center shall be expended only for deferred maintenance.”;*

Also on page 146, in line 31, by striking “\$31,688,726” and inserting “\$32,193,214”; in line 35, by striking “\$225,887” and inserting “\$222,851”; in line 36, by striking “\$135,562” and inserting “\$133,740”;

On page 148, following line 28, by inserting the following material to read as follows: *“Provided, That expenditures made from the federal higher education fiscal stabilization fund — Emporia state university shall be expended only for deferred maintenance.”;*

Also on page 148, following line 39, by inserting the following material to read as follows: *“Provided, That expenditures made from the federal higher education fiscal stabilization fund — Emporia state university shall be expended only for deferred maintenance.”;*

On page 149, in line 1, by striking “\$35,078,893” and inserting “\$35,321,427”;

On page 150, following line 39, by inserting the following material to read as follows: *“Provided, That expenditures made from the federal higher education fiscal stabilization fund — Pittsburg state university shall be expended only for deferred maintenance.”;*

On page 151, following line 8, by inserting the following material to read as follows: *“Provided, That expenditures made from the federal higher education fiscal stabilization fund — Pittsburg state university shall be expended only for deferred maintenance.”;*

Also on page 151, in line 13, by striking “\$133,520,107” and inserting “\$134,496,800”; in line 17, by striking “\$6,140,480” and inserting “\$6,183,591”; in line 21, by striking “\$138,474” and inserting “\$137,494”;

On page 153, following line 27, by inserting the following material to read as follows: *“Provided, That expenditures made from the federal higher education fiscal stabilization fund — university of Kansas shall be expended only for deferred maintenance.”;*

Also on page 153, in line 40, by striking “\$28,800” and inserting “\$34,400”;

On page 154, following line 11, by inserting the following material to read as follows: *“Provided, That expenditures made from the federal higher education fiscal stabilization fund — university of Kansas shall be expended only for deferred maintenance.”;*

Also on page 154, in line 16, by striking “\$105,530,589” and inserting “\$105,736,402”; in line 27, by striking “\$2,786,764” and inserting “\$2,751,929”; in line 28, by striking “\$4,515,551” and inserting “\$4,573,150”;

On page 156, following line 31, by inserting the following material to read as follows: *“Provided, That expenditures made from the federal higher education fiscal stabilization fund — university of Kansas medical center shall be expended only for deferred maintenance.”;*

On page 157, following line 11, by inserting the following material to read as follows: *“Provided, That expenditures made from the federal higher education fiscal stabilization fund — university of Kansas medical center shall be expended only for deferred maintenance.”;*

Also on page 157, in line 16, by striking “\$67,252,730” and inserting “\$68,001,387”;

On page 159, following line 5, by inserting the following material to read as follows: *“Provided, That expenditures made from the federal higher education fiscal stabilization fund — Wichita state university shall be expended only for deferred maintenance.”;*

Also on page 159, in line 9, by striking “\$4,948,577” and inserting “\$4,994,337”; following line 20, by inserting the following material to read as follows:

*“Provided, That expenditures made from the federal higher education fiscal stabilization fund — Wichita state university shall be expended only for deferred maintenance.”;*

Also on page 159, in line 25, by striking “\$3,413,828” and inserting “\$3,429,234”;

On page 160, in line 19, by striking “\$1,133,199” and inserting “\$1,115,159”; in line 30, by striking “\$15,689,878” and inserting “\$15,493,755”; in line 34, by striking “\$315,213” and inserting “\$310,411”; in line 38, by striking “\$528,172” and inserting “\$521,570”;

On page 161, in line 7, by striking “\$186,401” and inserting “\$183,224”; in line 11, by striking “\$500,000” and inserting “\$493,739”; in line 15, by striking “\$1,962,859” and inserting “\$1,937,143”; in line 19, by striking “\$925,838” and inserting “\$914,229”; in line 23, by striking “\$121,275” and inserting “\$117,791”; in line 27, by striking “\$443,592” and inserting “\$434,660”; in line 31, by striking “\$113,850” and inserting “\$112,427”; in line 35, by striking “\$11,636,840” and inserting “\$11,485,262”; in line 36, by striking “\$32,637,844” and inserting “\$32,212,714”; in line 39, by striking “\$1,548,998” and inserting “\$1,529,636”; in line 40, by striking “\$101,976,543” and inserting “\$100,648,230”; in line 42, by striking “\$423,241” and inserting “\$417,728”;

On page 162, in line 8, by striking “\$90,000” and inserting “\$88,875”; in line 9, by striking “\$200,000” and inserting “\$196,632”; in line 32, by striking “\$1,900,000” and inserting “\$1,876,151”;

On page 163, in line 2, by striking “\$757,080” and inserting “\$757,779”; following line 14, by inserting the following material to read as follows:

Unified operating grant.....	\$2,934,680
Midwestern higher education commission.....	\$93,875

*Provided*, That any unencumbered balance in the midwestern higher education commission account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.”;

On page 165, following line 33, by inserting the following material to read as follows:

*Provided*, That expenditures made from the federal higher education fiscal stabilization fund shall be expended only for deferred maintenance.”;

Also on page 165, following line 35, by inserting the following material to read as follows: *Provided*, That expenditures made from the federal higher education fiscal stabilization fund — community colleges shall be expended only for deferred maintenance.”;

Also on page 165, following line 37, by inserting the following material to read as follows: *Provided*, That expenditures made from the federal higher education fiscal stabilization fund — municipal university shall be expended only for deferred maintenance.”;

Also on page 165, following line 39, by inserting the following material to read as follows: *Provided*, That expenditures made from the federal higher education fiscal stabilization fund — postsecondary technical education shall be expended only for deferred maintenance.”;

On page 170, following line 10, by inserting the following material to read as follows: *Provided*, That expenditures made from the federal higher education fiscal stabilization fund shall be expended only for deferred maintenance.”;

Also on page 170, following line 12, by inserting the following material to read as follows: *Provided*, That expenditures made from the federal higher education fiscal stabilization fund — community colleges shall be expended only for deferred maintenance.”;

Also on page 170, following line 14, by inserting the following material to read as follows: *Provided*, That expenditures made from the federal higher education fiscal stabilization fund — municipal university shall be expended only for deferred maintenance.”;

Also on page 170, following line 16, by inserting the following material to read as follows: *Provided*, That expenditures made from the federal higher education fiscal stabilization fund — postsecondary technical education shall be expended only for deferred maintenance.”;

Also on page 170, in line 21, by striking “\$20,473,418” and inserting “\$20,678,699”; in line 27, by striking “\$16,955,892” and inserting “\$16,711,194”; in line 36, by striking “\$6,129,376” and inserting “\$6,161,826”; in line 40, by striking “\$1,361,000” and inserting “\$1,343,987”;

On page 171, in line 3, by striking “\$48,147,584” and inserting “\$47,151,180”; in line 7, by striking “\$12,346,083” and inserting “\$12,597,201”; in line 13, by striking “\$7,741,967” and inserting “\$8,370,522”; in line 19, by striking “\$36,700,008” and inserting “\$37,338,480”; in line 25, by striking “\$12,336,798” and inserting “\$12,598,561”; in line 31, by striking “\$2,190,150” and inserting “\$2,385,842”; in line 37, by striking “\$2,703,749” and inserting “\$2,935,807”; in line 43, by striking “\$23,534,570” and inserting “\$23,923,596”;

On page 172, in line 7, by striking “\$9,672,390” and inserting “\$9,872,348”; in line 14, by striking “\$13,766,482” and inserting “\$13,587,648”;

On page 175, in line 42, by striking “\$2,783,657” and inserting “\$3,430,891”;

On page 176, in line 5, by striking "\$1,143,212" and inserting "\$1,151,673"; in line 9, by striking "\$15,721,236" and inserting "\$15,969,602"; in line 20, by striking "\$379,770" and inserting "\$380,922"; in line 35, by striking "\$3,847,762" and inserting "\$3,878,689";

On page 177, in line 2, by striking "\$8,727,511" and inserting "\$8,879,595"; in line 12, by striking "\$17,984,425" and inserting "\$17,143,209"; in line 13, by striking "\$16,721,809" and inserting "\$16,512,786"; in line 14, by striking "\$700,000" and inserting "\$687,500";

On page 179, in line 41, by striking "\$4,868,769" and inserting "\$4,893,433";

On page 180, in line 3, by striking "\$7,818,260" and inserting "\$7,567,665"; in line 7, by striking "\$17,640" and inserting "\$17,224"; in line 11, by striking "\$31,229" and inserting "\$31,488"; in line 12, by striking "\$24,500" and inserting "\$24,137"; in line 19, by striking "\$49,000" and inserting "\$48,375";

On page 183, in line 35, by striking "\$3,559,425" and inserting "\$3,646,804";

On page 184, in line 9, by striking "\$371,951" and inserting "\$376,917"; in line 11, by striking "\$170,268" and inserting "\$174,596"; by striking all in lines 26 through 37;

And relettering subsections accordingly;

On page 186, in line 18, by striking "\$488,386" and inserting "\$489,486"; in line 26, by striking "\$35,106,115" and inserting "\$35,541,656";

On page 188, in line 15, by striking "\$19,377,098" and inserting "\$19,823,500";

On page 189, in line 9, by striking "\$4,921,179.75" and inserting "\$5,032,780.25"; in line 36, by striking "\$8,776,528.75" and inserting "\$8,885,414"; by striking all in line 43;

On page 190, by striking all in lines 1 through 25 and inserting the following material to read as follows:

"(j) 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 from any special revenue fund for fiscal year 2010 by this or other appropriation act of the 2009 regular session of the legislature, notwithstanding the provisions of any other statute, the Kansas highway patrol shall make expenditures to bill the Kansas turnpike authority for \$1,000,000 to reimburse the expenses incurred by the Kansas highway patrol to provide for a second trooper trainee course: *Provided*, That all moneys received from the Kansas turnpike authority pursuant to such billing shall be remitted to the state treasurer and 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 for patrol of Kansas turnpike fund.;"

Also on page 190, in line 30, by striking "\$15,558,370" and inserting "\$15,384,913";

On page 193, in line 26, by striking "\$1,329,211" and inserting "\$1,350,225";

On page 194, by striking all in lines 16 through 28;

And by relettering remaining subsection accordingly;

On page 196, in line 19, by striking "\$705,887" and inserting "\$713,591"; in line 23, by striking "\$8,249,626" and inserting "\$8,134,151";

On page 197, in line 13, by striking "\$644,624" and inserting "\$655,767"; in line 21, by striking "\$10,948,668" and inserting "\$11,104,638"; in line 42, by striking "\$99,171" and inserting "\$102,032";

On page 198, in line 3, by striking "\$508,425" and inserting "\$522,414"; in line 41, by striking "\$127,708" and inserting "\$130,514";

On page 201, in line 31, by striking "\$737,536" and inserting "\$767,213"; in line 32, by striking "\$49,700" and inserting "\$59,850"; in line 33, by striking "\$337,379" and inserting "\$412,271";

On page 202, in line 11, by striking "\$864,525" and inserting "\$897,686";

On page 203, following line 6, by inserting the following material to read as follows:

"(c) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 47-673, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$17,275 from the livestock and pseudorabies indemnity fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the livestock and pseudorabies indemnity fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the livestock and pseudorabies indemnity 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 animal health department by other state agencies which receive appropriations from the state general fund to provide such services.

(d) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$31,244 from the legal services fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the legal services fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the legal services 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 animal health department by other state agencies which receive appropriations from the state general fund to provide such services.

(e) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$15,420 from the conversion of materials and equipment fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the conversion of materials and equipment fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the conversion of materials and equipment 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 animal health department by other state agencies which receive appropriations from the state general fund to provide such services.

(f) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$23,864 from the Greensburg account of the disease control — federal fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the disease control — federal fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the Greensburg account of the disease control — federal 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 animal health department by other state agencies which receive appropriations from the state general fund to provide such services.”;

Also on page 203, following line 23, by inserting the following material as follows:

“(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2010, the following:

Competitive premiums ..... \$25,000”;

Also on page 203, in line 28, by striking “\$832,406” and inserting “\$798,776”;

On page 204, in line 8, by striking “\$2,351,510” and inserting “\$2,812,917”; in line 19, by striking “\$2,501,102” and inserting “\$2,987,428”; in line 27, by striking “\$759,600” and inserting “\$907,300”; in line 36, by striking “\$718,896” and inserting “\$858,681”; in line 40, by striking “\$216,000” and inserting “\$258,000”;

On page 205, in line 11, by striking “\$181,283” and inserting “\$216,533”; in line 15, by striking “\$81,011” and inserting “\$500,330”; in line 40, by striking “\$2,025,746” and inserting “\$2,029,866”;

On page 207, in line 3, preceding the comma, by inserting “or to complete studies or take actions necessary to ensure reservoir storage sustainability”; in line 8, by striking “\$532,500” and inserting “\$641,250”; in line 12, by striking “\$177,500” and inserting “\$213,750”; in line 16, by striking “\$216,550” and inserting “\$260,775”; in line 20, by striking “\$443,692” and inserting “\$534,306”; in line 24, by striking “\$55,314” and inserting “\$66,611”; in line 28, by striking “\$300,000” and inserting “\$500,000”; in line 33, by striking “\$156,200” and inserting “\$188,100”; in line 37, by striking “\$56,800” and inserting “\$68,400”; in line 41, by striking “\$213,000” and inserting “\$256,500”;

On page 209, in line 31, by striking “\$3,694,916” and inserting “\$3,713,496”; in line 36, by striking “\$2,033,050” and inserting “\$2,051,169”; in line 41, by striking “\$38,000” and inserting “\$36,972”;

On page 210, in line 15, by striking "\$20,000" and inserting "\$17,664"; in line 32, by striking "\$75,392" and inserting "\$74,450";

On page 211, in line 14, by striking "\$20,862,272" and inserting "\$21,133,611"; in line 25, by striking "\$5,639,129" and inserting "\$5,711,626"; in line 35, by striking "\$902,595" and inserting "\$926,368";

On page 212, in line 14, by striking "\$970,486" and inserting "\$997,553";

On page 213, in line 12, by striking "\$28,800" and inserting "\$34,400";

On page 214, in line 25, by striking "\$272,507,119" and inserting "\$278,102,428";

On page 216, following line 31, by inserting the following material to read as follows:

"(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, 2010, 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. 2008 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 2010 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 2010 shall be in addition to any expenditure limitation imposed on the agency operations account of the state highway fund for fiscal year 2010: *Provided, however*, That the total amount of such expenditures from the agency operations account of the state highway fund for fiscal year 2010 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 2010 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 2010 under this subsection 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, 2009, in any account of any special revenue fund of the department of transportation, which was appropriated by subsection (i) of section 133 of chapter 131 of the 2008 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2009 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2010, 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, 2010.

(3) No salary bonus payment paid pursuant to this subsection (i) during fiscal year 2010 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.;

Also on page 216, in line 42, by striking "143.36" and inserting "138.36";

On page 217, after line 34, by inserting the following material to read as follows:

"Kansas, Inc. .... 4.50";

On page 218, following line 43, by inserting the following material to read as follows:

"Sec. 94. *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, 2010, 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. 2008 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 2010 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 2010 shall not exceed the amount equal to 50% of the amount of the unencumbered balance as of June 30, 2009, in such account of the state general fund that is reappropriated for fiscal year 2010 and that is in excess of the amount authorized to be expended for fiscal year 2010 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 2010 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 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 2010 shall be in addition to any expenditure limitation imposed on expenditures from the reappropriated balance in any such account for fiscal year 2010.

(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, 2010, 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. 2008 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 2010 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 2010 shall be in addition to any expenditure limitation imposed on such fund or any account thereof for fiscal year 2010: *Provided, however*, That the total amount of such expenditures from such fund for fiscal year 2010 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 2009 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 2010 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 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, 2009, 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 135 of chapter 131 of the 2008 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2009 regular session of the legislature, is hereby reappropriated for the fiscal year ending June 30, 2010, and may be expended for the purposes authorized in subsection (a).

(2) Any unencumbered balance in excess of \$100 as of June 30, 2009, 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 135 of chapter 131 of the 2008 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2009 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2010, 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 2010.

(d) No salary bonus payment paid pursuant to this section during fiscal year 2010 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 23 of this act or to the department of transportation.”;

On page 230, in line 34, by striking all after “the”; by striking all in line 35; in line 36, by striking “of 2010” and inserting “period commencing on July 1, 2009, and ending on November 30, 2009”;

On page 231, by striking all in line 1; in line 2, by striking “January, February or March of 2010” and inserting “the period commencing on July 1, 2009, and ending on November 30, 2009”;

by striking all in lines 14 through 43;

On page 233, in line 2, following “(b)” by inserting “(1)”; following line 12, by inserting the following material to read as follows:

“(2) On or before June 30, 2012, during fiscal year 2012, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the workers compensation fund of the insurance department for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section 10(a) of chapter 3 of the 2003 Session Laws of Kansas: *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (b)(2), the director of the budget shall deliver a copy of such certification to the director of legislative research.”;

On page 234, by striking all in lines 28 through 33;

On page 246, in line 22, by striking all following “(2)”; in line 23, by striking all preceding the period and inserting “the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2010, shall not exceed \$3,000,000”; following line 30, by inserting the following material to read as follows:

“Sec. 115. On the effective date of this act, section 95 of 2009 House Substitute for SB23 is hereby amended to read as follows: Section 95. (a) On the effective date of this act, of the amount of each appropriation or reappropriation for a state agency for the fiscal year ending June 30, 2009, made by chapter 131, 156, 159, 160, 164, 172 or 184 of the 2008 Session Laws of Kansas, ~~or by this or other appropriation act of the 2009 regular session of the legislature~~ from the state general fund, the sum equal to 1.25% of such appropriation or reappropriation, which is not exempt, is hereby lapsed. The following are exempt from and shall not be reduced by such lapsing provision: (1) Any item of appropriation or reappropriation for debt service for payments pursuant to contractual bond obligations, (2) any item of appropriation or reappropriation for employer contributions for the employers who are eligible employers as specified in subsections (1), (2) and (3) of K.S.A. 74-4931, and amendments thereto, under the Kansas public employees retirement system pursuant to K.S.A. 74-4939, and amendments thereto, (3) any item of appropriation or reappropriation for the department of education, and (4) any item of appropriation or reappropriation from the state general fund for fiscal year ending June 30, 2009, for the department of social and rehabilitation services, Kansas health policy authority, or the department on aging which are required to meet caseload obligations under the state medicaid plan including nursing facilities, general medical, targeted case management, mental health, community supports and services, or addiction and prevention services or for the department of social and rehabilitation services to meet caseload obligations for nursing facilities for mental health, general assistance, temporary assistance for families, foster care and reintegration services contracts or adoption services contracts, as certified by the director of the budget to the director of accounts and reports for the purposes of this clause: *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this clause (4), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

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

Sec. 116. On the effective date of this act, section 95 of 2009 House Substitute for Substitute for SB23 is hereby repealed.”;

And by renumbering sections accordingly;

On page 1, in the title, in line 14, following “amending” by inserting “Section 95 of 2008 House Substitute for Substitute for Senate Bill No. 23.”; and the bill be passed as amended.

Committee on **Commerce and Labor** recommends **SB 160** be amended on page 2, in line 4, after “(c)” by inserting the following:

“Newly hired employees who are less than 20 years of age, in lieu of the minimum wage prescribed in subsection (a), may be paid by an employer, during the first 90 consecutive calendar days after such employee is initially employed by such employer, a wage which is not less than \$4.25 an hour. No employer may take any action to displace employees (including partial displacements such as reduction in hours, wages or employment benefits) for purposes of hiring individuals at the wage authorized in this subsection.

(d)”;

Also on page 2, after line 8, by inserting the following:

“New Sec. 2. (a) From and after January 1, 2010, the secretary shall adopt rules and regulations establishing the state minimum wage. These rules and regulations shall be consistent with and not less than the minimum wage established by the federal fair labor standards act.

(b) This section shall be part of and supplemental to the minimum wage and maximum hours law.”;

And by renumbering the remaining sections accordingly; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **Substitute for SB 28** be amended on page 7, in line 8, after “which” by inserting “the trier of fact makes a finding that”; and the substitute bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **SB 248** be amended on page 2, following line 33, by inserting the following:

“(g) The requirements of this section shall not apply where there is a lawful prescription present for the methamphetamine precursor sold.”;

On page 4, in line 3, by striking all following “of”; by striking all in line 4 and inserting “complying with the provisions of this act; and”; in line 5, by striking the semicolon; in line 6, by striking “and” and inserting a period; by striking all in lines 7 through 9;

On page 5, in line 3, by striking “a year” and inserting “six months”; and the bill be passed as amended.

Committee on **Economic Development and Tourism** recommends **SB 108** be passed.

Committee on **Economic Development and Tourism** recommends **SB 1** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Economic Development and Tourism** recommends **SB 119** be amended on page 4, in lines 23 and 24, by striking “50%” and inserting “55%”;

On page 7, in line 16, by striking “to the credit of the” and inserting “, and the state treasurer shall credit 2% of all taxes so collected to the community improvement district sales tax administration fund, which fund is hereby established in the state treasury, to defray the expenses of the department of revenue in administration and enforcement of the collection thereof. The aggregate amount of moneys credited to the community improvement district sales tax administration fund shall not exceed \$60,000 in any state fiscal year. The remainder of such taxes shall be credited to the”; and the bill be passed as amended.

Committee on **Education** recommends **SB 290** be passed.

Committee on **Education** recommends **HCR 5015** be adopted.

Committee on **Education Budget Committee** recommends **SB 9** be amended on page 3, following line 13, by inserting the following:

“(c) The provisions of this act shall expire on June 30, 2012.”;

On page 13, in line 31, by striking “statute book” and inserting “Kansas register”; and the bill be passed as amended.

Committee on **Elections** recommends **SB 56** be passed.

Committee on **Elections** recommends **SB 55** be amended on page 1, by striking all in lines 41 through 43;

By striking all on pages 2 through 9;

On page 10, by striking all in lines 1 through 40;

And by renumbering sections accordingly;

Also on page 10, in line 41, by striking all after "25-1218"; in line 42, by striking all before "hereby" and inserting "is";

In the title, in line 14, before "amending" by inserting "pertaining to official federal services absentee ballots;"; also in line 14, by striking "K.S.A. 2008"; by striking all in line 15; in line 16, by striking "sections" and inserting "section"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HCR 5017** be adopted.

Committee on **Federal and State Affairs** recommends **SB 53** be amended on page 1, in line 35, after "application" by inserting "approval"; also in line 35, after "of" where it appears the second time, by inserting ", released from incarceration for or released from probation or parole for";

On page 2, by striking all in lines 41 and 42;

On page 3, by striking all in lines 3 and 4; by striking all in lines 9 through 11; by striking all in lines 14 through 20; in line 23, after the semicolon by inserting "or"; in line 25, by striking "; or"; by striking all in line 26; in line 27, by striking all before the period";

And by renumbering the paragraphs accordingly;

Also on page 3, in line 28, by striking "(a)(8) and (11)" and inserting "(a)(4) and (5)"; after line 31, by inserting the following:

"(c) The board of county commissioners or the governing body of any city, upon five days' notice to the persons holding a license, shall revoke or suspend the license for any one of the following reasons:

(1) The licensee has fraudulently obtained the license by giving false information in the application therefor;

(2) the licensee has become ineligible to obtain a license under this act;

(3) the nonpayment of any license fees;

(4) permitting any gambling in or upon the licensee's place of business;

(5) the employment of persons under 18 years of age in dispensing or selling cereal malt beverages;

(6) the employment or continuation in employment of a person in connection with the sale, serving or dispensing of cereal malt beverages if the licensee knows such person has been, within the preceding two years, adjudged guilty of a felony or of any violation of the intoxicating liquor laws of this state, another state or the United States; or

(7) there has been a violation of K.S.A. 21-4106 or 21-4107, and amendments thereto, in or upon the licensee's place of business.";

Also on page 3, in line 32, by striking "(c)" and inserting "(d)"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 54** be amended on page 1, in line 12, by striking all after "The"; in line 13, by striking "of administration" and inserting "capitol preservation committee"; by striking all in lines 18 through 20; in line 21, by striking "(c)" and inserting "(b)"; in line 22, by striking "subsections (a) and (b)" and inserting "subsection (a)"; after line 24, by inserting the following:

"Sec. 2. (a) There is hereby created a capitol preservation committee which will include the membership of the following:

(1) The statehouse architect;

(2) the executive director of the state historical society;

(3) three members appointed for two-year terms by the governor;

(4) three members appointed for two-year terms by the president of the senate; and

(5) three members appointed for two-year terms by the speaker of the house of representatives.

The governor shall appoint the chair of the committee. The committee shall meet at least annually and more often upon call of the chairperson.

(b) The committee shall have the following responsibilities:

(1) Approve all proposals for renovation or reconstruction of all areas of the state capitol, the capitol's visitor center and the grounds surrounding the state capitol to insure that the historical beauty of the areas are preserved;

(2) preserve the proper decor of such areas;

(3) assure that any art or artistic displays are historically accurate and have historic significance; and

(4) the location and types of temporary displays and revolving displays in the state capitol including the visitor center.

(c) Any permanent displays or monuments proposed to be located on the state capitol grounds must be approved by the committee and authorized by the passage of a bill of the state legislature.

(d) The capitol preservation committee shall appoint three subcommittees for the following:

(1) The house of representatives subcommittee shall have oversight responsibility for the house of representatives chambers on the third floor of the state capitol and the common areas or environs of the chambers including the common areas or environs of such chambers on the fourth and fifth floors and the house leadership offices. The subcommittee shall have the following responsibilities:

(A) Approve all proposals for renovation or reconstruction of such areas to insure the historical beauty of the areas are preserved;

(B) preserve the proper decor of such areas; and

(C) assure that any art or artistic displays are historically accurate and have historic significance.

(2) The senate subcommittee shall have oversight responsibility for the senate chambers on the third floor of the state capitol and the common areas or environs of the chambers including the common areas or environs of such chambers on the third and fourth floors, the senate leadership offices and the cage elevator area on the third floor. The subcommittee shall have the following responsibilities:

(A) Approve all proposals for renovation or reconstruction of such areas to insure the historical beauty of the areas are preserved;

(B) preserve the proper decor of such areas; and

(C) assure that any art or artistic displays are historically accurate and have historic significance.

(3) The governor's subcommittee shall have oversight responsibility for the governor's offices and lieutenant governor's offices on the second floor of the state capitol and the common areas or environs of such offices including the cage elevator area on the second floor and the old supreme court room on the third floor. The subcommittee shall have the following responsibilities:

(A) Approve all proposals for renovation or reconstruction of such areas to insure the historical beauty of the areas are preserved;

(B) preserve the proper decor of such areas; and

(C) assure that any art or artistic displays are historically accurate and have historic significance.:";

And by renumbering the remaining section accordingly;

In the title, in line 9, by striking all after "concerning" and inserting "the state capitol and grounds"; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **SB 275** be passed.

**General Government Budget Committee** recommends **HB 2331** be amended on page 1, in line 24, preceding "each" by inserting "January and July of"; in line 26, by striking "2%" and inserting "2.5%";

On page 2, in line 17, by striking "2%" and inserting "2.5%";

On page 3, in line 11, by striking "2%" and inserting "2.5%"; and the bill be passed as amended.

**General Government Budget Committee** recommends **HB 2360** be amended on page 1, in line 18, by striking "15" and inserting "1"; in line 22, by striking "15" and inserting "1"; and the bill be passed as amended.

**General Government Budget Committee** recommends **SB 168** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL No. 168," as follows:

"HOUSE Substitute for SENATE BILL No. 168

By Committee on General Government Budget

"AN ACT concerning state agencies; relating to salaries and wages; amounts budgeted and appropriated therefor; payment of payroll obligations."; and the substitute bill be passed.

(**H. Sub. for SB 168** was thereupon introduced and read by title.)

Committee on **Health and Human Services** recommends **HB 2275** be amended on page 11, in line 33, by striking "public" and inserting "cash"; in line 34, by striking "any form of public" and inserting "cash"; also in line 34, by striking "public", where it appears the second time, and inserting "cash"; in line 35, after "of", where it appears the second time, by inserting "cash"; in line 36, by striking "random", where it appears for the first time; also in line 36, by striking "The" and inserting "Within the limits of appropriations therefor, the"; also in line 36, by striking "random", where it appears the second time; in line 37, by striking "public" and inserting "cash"; in line 38, by striking "and medicaid participation requirements"; in line 39, by striking "Kansas health policy authority" and inserting "secretary of social and rehabilitation services"; also in line 39, by striking "2010" and inserting "2011"; also in line 39, after the period by inserting "Subject to appropriations therefor, such program shall provide for random drug screening of approximately 1/3 of cash assistance recipients each year."; also in line 39, by striking "public" and inserting "cash";

On page 12, in line 1, by striking "welfare" and inserting "cash assistance"; in lines 3, 4, 6 and 7 by striking "public" and inserting "cash"; in line 8, by striking "Kansas health policy authority" and inserting "department of social and rehabilitation services"; in line 12, by striking "Kansas health policy authority" and inserting "secretary of social and rehabilitation services"; after line 17, by inserting the following:

"(5) The secretary of social and rehabilitation services shall report on or before January 31, 2012, and annually thereafter on or before January 31 to the chairperson of the house committee on appropriations, the chairperson of the house committee on health and human services, the chairperson of the senate committee on ways and means and the chairperson of the senate committee on public health and welfare concerning the operation and administration of the drug screening program established under this subsection.

(6) As used in this subsection, "cash assistance" means cash assistance provided to individuals under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and acts amendatory thereof or supplemental thereto, and under K.S.A. 2008 Supp. 38-147, and amendments thereto, and any rules and regulations adopted pursuant to such statutes.

(7) During the 2011 regular session of the legislature, the legislature shall review the progress of the implementation of the program of drug screening for cash assistance recipients established under this subsection.;

Also on page 12, by striking all in lines 18 through 43;

By striking all on pages 13 through 15;

On page 16, by striking all in lines 1 and 2;

And by renumbering the remaining sections accordingly;

Also on page 16, in line 3, by striking "and 60-4117 are" and inserting "is"; in line 4, before "its" by inserting "July 1, 2010, and";

On page 1, in the title, in line 9, by striking "random"; also in line 9, by striking "public" and inserting "cash"; in line 10, by striking "applicants and"; in line 11, by striking "and 60-4117"; also in line 11, by striking "sections" and inserting "section"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2356** be amended on page 1, in line 14, after "(a)" by inserting "(1)"; by striking all in lines 29 through 34; in line 35, by striking "ties." and inserting the following: "The secretary of health and environment shall grant no license in any case until careful inspection of the maternity center or child care facility shall have been made according to the terms of this act and until such maternity center or child care facility has complied with all the requirements of this act. The secretary may grant a license to a maternity center or child care facility if such center or facility is accredited, for the program or services for which the license has been applied for, by the



joint commission, or the council on accreditation for children and family services, inc. or the commission on accreditation of rehabilitation facilities. The secretary of health and environment may promulgate rules and regulations for the purpose of recognizing such accreditation. Such rules and regulations shall be promulgated on or before July 1, 2010.”;

Also in line 35, preceding “Except” by inserting “(2)” and commencing a paragraph with “(2)”;

On page 3, in line 3, by striking all after “facility”; by striking all in lines 4 and 5; in line 6, by striking all before “purpose” and inserting “unless the secretary deems such inspection unnecessary due to accreditation of the maternity center or child care facility by the joint commission, the council on accreditation for children and family service, inc. or the commission on accreditation of habilitation facilities. For the”; also in line 6, by striking “it” and inserting “of inspection the secretary of health and environment”; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **SB 33** be amended on page 1, in line 20, by striking “licensure” and inserting “a certificate”; in line 30, by striking “licensure” and inserting “certificate”; in line 38, by striking “or”; in line 39, by striking “licenses, or both,”; in line 40, by striking “necessary to reimburse the board for” and inserting “equal to”;

On page 2, in line 4, by striking “board of”; also in line 4, before the period, by inserting “board”; in line 5, by striking “board of”, where it appears for the first time; also in line 5, before the period, by inserting “board”; also in line 5, by striking “of” where it appears for the second time; in line 6, by striking all before “shall”; in line 38, by striking all after “amount” and inserting “equal to”;

On page 3, in line 17, by striking “\$100” and inserting “\$50”;

On page 5, in line 11, after “members” by inserting “appointed on and after July 1, 2009.”;

On page 1, in the title, in line 12, by striking “the”; also in line 12, by striking “licensure of”; in line 13, by striking “relating to”; in line 14, after “checks” by inserting “by the emergency medical services board and the state board of pharmacy”; in line 15, before “amending” by inserting “pharmacy technicians; terms and membership of the state board of pharmacy.”; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **SB 147** be amended on page 1, in line 15, after “other” by inserting “health care”; in line 18, after “trimester” by inserting “of pregnancy”; in line 19, after “other” by inserting “health care”; in line 25, by striking all after the period; in line 26, by striking all before “When”; in line 31, after the period by inserting “A pregnant woman shall have the right to refuse screening under this subsection at any time. Before any screening is performed under this subsection, the pregnant woman shall be informed in writing of the provisions of this subsection and the purposes and benefits of the screening, and the pregnant woman shall sign a form provided by the department of health and environment to authorize or opt-out of the screening.”; in line 40, after the period, by inserting “The mother of the child shall be informed in writing of the provisions of this subsection and of the purposes and benefits of the screening and shall sign a form stating that the mother has received the information.”; in line 42, by striking “a year” and inserting “six months”; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 135** be passed.

Committee on **Judiciary** recommends **SB 68** be amended on page 4, in line 17, by striking “Kansas register” and inserting “statute book”; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 134** be amended on page 4, in line 11, by striking “Notwithstanding-”; by striking all in lines 12 and 13 and inserting: “Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2009 through June 30, 2010, the supreme court may impose an additional charge, not to exceed \$10 per docket fee, to fund the costs of non-judicial personnel.”;

On page 5, by striking all in lines 40 and 41 and inserting: “Except as provided further, the reinstatement fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for such reinstatement. Such fee shall only be established

by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2009 through June 30, 2010, the supreme court may impose an additional charge, not to exceed \$10 per reinstatement fee, to fund the costs of non-judicial personnel.”;

On page 6, by striking all in lines 17 and 18 and inserting: “Except as provided further, the marriage license fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for a marriage license. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2009 through June 30, 2010, the supreme court may impose an additional charge, not to exceed \$10 per marriage license fee, to fund the costs of non-judicial personnel.”;

On page 7, in line 26, by striking “Notwithstanding any provision of law to the contrary, the”; by striking all in lines 27 and 28 and inserting: “Except as provided further, the bond, lien or judgment fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for such bond, lien or judgment. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2009 through June 30, 2010, the supreme court may impose an additional charge, not to exceed \$10 per bond, lien or judgment fee, to fund the costs of non-judicial personnel.”;

On page 9, in line 21, by striking “Notwithstand-”; by striking all in lines 22 and 23 and inserting: “Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2009 through June 30, 2010, the supreme court may impose an additional charge, not to exceed \$10 per docket fee, to fund the costs of non-judicial personnel.”; in line 30, by striking “Notwithstanding any provision of law”; by striking all in lines 31 and 32 and inserting: “(a) Except as provided further, the fees established by legislative enactment shall be the only fee collected or moneys in the nature of a fee collected for court procedures. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. Court procedures shall include docket fees, filing fees or other fees related to access to court procedures. On and after July 1, 2009 through June 30, 2010, the supreme court may impose an additional charge, not to exceed \$10 per fee, to fund the costs of non-judicial personnel.”;

(b) Any additional charge imposed by the court pursuant to K.S.A. 8-2107, 8-2110, 23-108a, 28-170, 28-172a, 59-104, 60-1621, 60-2001, 60-2203a, 61-2704 and 61-4001 and K.S.A. 2008 Supp. 38-2215, and 38-2314, and amendments thereto, shall be 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 judicial branch surcharge fund, which is hereby created in the state treasury.

(c) All moneys credited to the judicial branch surcharge fund shall be used for compensation of non-judicial personnel and shall not be expended for compensation of judges or justices of the judicial branch.

(d) All expenditures from the judicial branch surcharge fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to payrolls approved by the chief justice of the Kansas supreme court or by a person or persons designated by the chief justice.”; in line 36, by striking “Notwithstanding any pro-”; by striking all in lines 37 and 38 and inserting: “Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2009 through June 30, 2010, the supreme court may impose an additional charge, not to exceed \$10 per docket fee, to fund the costs of non-judicial personnel.”;

On page 10, in line 34, by striking “Notwithstanding any pro-”; by striking all in lines 35 and 36 and inserting: “Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee.”;

Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2009 through June 30, 2010, the supreme court may impose an additional charge, not to exceed \$10 per docket fee, to fund the costs of non-judicial personnel.”;

On page 12, in line 27, by striking “Notwithstand-”; by striking all in lines 28 and 29 and inserting: “Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2009 through June 30, 2010, the supreme court may impose an additional charge, not to exceed \$10 per docket fee, to fund the costs of non-judicial personnel.”;

On page 13, in line 22, by striking “Notwithstand-”; by striking all in lines 23 and 24 and inserting: “Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2009 through June 30, 2010, the supreme court may impose an additional charge, not to exceed \$10 per docket fee, to fund the costs of non-judicial personnel.”; in line 34, by striking “Notwithstanding any provision of law to the con-”; by striking all in lines 35 and 36 and inserting: “Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2009 through June 30, 2010, the supreme court may impose an additional charge, not to exceed \$10 per docket fee, to fund the costs of non-judicial personnel.”;

On page 15, in line 25, by striking “Notwithstanding any”; by striking all in lines 26 and 27 and inserting: “Except as provided further, the fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the court procedure. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2009 through June 30, 2010, the supreme court may impose an additional charge, not to exceed \$10 per fee, to fund the costs of non-judicial personnel.”;

On page 16, in line 28, by striking “Notwithstand-”; by striking all in lines 29 and 30 and inserting: “Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2009 through June 30, 2010, the supreme court may impose an additional charge, not to exceed \$10 per docket fee, to fund the costs of non-judicial personnel.”;

On page 17, in line 8, by striking “Notwithstand-”; by striking all in lines 9 and 10 and inserting: “Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2009 through June 30, 2010, the supreme court may impose an additional charge, not to exceed \$10 per docket fee, to fund the costs of non-judicial personnel.”; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

#### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were thereupon introduced and read by title:

**HB 2389**, An act regulating vehicle title loans, by Committee on Federal and State Affairs.

**HB 2390**, An act relating to accident and health insurance; concerning continuation of coverage, by Committee on Appropriations.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

The following resolutions were introduced and read by title:

**HOUSE RESOLUTION No. 6019—**

By Committee on Federal and State Affairs

A RESOLUTION urging the U.S. Food and Drug Administration to use caution in approving new vaccines such as Gardasil which has had a number of health problems including some deaths associated with the use of this vaccine.

WHEREAS, The genital human papillomavirus (HPV) is the most common sexually transmitted infection with more than 40 different strains of this virus; and

WHEREAS, The vaccine Gardasil was approved by the U.S. Food and Drug Administration for use in June, 2006, as a vaccine to prevent the transmission of some strains of HPV which can cause cervical cancer in women; and

WHEREAS, The approval of Gardasil was much hyped, with Merck claiming that it had the potential to eventually eliminate most cervical cancers; and

WHEREAS, The FDA erred in its rush to approve Gardasil, and did not study the vaccine's possible side effects thoroughly; and

WHEREAS, Following its approval, the Centers for Disease Control (CDC) recommended that all young girls between the ages of 11 and 12 receive the Gardasil vaccine; and

WHEREAS, Recently, 20 states have pushed for federal mandates to make Gardasil mandatory for sixth grade girls; and

WHEREAS, Since its approval, there have been over 3,400 complaints of adverse reactions to the Gardasil vaccine, and there could have been as many as eight deaths attributable to Gardasil; and

WHEREAS, Side effects that have been reported include Bells Palsy, Guillain-Barre Syndrome, seizures, miscarriages and even death; and

*Be it resolved by the House of Representatives of the State of Kansas:* That the U.S. Food and Drug Administration only approve new vaccines and drugs that have been adequately studied to insure the safety of the public; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives be directed to send enrolled copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, each member of Congress from the State of Kansas, and the office of Commissioner of the U.S. Food and Drug Administration.

**HOUSE RESOLUTION No. 6020—**

By Representatives Henry, Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, Light, Logan bill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley and Yoder

A RESOLUTION in memory of Richard Cameron.

WHEREAS, Richard E. "Dick" Cameron passed away Wednesday, March 11, 2009, at the age of 84 at his residence surrounded by his family; and

WHEREAS, Richard Cameron was born May 29, 1925, in Parsons, Kansas to Charles E. and Rachel Goldsborough Cameron; and

WHEREAS, He married Ellen M. Armstrong on August 28, 1948, in Parsons, Kansas; and

WHEREAS, Mr. Cameron enlisted in the United States Air Corps in the Aviation Cadet program in 1942, serving as a B25 bomber pilot until his honorable discharge in November 1946 with the rank of lieutenant; and

WHEREAS, Following his military service, Richard Cameron attended the Sparton School of Aeronautics in Tulsa, Oklahoma, where he earned the rating of flight instructor before completing his college studies at the College of Emporia in 1949; and

WHEREAS, Mr. Cameron served as a State Farm Insurance agent for 40 years, retiring in 1995; and

WHEREAS, Richard Cameron served the state as a Kansas State Representative in the 49th District for two terms from 1978 to 1982; and

WHEREAS, Mr. Cameron was a Presbyterian elder and deacon, in addition to being a longtime member of the Atchison Kiwanis Club and the Fleming-Jackson-Seever Post Number 6 of the American Legion; and

WHEREAS, Mr. Cameron enjoyed spending his free time flying, traveling, cartooning and pursuing other forms of art work; and

WHEREAS, Mr. Cameron is survived by his wife Ellen M. Cameron; two daughters, Jane and husband Don Gray and Ruth Ann and husband Hal Jackson; his son Richard B. and his wife Tera Cameron; four grandchildren and one great-grandchild. Mr. Cameron was preceded in death by his brother, Loren D. Cameron; and

WHEREAS, Richard Cameron's life of service to his country, to his state and to his customers serves as an example for all Kansans to live by; Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we honor Richard Cameron for his lifetime of service and contributions to his community and that we extend our deepest sympathy to his wife Ellen, family and friends; and

*Be it further resolved:* That the Clerk of the House of Representatives be directed to provide four enrolled copies of this resolution to Representative Jerry Henry.

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

On motion of Rep. Shultz, the House nonconcurrent in Senate amendments to **HB 2052** and asked for a conference.

Speaker pro tem Siegfried thereupon appointed Reps. Shultz, Peck and Dillmore as conferees on the part of the House.

#### **REPORT ON ENGROSSED BILLS**

**HB 2197** reported correctly engrossed March 18, 2009.

On motion of Rep. Merrick, the House adjourned until 10:30 a.m., Friday, March 20, 2009.

SUSAN W. KANNARR, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

