

Approved _____ Date _____

MINUTES OF THE House COMMITTEE ON Calendar & Printing

The meeting was called to order by Chairman Robert H. Miller at _____
Chairperson

1:45 a.m./p.m. on Friday, May 4, 1990 in room 380W of the Capitol.

All members were present except:

Committee staff present:

Norman Furse, Revisor's Office
Ed Ahrens, Research Dept.
Paul West, Reserach Dept.
Lynda Hutfles, Secretary to Committee

Conferees appearing before the committee:

The meeting was called to order by Chairman Robert H. Miller at 1:45 p.m., on Friday, May 4, 1990.

SB799 - An act concerning state finances for the fiscal year ending June 30, 1991; providing for the lapsing of a certain percentage amount of state general fund appropriations and reappropriations; decreasing the expenditure limitation amount on state gneeral fund reappropriated balances; reducing the amount of certain demand transfers.

SB799, as amended by the Senate on Final Action, lapses General Fund appropriations and reappropriations for fiscal years 1990 and 1991, reduces the amount of demand transfers for FY1991, and shifts certain appropriations to subsequent fiscal years. General fund reductions for FYs 1990 and 1991 total \$43,228,000.

Norm Furse, Revisor's Office, explained the changes made by the Senate. See attachment 1.

Speaker Braden pointed out that in line 39 on page 10, the state general fund entitlement for the state fiscal year 1991 was to be reduced by 2.5%. Mr. Furse told the committee that this was amended to the 1% by the Senate as was the case throughout the bill. The revised bill had not been reprinted and was unavailable.

There was discussion of the ending balance of the EDIF fund. The Senate freed up \$4 million of the EDIF fund appropriation in FY1991 for residential circuit breaker plus the use of additonal balances.

Representative Sprague made a motion, seconded by Representative Moomaw, to introduce a substitute bill. See attached substitute bill. (Attachment 2) The motion carried.

The meeting was adjourned.

SUMMARY

SENATE BILL NO. 799

As Amended by Senate on Final Action

Senate Bill No. 799, as amended by the Senate on Final Action, lapses General Fund appropriations and reappropriations for fiscal years 1990 and 1991, reduces the amount of demand transfers for FY 1991, and shifts certain appropriations to subsequent fiscal years. General fund reductions for FYs 1990 and 1991 total \$43,228,000.

Sections 2 through 15 lapse certain specific General Fund appropriations and reappropriations. The resulting reductions from amounts previously approved in other appropriation acts of the 1990 Session of the Legislature total \$2,559,000 for FY 1990 and \$15,972,000 for FY 1991.

Section 16 lapses 1 percent of the amount of each appropriation and reappropriation from the General fund made for FY 1991 in appropriation acts of the 1990 Session with the exception of the appropriation for the KPERS school employers' contribution (\$42,766,000) and line item appropriations for debt service (totaling \$8,321,000). Such lapses are estimated to total \$21,219,000.

Sections 17 through 23 reduce by 1 percent the amount of each of the following demand transfers for FY 1991: Workers Compensation Fund, School District Income Tax Fund, Local Ad Valorem Tax Reduction Fund, County and City Revenue Sharing Fund, Special City and County highway Fund, State Highway Fund, and State Water Plan Fund. Such reductions are estimated to total \$3,478,000.

Senate Recommendation

House Recommendation

Conference Committee Recommendation

Sec. 2 – Department of Administration

1. Delete \$100,000 in FY 1991 from the State General Fund in the Division of Personnel Services for professional consultant services to assist the Division with the study of Phase IV of the Comprehensive Classification and Job Rate Study relating to professional, administrative, and managerial jobs.
2. Reduce a total of \$230,000 from the State General Fund in FY 1991 for two capital improvement projects -- judicial center remodeling and statehouse stone and miscellaneous repairs. The Senate recommends that the two capital improvement line items be combined into one line item with a total appropriation of \$351,113 for both projects. The Senate Committee emphasizes the necessity to continue the exterior stone repair on the Statehouse.
3. Delete \$30,000 from the State General Fund in FY 1991 for the Wichita consolidation study. The reduction eliminates all funding for this project.

- 1.
- 2.
- 3.

Secs. 3 and 4 – State Historical Society

1. Shift the appropriation for the new Center for Historical Research from FY 1991 and FY 1992 to FY 1992 and FY 1993 and apply a 5 percent inflation factor, resulting in an appropriation of \$6,000,000 in FY 1992 and \$1,904,000 in FY 1993.

- 1.

1-2

Senate Recommendation

House Recommendation

Conference Committee Recommendation

- 2. Lapse \$4,338,000 for FY 1991 and \$3,040,000 in FY 1992 contained in S.B. 443 for the new Center for Historical Research. The balance of the appropriation contained in S.B. 443 of \$150,000 is to be expended for final planning costs and a floodplain survey.
- 3. Shift the financing for the \$225,000 of the estimated unencumbered balance of \$454,000 in the Historic Properties -- Preservation, Restoration, and Development account from the State General Fund to the EDIF.

2.

3.

Sec. 5 -- Department of Revenue

- 1. Lapse \$1.5 million SGF of \$2.0 million appropriated in FY 1991 for reappraisal aid to counties. This leaves \$2.0 million EDIF financing for state aid to counties and \$0.5 million SGF for either state aid or upgrading CAMA computer programs in the counties.

1.

Sec. 6 -- Homestead/Residential Circuit Breaker Refunds

- 1. Lapse \$1.0 million SGF of \$10.4 million appropriated in FY 1990 for the regular homestead property tax relief program. This leaves \$9.4 million this fiscal year for payments.
- 2. Lapse \$2.0 million SGF of \$11.9 million appropriated in FY 1991 for the regular homestead property tax relief program. This leaves \$9.9 million next fiscal year for payments.

1.

2.

1-3

Senate Recommendation

House Recommendation

Conference Committee Recommendation

- 3. Reduce expenditures by \$4.0 million EDIF of the \$6.0 million appropriated in FY 1991 for the residential circuit breaker program. This leaves \$2.0 million next fiscal year for the program.

3.

Sec. 7 – Department of Education

- 1. Delete \$1,000,000 from the State General Fund of the \$2,450,000 appropriated in FY 1991 for At Risk and Innovative Program Assistance and shift the funding of the \$1,000,000 to the Economic Development Initiatives Grant Fund (EDIF).

1.

- 2. Delete the entire amount (\$25,000) appropriated from the State General Fund in FY 1991 for the Kansas Cultural Heritage and Arts Center, Dodge City, Kansas, and shift the funding to the EDIF.

2.

- 3. Delete the entire amount (\$600,000) appropriated from the State General Fund in FY 1991 for Vocational Education Capital Outlay and shift the funding to the EDIF.

3.

- 4. Delete \$50,000 from the State General Fund in other operating expenditures budgeted for the At Risk Academy in FY 1991 and shift the funding to the EDIF.

4.

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Senate Recommendation

House Recommendation

Conference Committee Recommendation

- 5. Delete the entire amount (\$30,000) appropriated from the State General Fund in FY 1991 for the Kansas Foundation for Agriculture Project Grant and shift the funding to the oil overcharge fund.

5.

Sec. 8 – Department of Commerce

- 1. Shift the financing for \$1,292,539 of FY 1991 other operating expenses from the State General Fund to the EDIF.

1.

Sec. 9 – Kansas State University

- 1. Lapse \$500,000 in FY 1991 from a State General Fund appropriation for the final planning of Plant Science Phase IIA capital improvement project.
- 2. Transfer and authorize expenditures of \$500,000 in FY 1991 from the Economic Development Initiatives Fund (EDIF) of the Department of Commerce for final planning of Plant Science Phase IIA capital improvement project.

1.

2.

Sec. 10 – Fort Hays State University

- 1. Lapse \$1,250,000 from the State General Fund appropriation for the renovation of Sheridan Coliseum in FY 1990.
- 2. Authorize expenditures of \$1,250,000 from the Educational Building Fund in FY 1991 for the renovation of Sheridan Coliseum.

1.

2.

15-

Senate Recommendation

House Recommendation

Conference Committee Recommendation

**Sec. 11 – University of Kansas
Medical Center**

- | | | |
|----|---|----|
| 1. | Lapse \$1,250,000 from the State General Fund appropriation in <u>FY 1991</u> for operating expenditures for the University of Kansas Medical Center. | 1. |
| 2. | Based on additional receipts to the Hospital Revenue Fund in the current year, increase expenditures from the Hospital Revenue Fund by \$1,000,000 in <u>FY 1991</u> . | 2. |
| 3. | Shift \$250,000 in expenditures from the Hospital Fund to the Educational Building Fund in <u>FY 1991</u> for a capital improvement project to renovate the cardiac thoracic ICU. | 3. |

Sec. 12 – State Board of Regents

- | | | |
|----|---|----|
| 1. | Lapse \$1,500,000 from the major maintenance and repairs Educational Building Fund account in <u>FY 1991</u> . The action will leave a total of \$6,500,000 for campus major maintenance and repair in the budget year. | 1. |
|----|---|----|

Sec. 13 – University of Kansas

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|----|---|----|
| 1. | Lapse \$550,000 from the <u>FY 1991</u> State General Fund appropriation for the Geological Survey. | 1. |
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9-1

Senate Recommendation

House Recommendation

Conference Committee Recommendation

- 2. Transfer and authorize expenditures of \$550,000 in FY 1991 from the State Water Plan Fund of the Kansas Water Office to the Geological Survey Water Programs Fund of the University of Kansas.
- 3. Lapse \$1,000,000 in FY 1991 from a State General Fund demand transfer for construction and debt service on the Regents Center.
- 4. Transfer and authorize expenditures of \$1,000,000 in FY 1991 from the Economic Development Initiatives Fund (EDIF) of the Department of Commerce to the University of Kansas for construction and debt service of the Regents Center.

- 2.
- 3.
- 4.

Sec. 14 – Secretary of State

- 1. Lapse the FY 1990 and FY 1991 state census program funds. The amount of the SGF lapse is estimated to be approximately \$83,672 for FY 1990 and \$76,370 for FY 1991. The lapsed moneys are those provided for in 1989 S.B. 404, which requires the adjustment of the federal census records for military personnel and college students. (The amount lapsed in FY 1990 is the unencumbered balance, as of the effective date of the act.)

- 1.

6-7

Senate Recommendation

House Recommendation

Conference Committee Recommendation

Sec. 15 – Department of Social and Rehabilitation Services

- 1. Lapse \$1,400,000 from the State General Fund in FY 1991 for the KanWork program. The recommendation results in a delay in KanWork program expansion to seven additional counties from July, 1990 to January, 1991.

1.

Sec. 16 – Lapse of Appropriations and Reappropriations for FY 1991

- 1. The provisions of this section lapse 1 percent of all General fund appropriations and reappropriations made in appropriation acts of the 1990 Session except appropriations for KPERS school employers contributions and line item appropriations for debt service. The estimated total of such lapses is \$21,219,000.

1.

Sec. 17 – Workers Compensation Fund

- 1. This section reduces by 1 percent the FY 1991 General Fund demand transfer to the Workers Compensation Fund. One percent of this FY 1991 demand transfer of \$4,000,000 is \$40,000.

1.

8-1

Senate Recommendation

House Recommendation

Conference Committee Recommendation

Sec. 18 – School District Income Tax Fund

1. This section reduces by 1 percent the FY 1991 demand transfer to the School District Income Tax Fund. One percent of this demand transfer of \$187,400,000 is \$1,874,000.

1.

Sec. 19 – Local Ad Valorem Tax Reduction Fund

1. This section reduces by 1 percent the FY 1991 demand transfer to the Local Ad Valorem Tax Reduction Fund. One percent of this demand transfer of \$37,177,000 is \$372,000.

1.

Sec. 20 – County and City Revenue Sharing Fund

1. This section reduces by 1 percent the FY 1991 demand transfer to the County and City Revenue Sharing Fund. One percent of this demand transfer of \$28,351,000 is \$284,000.

1.

Sec. 21 – Special City and County Highway Fund

1. This section reduces by 1 percent the FY 1991 demand transfer to the Special City and County Highway Fund. One percent of this demand transfer of \$9,770,000 is \$98,000.

1.

6-1

Senate Recommendation

House Recommendation

Conference Committee Recommendation

Sec. 22 – State Highway Fund

- | | |
|---|----|
| 1. This section reduces by 1 percent the FY 1991 demand transfer to the State Highway Fund. One percent of this demand transfer of \$75,149,000 is \$751,000. | 1. |
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Sec. 23 – State Water Plan Fund

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|--|----|
| 1. This section reduces by 1 percent the FY 1991 demand transfer to the State Water Plan Fund. One percent of this demand transfer of \$6,000,000 is \$60,000. | 1. |
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01-1

House Substitute for SENATE BILL NO. 799

By Committee on Calendar and Printing

1 AN ACT making and concerning appropriations for the fiscal years
2 ending June 30, 1990, June 30, 1991, and June 30, 1992;
3 authorizing certain transfers and fees, imposing certain
4 restrictions and limitations and directing or authorizing
5 certain receipts, disbursements, capital improvements and
6 acts incidental to the foregoing; providing for the lapsing
7 of a certain percentage amount of certain state general fund
8 appropriations and reappropriations; decreasing the
9 expenditure limitation amount on state general fund
10 reappropriated balances; reducing the amount of certain
11 demand transfers; amending K.S.A. 79-3425e, 79-34,147 and
12 82a-953 and K.S.A. 1989 Supp. 44-566a and sections 8 and 14
13 of 1990 Senate Bill No. 443 and repealing the existing
14 sections.

15 Be it enacted by the Legislature of the State of Kansas:

16 Section 1. (a) For the fiscal years ending June 30, 1990,
17 June 30, 1991, and June 30, 1992, appropriations are hereby made,
18 restrictions and limitations are hereby imposed, and transfers,
19 fees, receipts, disbursements, and acts incidental to the
20 foregoing are hereby directed or authorized as provided in this
21 act.

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

27 Sec. 2.

28 DEPARTMENT OF ADMINISTRATION

29 (a) On July 1, 1990, of the \$652,326 appropriated for the

1 above agency by section 6(a) of 1990 House Bill No. 2638 for the
2 fiscal year ending June 30, 1991, from the state general fund in
3 the personnel services -- other operating expenditures account,
4 the sum of \$100,000 is hereby lapsed.

5 (b) On July 1, 1990, the \$300,000 appropriated for the above
6 agency by section 4(a) of 1990 House Bill No. 2607 for the fiscal
7 year ending June 30, 1991, from the state general fund in the
8 stone and miscellaneous exterior repairs account is hereby
9 lapsed.

10 Sec. 3.

11 STATE HISTORICAL SOCIETY

12 (a) On July 1, 1990, of the amount reappropriated for the
13 above agency by section 6(a) of 1990 Senate Bill No. 453 the
14 fiscal year ending June 30, 1991, from the state general fund in
15 the historic properties, preservation, restoration and
16 development account, the sum of \$200,000 is hereby lapsed.

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

	Fiscal Year 1990	Fiscal Year 1991
23 Historic properties fund.....		\$200,000

26 Provided, That expenditures may
27 be made from this fund for
28 preservation, restoration and
29 development of historic
30 properties.

31 (c) On July 1, 1990, October 15, 1990, January 15, 1991,
32 April 15, 1991, and June 15, 1991, or as soon after each such
33 date as moneys are available, the director of accounts and
34 reports shall transfer \$40,000 from the Kansas economic
35 development endowment account of the state economic development
36 initiatives fund of the department of commerce to the historic

1 properties fund of the state historical society.

2 Sec. 4. On July 1, 1990, section 8 of 1990 Senate Bill No.
3 443 is hereby amended to read as follows: Sec. 8.

4 STATE HISTORICAL SOCIETY

5 (a) The above agency is hereby authorized to initiate and
6 complete a capital improvement project to construct and equip a
7 center for historical research, subject to the restrictions and
8 limitations imposed by this section.

9 (b) There is appropriated for the above agency from the state
10 general fund for the capital improvement project and for the
11 fiscal years specified as follows:

12	Construct and equip center for historical research	
13	For the fiscal year ending June 30, 1991.....	\$4,488,000
14	For the fiscal year ending June 30, 1992.....	3,040,000

15 Sec. 5.

16 DEPARTMENT OF REVENUE

17 (a) On July 1, 1990, of the \$2,000,000 appropriated for the
18 above agency by section 3(a) of 1990 Senate Bill No. 450 for the
19 fiscal year ending June 30, 1991, from the state general fund in
20 the aid to counties for maintaining and updating reappraised
21 valuations account, the sum of \$2,000,000 is hereby lapsed.

22 (b) On July 1, 1990, the expenditure limitation established
23 by section 3(b) of 1990 Senate Bill No. 450 on the aid to
24 counties for reappraisal -- EDIF fund of the above agency is
25 hereby increased from \$2,000,000 to \$4,000,000.

26 (c) Expenditures may be made by the above agency for fiscal
27 year 1991 from the aid to counties for reappraisal -- EDIF fund
28 of the above agency for program creation and modification to the
29 KSCAMA software system and mainframe computer
30 software: Provided, That expenditures for program creation and
31 modification to the KSCAMA software system and mainframe computer
32 software from the aid to counties for reappraisal -- EDIF fund
33 for fiscal year 1991 shall not exceed \$444,000.

34 (d) On September 15, 1990, October 15, 1990, November 15,

1 1990, and December 15, 1990, or as soon after each such date as
2 moneys are available, the director of accounts and reports shall
3 transfer \$500,000 on each such date from the Kansas economic
4 development endowment account of the state economic development
5 initiatives fund of the department of commerce to the aid to
6 counties for reappraisal -- EDIF fund of the department of
7 revenue.

8 Sec. 6.

9 DEPARTMENT OF REVENUE -- HOMESTEAD PROPERTY TAX REFUNDS

10 (a) On July 1, 1990, of the \$3,000,000 appropriated for the
11 above agency by section 2(a) of 1990 House Bill No. 2625 for the
12 fiscal year ending June 30, 1991, from the state general fund in
13 the homestead tax refunds account, the sum of \$1,500,000 is
14 hereby lapsed.

15 (b) On July 1, 1990, the expenditure limitation established
16 by section 5(b) of 1990 House Substitute for Senate Bill No. 793
17 on expenditures for homestead property tax refunds pursuant to
18 K.S.A. 79-4520 fund is hereby decreased from \$6,000,000 to
19 \$2,000,000.

20 (c) On July 1, 1990, of the amount of \$1,261,000 authorized
21 by section 2(c) of 1990 House Bill No. 2625 to be transferred by
22 the director of accounts and reports on December 15, 1990,
23 January 15, 1991, February 15, 1991, and March 15, 1991, from the
24 Kansas economic development research and development account of
25 the state economic development initiatives fund of the department
26 of commerce to the homestead property tax refunds pursuant to
27 K.S.A. 79-4520 fund of the department of revenue -- homestead
28 property tax refunds is hereby decreased to \$261,000, on each
29 such date.

30 Sec. 7.

31 DEPARTMENT OF EDUCATION

32 (a) On July 1, 1990, the \$2,450,000 appropriated for the
33 above agency by section 2(a) of 1990 Senate Bill No. 448 for the
34 fiscal year ending June 30, 1991, from the state general fund in
35 the at risk pupil and innovative program assistance account, the

1 sum of \$1,000,000 is hereby lapsed.

2 (b) On July 1, 1990, the \$25,000 appropriated for the above
3 agency by section 2(a) of 1990 Senate Bill No. 448 for the fiscal
4 year ending June 30, 1991, from the state general fund in the
5 grant to the Kansas cultural heritage and arts center, Dodge
6 City, Kansas account is hereby lapsed.

7 (c) On July 1, 1990, the \$600,000 appropriated for the above
8 agency by section 2(a) of 1990 Senate Bill No. 448 for the fiscal
9 year ending June 30, 1991, from the state general fund in the
10 vocational education capital outlay aid account is hereby lapsed.

11 (d) On July 1, 1990, of the \$1,463,334 appropriated for the
12 above agency by section 2(a) of 1990 Senate Bill No. 448 for the
13 fiscal year ending June 30, 1991, from the state general fund in
14 the other operating expenditures account, the sum of \$50,000 is
15 hereby lapsed.

16 (e) There is appropriated for the above agency from the
17 following special revenue fund for the fiscal year specified, all
18 moneys now or hereafter lawfully credited to and available in
19 such fund, except that expenditures other than refunds authorized
20 by law and transfers to other state agencies shall not exceed the
21 following:

	Fiscal Year 1990	Fiscal Year 1991
22 Economic development initiatives		
23 fund.....		\$1,675,000

26 Provided, That expenditures may
27 be made from this fund for the
28 following purposes, subject to
29 the expenditure limitations
30 prescribed therefor:

31 At risk pupil and innovative
32 program assistance. \$1,000,000

33 Provided, That expenditures
34 from this account for each
35 such grant shall be matched
36 from the general fund of the
37 school district in an amount
38 which is equal to not less
39 than 50% of the grant.

40 Grant to the Kansas cultural
41 heritage and arts center,
42 Dodge City, Kansas.....25,000

1 Vocational education capital
2 outlay aid.....600,000

3 Provided, That expenditures
4 may be made from this account
5 for grants to area vocational
6 schools and to area
7 vocational-technical schools
8 for acquisition of
9 instructional equipment:
10 Provided further, That
11 expenditures from this
12 account for each such grant
13 shall be matched by the area
14 vocational school or the area
15 vocational-technical school
16 in an amount which is equal
17 to 50% of the grant and which
18 was obtained from sources
19 other than state revenues.

20 At risk academy.....50,000

21 (f) On July 15, 1990, or as soon thereafter as the moneys are
22 available, the director of accounts and reports shall transfer
23 \$675,000 from the Kansas economic development endowment account
24 of the state economic development initiatives fund of the
25 department of commerce to the economic development initiatives
26 fund of the department of education.

27 (g) On January 15, 1991, or as soon thereafter as the moneys
28 are available, the director of accounts and reports shall
29 transfer \$1,000,000 from the Kansas economic development
30 endowment account of the state economic development initiatives
31 fund of the department of commerce to the economic development
32 initiatives fund of the department of education.

33 Sec. 8.

34 DEPARTMENT OF COMMERCE

35 (a) On July 1, 1990, the expenditure limitation established
36 by section 28(i) of 1990 House Substitute for Senate Bill No. 793
37 on the state economic development initiatives fund is hereby
38 increased from \$7,126,367 to \$8,901,367.

39 (b) On July 1, 1990, the expenditure limitation established
40 by section 28(j) of 1990 House Substitute for Senate Bill No. 793
41 on the Kansas economic development endowment account of the state
42 economic development initiatives fund is hereby increased from
43 \$7,126,367 to \$8,901,367.

1 (c) On July 1, 1990, the expenditure limitation established
 2 by section 28(k) of 1990 House Substitute for Senate Bill No. 793
 3 on the state operations subaccount of the Kansas economic
 4 development endowment account of the state economic development
 5 initiatives fund is hereby increased from \$1,581,367 to
 6 \$3,356,367.

7 (d) On July 1, 1990, of the \$5,324,320 appropriated for the
 8 above agency by section 6(a) of 1990 Senate Bill No. 450 for the
 9 fiscal year ending June 30, 1991, from the state general fund in
 10 the state operations (including official hospitality) account,
 11 the sum of \$1,775,000 is hereby lapsed.

12 (e) On the effective date of this act, the director of
 13 accounts and reports shall transfer \$650,000 from the Kansas
 14 export loan guarantee fund of the department of commerce to the
 15 state economic development initiatives fund of the department of
 16 commerce.

17 Sec. 9.

18 KANSAS STATE UNIVERSITY

19 (a) On July 1, 1990, the \$500,000 appropriated for the above
 20 agency by section 10(f) of 1990 Senate Bill No. 443 for the
 21 fiscal year ending June 30, 1991, from the state general fund in
 22 the plant science phase IIA -- final planning account is hereby
 23 lapsed.

24 (b) On July 1, 1990, there is appropriated for the above
 25 agency from the Kansas educational building fund for the fiscal
 26 year specified, for the capital improvement project specified as
 27 follows:

	<u>Fiscal Year</u> 1990	<u>Fiscal Year</u> 1991
30 Plant science phase IIA -- final		
31 planning.....		\$500,000

32 Sec. 10.

33 FORT HAYS STATE UNIVERSITY

34 (a) On the effective date of this act, of the \$3,122,444
 35 appropriated for the above agency by section 4(c) of 1990 Senate

1 Bill No. 442 for the fiscal year ending June 30, 1990, from the
2 state general fund in the renovate Sheridan coliseum account, the
3 sum of \$1,250,000 is hereby lapsed.

4 (b) On July 1, 1990, there is appropriated for the above
5 agency from the Kansas educational building fund for the fiscal
6 year specified, for the capital improvement project specified as
7 follows:

	<u>Fiscal Year</u> 1990	<u>Fiscal Year</u> 1991
10 Renovate Sheridan coliseum.....		\$1,250,000

11 Sec. 11.

12 UNIVERSITY OF KANSAS MEDICAL CENTER

13 (a) On July 1, 1990, of the \$61,609,129 appropriated for the
14 above agency by section 8(a) of 1990 Senate Bill No. 454 for the
15 fiscal year ending June 30, 1991, from the state general fund in
16 the operating expenditures (including official hospitality)
17 account, the sum of \$2,450,000 is hereby lapsed.

18 (b) There is appropriated for the above agency from the
19 Kansas educational building fund for the fiscal year specified,
20 for the following capital improvements as follows:

	<u>Fiscal Year</u> 1990	<u>Fiscal Year</u> 1991
23 Renovate cardio-thoracic ICU.....		\$850,000
24 Ventilating and air conditioning 25 repairs to Bell memorial 26 hospital -- phase III.....		400,000
27 28 Total.....		<u>\$1,250,000</u>

29 (c) On July 1, 1990, the expenditure limitation established
30 by section 8(b) of 1990 Senate Bill No. 454 on the operating
31 expenditures account of the medical scholarship repayment fund is
32 hereby increased from \$1,432,529 to \$1,632,529.

33 Sec. 12. On July 1, 1990, section 14 of 1990 Senate Bill No.
34 443 is hereby amended to read as follows: Sec. 14.

35 UNIVERSITY OF KANSAS MEDICAL CENTER

1 (a) There is appropriated for the above agency from the
 2 following special revenue funds for the fiscal year ending June
 3 30, 1991, all moneys now or hereafter lawfully credited to and
 4 available in such funds, except that expenditures shall not
 5 exceed the following:

6 University of Kansas hospital fund..... No limit

7 Provided, That expenditures from this fund are
 8 subject to the restrictions of K.S.A. 76-827 and
 9 amendments thereto: Provided further, That no
 10 moneys shall be credited to this fund except by
 11 appropriation act of the legislature
 12 transferring moneys from the hospital revenue
 13 fund to this fund: ~~And provided further, That,~~
 14 ~~except as otherwise authorized by appropriation~~
 15 ~~act, expenditures from this fund are hereby~~
 16 ~~authorized to be made only for the following~~
 17 ~~equipment purchases and capital improvement~~
 18 ~~projects and are subject to the expenditure~~
 19 ~~limitations prescribed therefor:~~

20 ~~Renovate cardio-thoracic ICU.....\$850,000~~

21 ~~Ventilating and air conditioning~~
 22 ~~repairs to Bell memorial~~
 23 ~~hospital Phase II..... 400,000~~

24 And provided further, That expenditures from
 25 this fund are hereby authorized to be made from
 26 the following accounts: Neonatal intensive care
 27 unit modification account; heating, ventilating
 28 and air conditioning repairs to Bell memorial
 29 hospital account; renovate inpatient pediatric
 30 unit account; and renovate hospital -- phase I
 31 -- planning account: Provided, however, That
 32 expenditures from each such account shall not
 33 exceed the amount of the unencumbered balance in
 34 such account on June 30, 1990.

35 Federal aid for buildings fund..... No limit

36 Bond construction funds fund..... No limit

37 Clinical facility bond and interest sinking fund... No limit

38 Clinical facility bond reserve fund..... No limit

39 Clinical facility extraordinary repair fund..... No limit

40 Clinical facility discretionary fund..... No limit

41 Parking facility revenue fund..... No limit

42 Parking facility bond and interest sinking fund.... No limit

43 Parking facility refunding interest and sinking
 44 fund..... No limit

45 Parking facility refunding repair and construction
 46 fund..... No limit

47 Hospital refunding principal and interest and

1	sinking fund.....	No limit
2	Hospital refunding bond reserve fund.....	No limit
3	Parking facility K DFA project fund.....	No limit

4 (b) In addition to the purposes for which expenditures may be
5 made by the above agency from the parking fees fund for the
6 fiscal year ending June 30, 1991, moneys may be expended by the
7 above agency from the parking fees fund during fiscal year 1991
8 for the following capital improvement projects, subject to the
9 expenditure limitation prescribed therefor:

10	Parking lot capital improvements.....	\$75,000
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11 Provided, That all expenditures from such capital improvement
12 project account shall be in addition to any expenditure
13 limitation imposed on the parking fees fund for fiscal year 1991.

14 (c) On the effective date of this act, any unencumbered
15 balance in the following account of the Kansas educational
16 building fund is hereby lapsed: Purchase and install hazardous
17 waste incinerator.

18 ~~(d) On July 1, 1990, or as soon thereafter as moneys are~~
19 ~~available, the director of accounts and reports shall transfer an~~
20 ~~amount specified by the chancellor of the university of Kansas of~~
21 ~~not to exceed \$1,250,000 from the hospital revenue fund to the~~
22 ~~university of Kansas hospital fund.~~

23 (e) (d) During the fiscal year ending June 30, 1991, the
24 university of Kansas medical center is hereby authorized to raze
25 university buildings numbers 40 and 44.

26 Sec. 13.

27 STATE BOARD OF REGENTS

28 (a) On July 1, 1990, of the \$8,000,000 appropriated for the
29 above agency by section 16(a) of 1990 Senate Bill No. 443 for the
30 fiscal year ending June 30, 1991, from the Kansas educational
31 building fund in the rehabilitation and repair projects for
32 institutions of higher education account, the sum of \$4,000,000
33 is hereby lapsed.

1 reappropriation for employer contributions for the employees who
 2 are eligible employees as specified in subsections (1), (2) and
 3 (3) of K.S.A. 74-4931 and amendments thereto under the Kansas
 4 public employees retirement system pursuant to K.S.A. 74-4939 and
 5 amendments thereto; (3) any item of appropriation for state
 6 school equalization aid, Fort Leavenworth school district, state
 7 school transportation aid and special education services aid; and
 8 (4) any expenditure limitation imposed on expenditures from the
 9 reappropriated balance in an account of the state general fund
 10 which reappropriation is not subject to the provisions of
 11 subsections (a) or (b) under this subsection (c).

12 Sec. 17. On July 1, 1990, K.S.A. 1989 Supp. 44-566a is hereby
 13 amended to read as follows: 44-566a. (a) There is hereby created
 14 in the state treasury the workers compensation fund. ~~The workmens~~
 15 ~~compensation--fund--created--by--this--section--is--hereby--abolished,~~
 16 ~~and--on--July--17--1982,--the--director--of--accounts--and--reports--shall~~
 17 ~~transfer--all--moneys--in--the--workmens--compensation--fund--to--the~~
 18 ~~workers--compensation--fund.--All--amounts--which--are--required--to--be~~
 19 ~~paid--out--of--the--workmens--compensation--fund--for--liability--arising~~
 20 ~~from--injuries--occurring--prior--to--July--17--1982,--whether--reduced--to~~
 21 ~~award--or--not,--shall--be--paid--out--of--the--workers--compensation--fund.~~
 22 The commissioner of insurance shall be responsible for
 23 administering the workers compensation fund, and all payments
 24 from the workers compensation fund shall be upon warrants of the
 25 director of accounts and reports issued pursuant to vouchers
 26 approved by the commissioner of insurance or a person or persons
 27 designated by the commissioner. The commissioner of insurance
 28 annually shall report to the governor and the legislature the
 29 receipts and disbursements from the workers compensation fund
 30 during the preceding fiscal year.

31 (b) (1) Each September the commissioner of insurance shall
 32 certify, with the commissioner's annual budget request, the
 33 amount of state general fund entitlement of the workers
 34 compensation fund for the ensuing fiscal year. Such entitlement
 35 shall be equal to the sum of the amounts paid from the workers

1 compensation fund during the preceding fiscal year in payment of
2 awards made to handicapped employees in accordance with the
3 provisions of K.S.A. 44-569 and amendments thereto, including
4 attorney fees, less the sum of the amounts deposited during the
5 preceding fiscal year to the credit of the workers compensation
6 fund in accordance with the provisions of K.S.A. 44-570 and
7 amendments thereto, except that (A) no state general fund
8 entitlement for a fiscal year shall be more than \$4,000,000, and
9 (B) the state general fund entitlement for the state fiscal year
10 1991 shall be reduced by 1%. For the purpose of providing funds
11 to meet and pay awards made to handicapped employees, within
12 appropriations therefor, there shall be transferred not later
13 than July 1 each year, or more frequently by appropriation acts
14 of the legislature, from the state general fund to the workers
15 compensation fund, the amount certified by the commissioner of
16 insurance to be the entitlement of the workers compensation fund
17 from the state general fund, or a part thereof followed by
18 supplemental certifications to complete the entitlement for each
19 such fiscal year, subject to the limitation of a total amount of
20 \$4,000,000 for any such fiscal year and to the reduction of 1%
21 for the state fiscal year 1991. Such transfer shall be considered
22 to be a demand transfer from the state general fund.

23 (2) On July 1 each year, the commissioner of insurance shall
24 impose an assessment against all insurance carriers,
25 self-insurers and group-funded workers compensation pools
26 insuring the payment of compensation under the workmens
27 compensation act, the proceeds of which shall be credited to the
28 workers compensation fund. The total amount of each such
29 assessment shall be equal to an amount sufficient, in the opinion
30 of the commissioner of insurance, to pay all amounts, including
31 attorney fees and costs, which may be required to be paid from
32 such fund during the current fiscal year, less amounts required
33 to be transferred from the state general fund to the workers
34 compensation fund. The total amount of each such assessment shall
35 be apportioned among those upon whom it is imposed, such that

1 each is assessed an amount that bears the same relation to such
2 total assessment as the amount of money paid or payable in
3 workers compensation claims by such insurance carrier,
4 self-insurer or group-funded workers compensation pool in the
5 immediately preceding calendar year bears to all such claims paid
6 or payable during such calendar year. Not later than September 1
7 each year, the commissioner of insurance shall notify all such
8 insurance carriers, self-insurers and group-funded workers
9 compensation pools of the amount of each assessment imposed under
10 this subsection on such carrier, self-insurer or group-funded
11 workers compensation pool, and the same shall be due and payable
12 on the October 1 following.

13 (3) The commissioner of insurance shall remit all moneys
14 received by or for such commissioner under this subsection to the
15 state treasurer. Upon receipt of any such remittance the state
16 treasurer shall deposit the entire amount thereof in the state
17 treasury to the credit of the workers compensation fund.

18 (c) (1) Whenever the workers compensation fund may be made
19 liable for the payment of any amounts in proceedings under the
20 ~~workmens~~ workers compensation act, the commissioner of insurance,
21 in the capacity of administrator of such fund, shall be impleaded
22 in such proceedings and shall represent and defend the workers
23 compensation fund. The commissioner of insurance shall be deemed
24 impleaded in any such proceedings whenever written notice of the
25 proceedings setting forth the nature of the liability asserted
26 against the workers compensation fund, is given to the
27 commissioner of insurance. The commissioner of insurance may be
28 made a party in this manner by any party to the proceedings. A
29 copy of the written notice shall be given to the director and to
30 all other parties to the proceedings.

31 (2) The director or administrative law judge shall dismiss
32 the workers compensation fund from any proceeding where the
33 director has determined that there is insufficient evidence to
34 indicate involvement by the workers compensation fund.

35 (d) The commissioner of insurance, in the capacity of

1 administrator of the workers compensation fund, may make
2 settlements of any amounts which may be payable from the workers
3 compensation fund with regard to any claim under the ~~workmens~~
4 workers compensation act, subject to the approval of the
5 director.

6 (e) The workers compensation fund shall be liable for:

7 (1) Payment of awards to handicapped employees in accordance
8 with the provisions of K.S.A. 44-569 and amendments thereto;

9 (2) payment of workers compensation benefits to an employee
10 who is unable to receive such benefits from such employee's
11 employer under the conditions prescribed by K.S.A. 44-532a and
12 amendments thereto;

13 (3) reimbursement of an employer or insurance carrier
14 pursuant to the provisions of K.S.A. 44-534a and amendments
15 thereto, subsection (d) of K.S.A. 44-556 and amendments thereto,
16 subsection (c) of K.S.A. 44-569 and amendments thereto and K.S.A.
17 44-569a and amendments thereto;

18 (4) payment of the actual expenses of the commissioner of
19 insurance which are incurred for administering the workers
20 compensation fund, subject to the provisions of appropriations
21 acts; and

22 (5) any other payments or disbursements provided by law.

23 (f) If it is determined that the workers compensation fund is
24 not liable as described in subsection (e), attorney fees incurred
25 by the workers compensation fund may be assessed against the
26 party who has impleaded the workers compensation fund other than
27 impleadings pursuant to K.S.A. 44-532a and amendments thereto.

28 (g) The legislature shall provide for the implementation of
29 the workers compensation fund as provided in this section and
30 shall be responsible for ensuring the fund's adequacy to meet and
31 pay claims awarded against it.

32 Sec. 18. On July 1, 1990, K.S.A. 79-3425e is hereby amended
33 to read as follows: 79-3425e. On January 15 and July 15 of each
34 year, the director of accounts and reports shall transfer a sum
35 equal to the total taxes collected under the provisions of K.S.A.

1 79-6a04 and 79-6a10 and amendments thereto and credited to the
 2 state general fund during the six months next preceding the date
 3 of transfer, from the state general fund to the special city and
 4 county highway fund, created by K.S.A. 79-3425 and amendments
 5 thereto, except that each such transfer during the state fiscal
 6 year 1991 shall be reduced by 1%. All transfers under this
 7 section shall be considered to be demand transfers from the state
 8 general fund.

9 Sec. 19. On July 1, 1990, K.S.A. 79-34,147 is hereby amended
 10 to read as follows: 79-34,147. (a) On ~~October--17--1989,--and--on~~
 11 each January 1, April 1, July 1 and October 1 thereafter, the
 12 secretary of revenue shall certify to the director of accounts
 13 and reports the amount equal to 10% of the total revenues
 14 received by the secretary from the taxes imposed under the Kansas
 15 retailers' sales tax act and deposited in the state treasury and
 16 credited to the state general fund during the preceding three
 17 calendar months.

18 (b) Upon receipt of each certification under subsection (a),
 19 the director of accounts and reports shall transfer from the
 20 state general fund to the state highway fund an amount equal to
 21 the amount so certified, ~~on--October--17--1989,--and--on--January--17~~
 22 ~~1990,--April--17--1990,--and--July--17--1990,--and~~ on each ~~October--17~~
 23 January 1, April 1 and, July 1 thereafter and October 1, except
 24 that each such transfer during the state fiscal year 1991 shall
 25 be reduced by \$2,500,000.

26 (c) All transfers made in accordance with the provisions of
 27 this section shall be considered to be demand transfers from the
 28 state general fund.

29 Sec. 20. On July 1, 1990, K.S.A. 82a-953 is hereby amended to
 30 read as follows: 82a-953. In each fiscal year beginning on or
 31 after July 1, 1990, the director of accounts and reports shall
 32 transfer \$6,000,000 from the state general fund to the state
 33 water plan fund created by K.S.A. 82a-951, 1/2 of such amount to
 34 be transferred on July 15 and 1/2 to be transferred on January
 35 15, except that each such transfer during the state fiscal year

1 1991 shall be reduced by 1%. All transfers under this section
2 shall be considered to be demand transfers from the state general
3 fund.

4 Sec. 21. Appeals to exceed position limitations. The
5 limitations imposed by this act on the full-time equivalent
6 number of full-time and regular part-time positions equated to
7 full-time, excluding seasonal and temporary positions, paid from
8 appropriations made in this act or in any appropriation act of
9 the 1989 regular session of the legislature or in any other
10 appropriation act of the 1990 regular session of the legislature
11 may be exceeded upon approval of the state finance council.

12 Sec. 22. Appeals to exceed expenditure limitations. Upon
13 written application to the governor and approval of the state
14 finance council, expenditures from special revenue funds may
15 exceed the amount specified in this act.

16 Sec. 23. Any state institutions building fund appropriation
17 heretofore appropriated to any institution named in this or any
18 other appropriation act of the 1990 regular session of the
19 legislature and having an unencumbered balance as of June 30,
20 1990, in excess of \$100 is hereby reappropriated for the fiscal
21 year ending June 30, 1991; for the same use and purpose as
22 originally appropriated, unless specific provision is made for
23 lapsing such appropriation.

24 Sec. 24. Any Kansas educational building fund appropriation
25 heretofore appropriated to any state agency named in this or
26 other appropriation act of the 1990 regular session of the
27 legislature, and having an unencumbered balance as of June 30,
28 1990, in excess of \$100 is hereby reappropriated for the fiscal
29 year ending June 30, 1991, for the same uses and purposes as
30 originally appropriated unless specific provision is made for
31 lapsing such appropriation.

32 Sec. 25. Savings. Any unencumbered balance in any special
33 revenue fund, or account thereof, which is not otherwise
34 specifically appropriated or limited by this or any other
35 appropriation act of the 1990 regular session of the legislature,

1 is hereby reappropriated for the same use and purpose as the same
2 was heretofore appropriated.

3 Sec. 26. Any transfers of money during the fiscal year ending
4 June 30, 1991, from any special revenue fund of any state agency
5 named in this act or in any other appropriation act of the 1990
6 regular session of the legislature to the audit services fund of
7 the division of post audit under K.S.A. 46-1121 and amendments
8 thereto shall be in addition to any expenditure limitation
9 imposed on any such fund for the fiscal year ending June 30,
10 1991.

11 Sec. 27. On July 1, 1990, K.S.A. 79-3425e, 79-34,147 and
12 82a-953 and K.S.A. 1989 Supp. 44-566a and sections 8 and 14 of
13 1990 Senate Bill No. 443 are hereby repealed.

14 Sec. 28. This act shall take effect and be in force from and
15 after its publication in the Kansas register.