

CHAPTER 124

SENATE Substitute for HOUSE BILL No. 2354

(Amends Chapter 2)

(Amended by Chapter 144)

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AN ACT making and concerning appropriations for the fiscal years ending June 30, 2009, June 30, 2010, June 30, 2011, June 30, 2012, June 30, 2013, and June 30, 2014, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending section 95 of 2009 House Substitute for Substitute for Senate Bill No. 23 and K.S.A. 2008 Supp. 2-223, 12-5256, 55-193, as amended by section 87 of 2009 House Substitute for Substitute for Senate Bill No. 23, 75-6702, 76-7,107, 79-2959, 79-2964, 79-2978, as amended by section 88 of 2009 House Substitute for Substitute for Senate Bill No. 23, 79-2979, as amended by section 89 of 2009 House Substitute for Substitute for Senate Bill No. 23, 79-3425i, as amended by section 90 of 2009 House Substitute for Substitute for Senate Bill No. 23, 79-4801, as amended by section 92 of 2009 House Substitute for Substitute for Senate Bill No. 23, and 82a-953a, as amended by section 93 of 2009 House Substitute for Substitute for Senate Bill No. 23, and repealing the existing sections.

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

Section 1. (a) For the fiscal years ending June 30, 2009, June 30, 2010, June 30, 2011, June 30, 2012, June 30, 2013, and June 30, 2014, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

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

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

Sec. 2. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund, for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458, and amendments thereto, to the following claimants:

Affiliated Carriers, Inc. PO Box 1067 Norfolk, NE 68702.....	\$32,693.78
America Jet 2010 Rogers Ct. Salina, KS 67401	\$219.24
B Bar J, Inc. RR 1 Box 14 Arnold, KS 67515.....	\$345.60
Bardwell, Jeffrey 31433 W 217th St. Springhill, KS 66083.....	\$33.00
Becker, David 1991 P Road Seneca, KS 66538.....	\$44.04
Berntsen, Bernita 3061 Utah Rd. LaHarpe, KS 66751.....	\$1,994.20
BLT, Inc. 3237 Conestoga Tr. Richfield, WI 53076.....	\$234.00
Blythe Farms / Duane Blythe 939 S Hwy 4 White City, KS 66872	\$33.00
Brox, Anton R. 12313 Jewell Rd. Huron, KS 66041	\$33.00
City of Andale PO Box 338 Andale, KS 67001.....	\$170.69
City of El Dorado PO Box 792 El Dorado, KS 67042.....	\$5,699.92
City of Herington 17 N Broadway St. Herington, KS 67449	\$56.28
City of Lawrence PO Box 708 Lawrence, KS 66044.....	\$22,744.22
City of Winfield PO Box 646 Winfield, KS 67156	\$192.02
Claassen, R. Dwight 3003 E 1st St. Newton, KS 67114	\$217.51
Eisenbise, William PO Box 144 Morrill, KS 66515.....	\$54.60
Elliott, Craig P. 249 Timber Rd. Courtland, KS 66939	\$229.18
Faidley, Harold 385 Buffalo Rd. Longford, KS 67458	\$158.76

Frock Bros. Trucking, Inc. 3237 Conestoga Trl. Richfield, WI 53076.....	\$65.86
Giacometti, Jeffrey W. 221 E 670th Ave. Girard, KS 66743	\$12.84
Gideon, Arnold 18322A SW Vera Frmt. Paxico, KS 66526.....	\$109.56
Girod, Phil 1189 NW Ohio St. Rd. Towanda, KS 67144.....	\$143.42
Great Plains Insp. & Lining, Inc. PO Box 1987 Great Bend, KS 67530	\$50.04
H. J. Born Stone Co. 901 W 35th St. N Wichita, KS 67204.....	\$260.06
Hainke Farms, Ltd. 1299 E Thunder Rd. Kensington, KS 66951.....	\$173.88
Helmer, Burt 12741 SW Chisholm Trail Rd. Andover, KS 67002.....	\$176.90
Hodgeman County Rd. & Brdg. Dept. 28561 SE L Rd. Jetmore, KS 67854	\$12,077.33
Holmes, Quentin 14418 206th Linwood, KS 66052	\$39.24
Horizontal Boring & Tunneling PO Box 429 Exeter, NE 68351	\$3,327.41
Jog Villirillo Gardens PO Box 36236 Des Moines, IA 50315	\$76.00
John H. McCray Sanitation, Inc. 5550 E 38th St. N Wichita, KS 67220.....	\$524.79
Johnson, Fred A. RR 2 Box 3 Grainfield, KS 67737	\$19.32
K & L Tank Truck Service, Inc. 2101 SW 21st St. Topeka, KS 66604	\$41,813.60
M & J Trucking, Inc. 3237 Conestoga Tr. Richfield, WI 53076.....	\$113.18
McCray Lumber Co., Inc. 207 S 9th St. Edwardsville, KS 66111.....	\$245.75
Miller Gordon, LLC. 3237 Conestoga Trl. Richfield, WI 53076.....	\$164.74
Miller, R. Scott 19253 Old Hwy 18 Manhattan, KS 66502	\$262.87
Mounkes, Gary W. 2136 Rd. 190 Reading, KS 66868	\$44.52

Neville, Gregory A. or Jane M. 21916 W 29 N Andale, KS 67001.....	\$51.72
Oak Country Club 8800 Scott Dr. DeSoto, KS 66018.....	\$258.98
Ost, Bradley 948 Hwy 36 Mankato, KS 66956	\$1,119.22
Porters Porkers Partnership 1994 US 24 Hwy Glen Elder, KS 67446.....	\$212.11
Preferred Cartage Service, Inc. PO Box 1034 Garden City, KS 67846	\$1,450.10
Pyle Petroleum, Inc. 212 Old Grande Blvd. #C100 Tyler, TX 75703	\$291.60
Richter, Jerry 300 E Elm St. Hanover, KS 66945	\$1,726.70
Rissen, William E. 24586 Berryton Rd. Lyndon, KS 66451.....	\$28.20
RJB of Big Stone, Inc. 3237 Conestoga Trl. Richfield, WI 53076.....	\$231.43
Rock Creek Twp. Fire Dept. PO Box 242 Meriden, KS 66512	\$298.55
Ruan Transport Corp. PO Box 855 Des Moines, IA 50306	\$1,654.85
Schroeder, Rudolf 629 110th Hillsboro, KS 67063.....	\$271.51
Semisch Farm/Keith Semisch 11000 SE Grant Rd. Leon, KS 67074	\$965.12
Sextro Dairy 1147 224th Rd. Seneca, KS 66538.....	\$33.00
Stumpff, Leonard W. 36753 W 231st St. Edgerton, KS 66021	\$49.32
Sutton, Clyde E. RR 1 Box 150 Ness City, KS 67560	\$104.04
Swartz, Virgil 16738 N Munkers Crk. Alta Vista, KS 66834	\$53.64
Sycamore Ridge Golf Course 21731 Clubhouse Dr. Springhill, KS 66083.....	\$1,764.29
Symns, Bill 1036 NW 70th Ave. St. John, KS 67576	\$27.96
Trear, Kenneth D. 543 Rd. S Olpe, KS 66865.....	\$107.40

Triple C Farms of KS 2069 200 Ave. Ramona, KS 67475	\$292.48
Triple S Cattle Co., Inc. RR 1 Box 50 Danbury, NE 69026	\$288.79
USD 369 Burrton PO Box 448 Burrton, KS 67020	\$3,697.56
USD 441 Sabetha 107 Oregon St. Sabetha, KS 66534	\$60.92
USD 452 Stanton County PO Box C Johnson, KS 67855	\$2,499.93
Vestring Ranch Box 27 Cassoday, KS 66842.....	\$339.34
Vyhnalek Trucking 3237 Conestoga Trl. Richfield, WI 53076.....	\$274.48
Wildcat Concrete Serv., Inc. PO Box 750075 Topeka, KS 66675	\$599.94
Wildcat Creek Sports Center 800 Anneberg Cir. Manhattan, KS 66503	\$311.26
Wolf, Randy 5348 NW Valencia Silver Lake, KS 66539.....	\$45.00
Wolters, Wilma J. 7316 N Wyandotte St. Kansas City, MO 64118.....	\$57.00
Yates Center Elevator, Inc. 109 N Pratt Yates Center, KS 66783.....	\$469.17

Sec. 3. (a) The department of wildlife and parks is hereby authorized and directed to pay the following amount from the operations account of the wildlife fee fund as reimbursement for loss of revenue from a hunting lease as a result of misposting of walk-in hunting access program signs on claimant's land, to the following claimant:

Larkin Richard Adams 403 7th Elk Falls, KS 67345	\$1,540.50
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Sec. 4. (a) The department of corrections is hereby authorized and directed to pay the following amount from the Ellsworth correctional facility — facilities operations account of the state general fund as reimbursement for loss of claimant's personal property, which was in the care, custody and control of the personnel at the Ellsworth correctional facility, to the following claimant:

Alan K. Copridge, #47249 PO Box 107 Ellsworth, KS 67439	\$44.08
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(b) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility — facilities operations account of the state general state fund for loss of claimant's personal property while claimant was in the care, custody and control of the personnel at the Hutchinson correctional facility, to the following claimant:

Derek Devlin, #83018 PO Box 1568 Hutchinson, KS 67504 —1568	\$100.00
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(c) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility —

facilities operations account of the state general fund for loss of claimant's personal property while claimant was in the care, custody and control of the personnel at the Hutchinson correctional facility, to the following claimant:

Pedro S. Hernandez, #80040
PO Box 1568
Hutchinson, KS 67504 —1568 \$100.00

(d) The department of corrections is hereby authorized and directed to pay the following amount from the El Dorado correctional facility — facilities operations account of the state general fund for loss of claimant's personal property while claimant was in the care, custody and control of the personnel at the El Dorado correctional facility, to the following claimant:

Willie Hodges, #68462
PO Box 311
El Dorado, KS 67042..... \$100.00

(e) The department of corrections is hereby authorized and directed to pay the following amount from the Ellsworth correctional facility — facilities operations account of the state general fund for the cost of postage for the claimant to mail out property which the claimant was allowed to order but not possess inside the facility, to the following claimant:

Sheldon E. Judd, #59775
PO Box 107
Ellsworth, KS 67439 \$6.50

(f) The department of corrections is hereby authorized and directed to pay the following amount from the Winfield correctional facility — facilities operations account of the state general fund for damage to claimant's vehicle by an inmate in the care, custody and control of the Winfield correctional facility, to the following claimant:

Tom Lightsey
1020 North A
Arkansas City, KS 67005..... \$1,600.00

(g) The department of corrections is hereby authorized and directed to pay the following amount from the El Dorado correctional facility — facilities operations account of the state general fund as reimbursement for postage expenses incurred by claimant when facility staff mislabeled property to be mailed out of the facility while claimant was in the care, custody and control of the personnel at the El Dorado correctional facility, to the following claimant:

James L. McIntosh, #35775
PO Box 311
El Dorado, KS 67042..... \$13.37

(h) The department of corrections is hereby authorized and directed to pay the following amount from the Winfield correctional facility — facilities operations account of the state general fund for loss of the claimant's personal property while in the care, custody and control of the department of corrections, to the following claimant:

Corey Simmons
3150 So. Mount Carmel
Wichita, KS 67217..... \$63.00

(i) The department of corrections is hereby authorized and directed to pay the following amount from the El Dorado correctional facility — facilities operations account of the state general fund as reimbursement for damage to claimant's personal property, which was in the care, custody and control of the personnel at the El Dorado correctional facility, to the following claimant:

Eric D. Sims, #56742
PO Box 311
El Dorado, KS 67042..... \$100.00

(j) The department of corrections is hereby authorized and directed to pay the following amount from the Winfield correctional facility — facilities operations account of the state general fund for loss of claimant's personal property while claimant was in the care, custody and control of the personnel at the Winfield correctional facility, to the following claimant:

Tyrone Lamar Staten, #89387

PO Box 2

Lansing, KS 66043..... \$40.25

(k) The department of corrections is hereby authorized and directed to pay the following amount from the El Dorado correctional facility — facilities operation account of the state general fund as reimbursement of burial expenses incurred after claimant’s son was murdered at the El Dorado correctional facility, to the following claimant:

David E. Warren, Sr.

1325 N Madison

Wichita, KS 67214..... \$2,449.29

Sec. 5. The Kansas state fair is hereby authorized and directed to pay the following amount from the state fair fee fund as reimbursement for expenses as a result of a personal injury which occurred at the fairgrounds, to the following claimant:

Betty Jean McCoy

2026 N Parkdale Ct.

Wichita, KS 67212..... \$150.00

Sec. 6. The department of social and rehabilitation services is hereby authorized and directed to pay the following amount from the Osawatomie state hospital fee fund for services rendered, the invoice for which was submitted or processed in an untimely manner, to the following claimant:

Olathe Medical Center

20333 W 151st Street

Olathe, KS 66061 \$7,167.05

Sec. 7. (a) Except as otherwise provided by sections 2 through 6, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in sections 2 through 6, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 2 as motor—vehicle fuel tax refunds or as transactions between state agencies as provided by this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 8.

ABSTRACTERS’ BOARD OF EXAMINERS

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

Abstracters’ fee fund

For the fiscal year ending June 30, 2010..... \$21,207

For the fiscal year ending June 30, 2011..... \$21,207

Sec. 9.

BOARD OF ACCOUNTANCY

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

Board of accountancy fee fund

For the fiscal year ending June 30, 2010..... \$309,832

Provided, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$1,000.

For the fiscal year ending June 30, 2011..... \$309,832

Provided, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2011, for official hospitality shall not exceed \$1,000.

Special litigation reserve fund

For the fiscal year ending June 30, 2010..... No limit
Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2010, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso, (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2011..... No limit
Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2011, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso, (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2010, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund to the special litigation reserve fund of the board of accountancy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2010, shall not exceed \$15,000: *Provided further*, That the executive director of the board of accountancy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2011, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund to the special litigation reserve fund of the board of accountancy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2011, shall not exceed \$15,000: *Provided further*, That the executive director of the board of accountancy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 10.

STATE BANK COMMISSIONER

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

Bank commissioner fee fund

For the fiscal year ending June 30, 2010..... \$8,495,544
Provided, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2010, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: *Provided further*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2010, for official hospitality for the division of banking shall not exceed \$1,000.

For the fiscal year ending June 30, 2011..... \$8,231,690
Provided, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2011, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: *Provided further*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2011, for official hospitality for the division of banking shall not exceed \$1,000.

Bank examination and investigation fund

For the fiscal year ending June 30, 2010..... No limit

For the fiscal year ending June 30, 2011..... No limit
Consumer education settlement fund
For the fiscal year ending June 30, 2010..... No limit

Provided, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2010, for consumer education purposes, which may be in accordance with contracts for such activities which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

For the fiscal year ending June 30, 2011..... No limit
Provided, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2011, for consumer education purposes, which may be in accordance with contracts for such activities which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

(b) During the fiscal years ending June 30, 2010, and June 30, 2011, notwithstanding the provisions of K.S.A. 9-2209, 9-2218, 16a-2-302 and 16a-6-104, and amendments thereto, or any other statute, all moneys received under the Kansas mortgage business act or the uniform consumer credit code for fines or settlement moneys designated for consumer education shall be deposited in the state treasury to the credit of the consumer education settlement fund.

Sec. 11.

KANSAS BOARD OF BARBERING

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

Board of barbering fee fund
For the fiscal year ending June 30, 2010..... \$141,070
For the fiscal year ending June 30, 2011..... \$141,070

Sec. 12.

BEHAVIORAL SCIENCES REGULATORY BOARD

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

Behavioral sciences regulatory board fee fund
For the fiscal year ending June 30, 2010..... \$595,421

Provided, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$500: *Provided further*, That all expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2010, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2010.

For the fiscal year ending June 30, 2011..... \$595,421

Provided, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2011, for official hospitality shall not exceed \$500: *Provided further*, That all expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2011, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2011.

Sec. 13.

STATE BOARD OF HEALING ARTS

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

Healing arts fee fund

For the fiscal year ending June 30, 2010..... \$3,836,348
Provided, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$1,000:
Provided further, That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2010, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2010.

For the fiscal year ending June 30, 2011..... \$3,836,348
Provided, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2011, for official hospitality shall not exceed \$1,000:
Provided further, That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2011, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2011.

Sec. 14.

KANSAS STATE BOARD OF COSMETOLOGY

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

Cosmetology fee fund

For the fiscal year ending June 30, 2010..... \$772,817

Provided, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2011..... \$772,817

Provided, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2011, for official hospitality shall not exceed \$500.

Sec. 15.

STATE DEPARTMENT OF CREDIT UNIONS

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

Credit union fee fund

For the fiscal year ending June 30, 2010..... \$932,476

Provided, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$300.

For the fiscal year ending June 30, 2011..... \$895,096

Provided, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2011, for official hospitality shall not exceed \$300.

Sec. 16.

KANSAS DENTAL BOARD

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

Dental board fee fund

For the fiscal year ending June 30, 2010..... \$366,774

Provided, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2011..... \$366,774

Provided, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2011, for official hospitality shall not exceed \$500.

Sec. 17.

STATE BOARD OF MORTUARY ARTS

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

Mortuary arts fee fund

For the fiscal year ending June 30, 2010..... \$270,657

For the fiscal year ending June 30, 2011..... \$270,657

Sec. 18.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

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

Hearing instrument board fee fund

For the fiscal year ending June 30, 2010.....	\$29,923
For the fiscal year ending June 30, 2011.....	\$29,923

Sec. 19.

BOARD OF NURSING

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

Board of nursing fee fund

For the fiscal year ending June 30, 2010.....	\$1,874,499
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Provided, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2011.....	\$1,812,999
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Provided, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2011, for official hospitality shall not exceed \$500.

Gifts and grants fund

For the fiscal year ending June 30, 2010.....	No limit
For the fiscal year ending June 30, 2011.....	No limit

Education conference fund

For the fiscal year ending June 30, 2010.....	No limit
For the fiscal year ending June 30, 2011.....	No limit

Criminal background and fingerprinting fund

For the fiscal year ending June 30, 2010.....	No limit
For the fiscal year ending June 30, 2011.....	No limit

Sec. 20.

BOARD OF EXAMINERS IN OPTOMETRY

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

Optometry fee fund

For the fiscal year ending June 30, 2010.....	\$152,768
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Provided, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$300.

For the fiscal year ending June 30, 2011.....	\$139,977
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Provided, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2011, for official hospitality shall not exceed \$300.

Sec. 21.

STATE BOARD OF PHARMACY

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

State board of pharmacy fee fund

For the fiscal year ending June 30, 2010.....	\$766,076
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Provided, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$750.

For the fiscal year ending June 30, 2011.....	\$750,076
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Provided, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2011, for official hospitality shall not exceed \$750.

Federal grant fund

For the fiscal year ending June 30, 2010..... No limit
For the fiscal year ending June 30, 2011..... No limit

Sec. 22.

REAL ESTATE APPRAISAL BOARD

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

Appraiser fee fund

For the fiscal year ending June 30, 2010..... \$313,212

Provided, That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2011..... \$313,212

Provided, That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2011, for official hospitality shall not exceed \$500.

Federal registry clearing fund

For the fiscal year ending June 30, 2010..... No limit

For the fiscal year ending June 30, 2011..... No limit

Sec. 23.

KANSAS REAL ESTATE COMMISSION

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

Real estate fee fund

For the fiscal year ending June 30, 2010..... \$1,314,563

Provided, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$200.

For the fiscal year ending June 30, 2011..... \$1,114,563

Provided, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2011, for official hospitality shall not exceed \$200.

Real estate recovery revolving fund

For the fiscal year ending June 30, 2010..... No limit

For the fiscal year ending June 30, 2011..... No limit

Background investigation fee fund

For the fiscal year ending June 30, 2010..... No limit

Provided, That notwithstanding the provisions of K.S.A. 2008 Supp. 58-3039, and amendments thereto, or any other statute, moneys collected for the purpose of reimbursing the Kansas real estate commission for the cost of fingerprinting and the criminal history record check shall be deposited in the state treasury and credited to the background investigation fee fund.

For the fiscal year ending June 30, 2011..... No limit

Provided, That notwithstanding the provisions of K.S.A. 2008 Supp. 58-3039, and amendments thereto, or any other statute, moneys collected for the purpose of reimbursing the Kansas real estate commission for the cost of fingerprinting and the criminal history record check shall be deposited in the state treasury and credited to the background investigation fee fund.

(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 cer-

tification, the director of accounts and reports shall transfer the amount certified from the real estate fee fund to the real estate recovery revolving fund.

Sec. 24.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

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

Securities act fee fund

For the fiscal year ending June 30, 2010..... \$2,820,232

Provided, That, in the discretion of the securities commissioner, one or more transfers of money may be made from the securities act fee fund for the fiscal year ending June 30, 2010, to the appropriate account of the restricted fees fund of Wichita state university for the Kansas council on economic education to conduct an investor education program: *Provided further*, That the total amount of such transfers for the fiscal year ending June 30, 2010, shall not exceed \$20,000: *And provided further*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2011..... \$2,761,064

Provided, That, in the discretion of the securities commissioner, one or more transfers of money may be made from the securities act fee fund for the fiscal year ending June 30, 2011, to the appropriate account of the restricted fees fund of Wichita state university for the Kansas council on economic education to conduct an investor education program: *Provided further*, That the total amount of such transfers for the fiscal year ending June 30, 2011, shall not exceed \$20,000: *And provided further*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2011, for official hospitality shall not exceed \$2,000.

Investor education fund

For the fiscal year ending June 30, 2010..... No limit

Provided, That expenditures from the investor education fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$5,000.

For the fiscal year ending June 30, 2011..... No limit

Provided, That expenditures from the investor education fund for the fiscal year ending June 30, 2011, for official hospitality shall not exceed \$5,000.

Sec. 25.

STATE BOARD OF TECHNICAL PROFESSIONS

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

Technical professions fee fund

For the fiscal year ending June 30, 2010..... \$583,468

Provided, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2011..... \$583,468

Provided, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2011, for official hospitality shall not exceed \$500.

Special litigation reserve fund

For the fiscal year ending June 30, 2010..... No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2010, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso, (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not

contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2011..... No limit
Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2011, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso, (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

Sec. 26.

STATE BOARD OF VETERINARY EXAMINERS

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

Veterinary examiners fee fund

For the fiscal year ending June 30, 2010.....	\$283,863
For the fiscal year ending June 30, 2011.....	\$266,706

Sec. 27.

GOVERNMENTAL ETHICS COMMISSION

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

Operating expenditures

For the fiscal year ending June 30, 2010.....	\$434,968
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009 is hereby reappropriated for fiscal year 2010.

For the fiscal year ending June 30, 2011.....	\$472,411
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2010, is hereby reappropriated for fiscal year 2011.

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

Governmental ethics commission fee fund

For the fiscal year ending June 30, 2010.....	\$252,088
For the fiscal year ending June 30, 2011.....	\$227,417

Sec. 28.

KANSAS HOME INSPECTORS REGISTRATION BOARD

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

Home inspectors registration fee fund

For the fiscal year ending June 30, 2010.....	No limit
For the fiscal year ending June 30, 2011.....	No limit

(b) (1) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$7,000 from the state general fund to the home inspectors registration fee fund of the Kansas home inspectors registration board to provide temporary financing for authorized expenditures for the duties and activities relating to the administration of the Kansas home inspectors professional competence and financial responsibility act which shall be repaid to the state general fund in accordance with subsection (b)(2).

(2) During the fiscal year ending June 30, 2010, at such time or times as the moneys credited to the home inspectors registration fee fund are sufficient to sustain expenditures for duties and activities relating to the

administration of the Kansas home inspectors professional competence and financial responsibility act and to repay the state general fund the moneys transferred from the state general fund for such purposes under subsection (b)(1), the secretary of administration shall certify to the director of accounts and reports one or more amounts totaling \$7,000 to be transferred from the home inspectors registration fee fund to the state general fund in accordance with such certification. At the same time that each such certification is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research. Upon receipt of each such certification, the director of accounts and reports shall transfer the amount specified on the date specified in such certification from the home inspectors registration fee fund of the Kansas home inspectors registration fund to the state general fund.

Sec. 29. *Position limitations.* The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal years specified made in this or other appropriation act of the 2009 or 2010 regular session of the legislature for the following agencies shall not exceed the following, except upon approval of the state finance council:

Abstracters' Board of Examiners	
For the fiscal year ending June 30, 2010.....	0
For the fiscal year ending June 30, 2011.....	0
Board of Accountancy	
For the fiscal year ending June 30, 2010.....	3.00
For the fiscal year ending June 30, 2011.....	3.00
State Bank Commissioner	
For the fiscal year ending June 30, 2010.....	99.00
For the fiscal year ending June 30, 2011.....	99.00
Kansas Board of Barbering	
For the fiscal year ending June 30, 2010.....	1.50
For the fiscal year ending June 30, 2011.....	1.50
Behavioral Sciences Regulatory Board	
For the fiscal year ending June 30, 2010.....	8.00
For the fiscal year ending June 30, 2011.....	8.00
State Board of Healing Arts	
For the fiscal year ending June 30, 2010.....	45.00
For the fiscal year ending June 30, 2011.....	45.00
Kansas State Board of Cosmetology	
For the fiscal year ending June 30, 2010.....	12.00
For the fiscal year ending June 30, 2011.....	12.00
State Department of Credit Unions	
For the fiscal year ending June 30, 2010.....	12.00
For the fiscal year ending June 30, 2011.....	12.00
Kansas Dental Board	
For the fiscal year ending June 30, 2010.....	3.00
For the fiscal year ending June 30, 2011.....	3.00
State Board of Mortuary Arts	
For the fiscal year ending June 30, 2010.....	3.00
For the fiscal year ending June 30, 2011.....	3.00
Kansas Board of Examiners in Fitting and Dispensing of Hearing Instruments	
For the fiscal year ending June 30, 2010.....	0.48
For the fiscal year ending June 30, 2011.....	0.48
Board of Nursing	
For the fiscal year ending June 30, 2010.....	24.00
For the fiscal year ending June 30, 2011.....	24.00
Board of Examiners in Optometry	
For the fiscal year ending June 30, 2010.....	0.80
For the fiscal year ending June 30, 2011.....	0.80
State Board of Pharmacy	
For the fiscal year ending June 30, 2010.....	8.00
For the fiscal year ending June 30, 2011.....	8.00
Real Estate Appraisal Board	
For the fiscal year ending June 30, 2010.....	3.00
For the fiscal year ending June 30, 2011.....	3.00
Kansas Real Estate Commission	
For the fiscal year ending June 30, 2010.....	15.00
For the fiscal year ending June 30, 2011.....	15.00

Office of the Securities Commissioner of Kansas	
For the fiscal year ending June 30, 2010.....	32.13
For the fiscal year ending June 30, 2011.....	32.13
State Board of Technical Professions	
For the fiscal year ending June 30, 2010.....	5.00
For the fiscal year ending June 30, 2011.....	5.00
State Board of Veterinary Examiners	
For the fiscal year ending June 30, 2010.....	3.00
For the fiscal year ending June 30, 2011.....	3.00
Governmental Ethics Commission	
For the fiscal year ending June 30, 2010.....	9.00
For the fiscal year ending June 30, 2011.....	9.00

[†]

Sec. 31.

LEGISLATIVE COORDINATING COUNCIL

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

Legislative coordinating council — operations \$613,625

Provided, That any unencumbered balance in the legislative coordinating council — operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Legislative research department — operations..... \$3,643,401

Provided, That any unencumbered balance in the legislative research department — operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Office of revisor of statutes — operations \$3,324,250

Provided, That any unencumbered balance in the office of revisor of statutes — operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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:

Legislative research department special revenue fund..... No limit

Sec. 32.

LEGISLATURE

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

Operations (including official hospitality) \$17,031,301

Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that (1) the legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee, and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And*

provided further, That no expenditures shall be made from this account for any meeting of any joint committee of the legislature during fiscal year 2010 unless such meeting is approved by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of the compensation commission established by K.S.A. 46-3101, and amendments thereto, during fiscal year 2010: *And provided further*, That expenditures shall be made during fiscal year 2010, from the operations (including official hospitality) account of the state general fund by the legislature to pay per diem compensation and travel expenses and subsistence expenses or allowances as provided by law for members of the legislature for all official travel during fiscal year 2010 authorized as provided by law: *And provided further*, That expenditures for reimbursement of any out-of-state travel from the operations (including official hospitality) account shall not exceed a maximum of \$800 per trip for reimbursement of out-of-state travel expenses for airfare, meals, lodging, taxi, tips, and car rental if airline reservations, hotel reservations and meeting registrations are made less than 30 days prior to the meeting: *And provided further*, That such maximum limitation on reimbursement for such out- of-state travel expense reimbursement shall not be waived except upon specific authorization by the speaker of the house of representatives or the president of the senate based upon a determination that a thirty-day period was not available to make such out-of-state travel arrangements after receiving notice of the meeting.

(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:

Legislative special revenue fund No limit

Provided, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that (1) the legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee, and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*, That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee of the legislature during fiscal year 2010 unless such meeting is approved by the legislative coor-

dinating council: *And provided further*, That no expenditures shall be made from this fund for any meeting of the compensation commission established by K.S.A. 46-3101, and amendments thereto, during fiscal year 2010: *And provided further*, That expenditures for reimbursement of any out-of-state travel from the legislative special revenue fund shall not exceed a maximum of \$800 per trip for reimbursement of out-of-state travel expenses for airfare, meals, lodging, taxi, tips, and car rental if airline reservations, hotel reservations and meeting registrations are made less than 30 days prior to the meeting: *And provided further*, That such maximum limitation on reimbursement for such out-of-state travel expense reimbursement shall not be waived except upon specific authorization by the speaker of the house of representatives or the president of the senate based upon a determination that a thirty-day period was not available to make such out-of-state travel arrangements after receiving notice of the meeting.

Capitol restoration — gifts and donations fund..... No limit
 Sec. 33.

DIVISION OF POST AUDIT

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

Operations (including legislative post audit committee).... \$2,732,354

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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 shall not exceed the following:

Audit services fund..... No limit

Provided, That the division of post audit is hereby authorized to fix, charge and collect fees for copies of public records of the division, including distribution of such copies: *Provided further*, That such fees shall be fixed to recover all or part of the expenses incurred for reproducing and distributing such copies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the audit services fund.

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

Sec. 34.

GOVERNOR’S DEPARTMENT

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

Governor’s department \$2,424,333

Provided, That any unencumbered balance in the governor’s department account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence prevention grants..... \$4,153,111

Provided, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at the discretion of the governor.

Child advocacy centers..... \$975,076

Provided, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

Any unencumbered balance in excess of \$100 as of June 30, 2009, in each of the following accounts is hereby reappropriated for fiscal year 2010:

Enhancement outreach.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2010, by subsection (a) from the state general fund in the governor's department account.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2010, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund..... No limit

Provided, That expenditures may be made from the special programs fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

Hispanic and Latino American affairs fee fund No limit

Miscellaneous projects fund..... No limit

Provided, That expenditures may be made from the miscellaneous projects fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences and all fees received by the governor's department under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the miscellaneous projects fund.

Intragovernmental service fund No limit

Provided, That expenditures may be made from the intragovernmental service fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the intragovernmental service fund.

Conversion of materials and equipment fund No limit

Federal grants fund No limit

Justice assistance grant — federal fund..... No limit

Hispanic and Latino American affairs commission — donations fund..... No limit

Advisory commission on African-American affairs — donations fund..... No limit

Wireless enhanced 911 grant fund No limit

Provided, That expenditures may be made from the wireless enhanced 911 grant fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences and all fees received by the governor's department under the open records act for providing access to or furnishing copies of public records, shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and

amendments thereto: *And provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the wireless enhanced 911 grant fund.

Sec. 35.

LIEUTENANT GOVERNOR

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

Operations \$169,440

Provided, That any unencumbered balance in the operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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:

Special programs fund..... No limit

Provided, That expenditures may be made from the special programs fund for operating expenditures for the lieutenant governor, including conferences and official hospitality: *Provided further*, That the lieutenant governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences and all fees received by the lieutenant governor under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor on official state business and for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor on official state business from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2010, in the operations account.

(d) Expenditures may be made by the above agency for official hospitality and contingencies from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2010, in the operations account without limit at the discretion of the lieutenant governor.

Sec. 36.

ATTORNEY GENERAL

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

Operating expenditures \$4,403,577

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs..... \$41,257

Provided, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Internet training education for Kansas kids \$325,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2009, in the internet training education for Kansas kids account is hereby reappropriated for fiscal year 2010.

Abuse, neglect and exploitation unit..... \$100,917

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2009, in the abuse, neglect and exploitation unit account is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

(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:

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

Provided, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*, That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*, That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*, That all fees received for conducting such seminars shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

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

Provided, That expenditures from the crime victims compensation fund for state operations shall not exceed \$471,591: *Provided further*, That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

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

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

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

Provided, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719, and amendments thereto.

Medicaid fraud prosecution revolving fund	No limit
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Provided, That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund.

Interstate water litigation fund	No limit
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Provided, That, in addition to the other purposes authorized by K.S.A. 82a-1802, and amendments thereto, expenditures may be made from the interstate water litigation fund for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2) expenses related to the appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions

of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund	No limit
Children's advocacy center fund.....	No limit
Abuse, neglect and exploitation of people with disabilities unit grant acceptance fund.....	No limit
Concealed weapon licensure fund.....	No limit

Provided, That the attorney general shall authorize the director of accounts and reports to transfer one or more amounts totaling \$260,000 from the concealed weapon licensure fund of the attorney general to the state general fund at such time as receipts to the concealed weapon licensure fund are sufficient to sustain expenditures for duties and activities relating to the administration of the personal and family protection act as well as to repay the state general fund for money advanced for such purpose: *Provided further*, That upon receipt of such authorization, the director of accounts and reports shall transfer each such amount authorized from the concealed weapon licensure fund of the attorney general to the state general fund.

Tobacco master settlement agreement compliance fund...	No limit
Sexually violent predator expense fund	No limit

(c) During the fiscal year ending June 30, 2010, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

Sec. 37.

SECRETARY OF STATE

(a) 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 shall not exceed the following:

Cemetery and funeral audit fee fund.....	No limit
HAVA ELVIS fund	No limit
Conversion of materials and equipment fund	No limit
Information and services fee fund.....	No limit

Provided, That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,500.

State register fee fund.....	No limit
Uniform commercial code fee fund.....	No limit
State flag and banner fund.....	No limit
Secretary of state fee refund fund.....	No limit
Electronic voting machine examination fund	No limit
Credit card clearing fund.....	No limit
Suspense fund	No limit
Prepaid services fund.....	No limit
Athlete agent registration fee fund.....	No limit
Democracy fund	No limit

Provided, That all expenditures from the democracy fund shall be to provide matching funds to implement Title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.

Technology communication fee fund.....	No limit
HAVA federal fund.....	No limit

Sec. 38.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2010, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer operating fund.....	\$1,545,713
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Provided, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58- 3934 et seq., and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, during fiscal year 2010, the state treasurer is hereby authorized and directed to

credit the first \$1,545,713 received and deposited in the state treasury to the state treasurer operating fund: *Provided further*, That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2010 shall be credited as prescribed under the unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto: *Provided further*, That all moneys credited to the state treasurer operating fund during fiscal year 2010 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, that are not otherwise reimbursed under any other provision of law.

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

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

County and city transient guest tax fund.....	No limit
Racing admissions tax fund	No limit
Rental motor vehicle excise tax fund	No limit
Transportation development district sales tax fund	No limit
Redevelopment bond fund	No limit
Municipal investment pool fund	No limit
Pooled money investment portfolio fee fund	No limit

Provided, That on or before the fifth day of each month of the fiscal year ending June 30, 2010, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month:

Provided further, That, prior to the 10th day of each month during the fiscal year ending June 30, 2010, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*, That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

Special qualified industrial manufacturer fund.....	No limit
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Provided, That, notwithstanding the provisions of K.S.A. 2008 Supp. 74-50,122, and amendments thereto, or any other statute, the special qualified industrial manufacturer fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of the qualified industrial manufacturer act: *Provided further*, That on the 15th day of each month that commences during fiscal year 2010, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified industrial manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *And provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the special qualified industrial manufacturer fund established by this subsection: *And provided further*, That, on or before the 10th day of each month

commencing during fiscal year 2010, the director of accounts and reports shall transfer from the state general fund to the special qualified industrial manufacturer fund interest earnings based on: (1) The average daily balance of moneys in the special qualified industrial manufacturer fund established by this subsection for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the special qualified industrial manufacturer fund from the withholding taxes paid by a qualified industrial manufacturer shall be paid by the state treasurer to such qualified industrial manufacturer on such dates as are mutually agreed to by the secretary of commerce and the state treasurer, serving as paying agent in accordance with the terms of the agreement entered into pursuant to K.S.A. 2008 Supp. 74-50,122, and amendments thereto, by the secretary of commerce and such qualified industrial manufacturer: *And provided further*, That not more than \$2,000,000 shall be paid from the special qualified industrial manufacturer fund established by this subsection by the state treasurer to a qualified industrial manufacturer: *And provided further*, That the words and phrases used in these provisos to appropriation of moneys in the special qualified industrial manufacturer fund shall have the meanings respectively ascribed thereto by K.S.A. 2008 Supp. 74-50,121, and amendments thereto, unless the context requires otherwise.

Cessna bonds fund No limit

Provided, That on the 15th day of each month that commences during fiscal year 2010, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2008 Supp. 74-50,136, and amendments thereto, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Cessna bonds fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2010, the director of accounts and reports shall transfer from the state general fund to the Cessna bonds fund interest earnings based on: (1) The average daily balance of moneys in the Cessna bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Cessna bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Cessna bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2008 Supp. 74-50,136, and amendments thereto.

Kansas postsecondary education savings program trust fund \$0

Provided, That notwithstanding the provisions of subsection (f) of K.S.A. 2008 Supp. 75-650, and amendments thereto, or any other statute, moneys are hereby appropriated for the fiscal year ending June 30, 2010, for the purpose of matching contributions of qualified applicants approved between January 1, 2009, and June 30, 2009.

Kansas postsecondary education savings program expense fund No limit
 Conversion of materials and equipment fund No limit
 Tax increment financing revenue replacement fund No limit
 Spirit bonds fund No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2010, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2008 Supp. 74-50,136, and amendments thereto, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of

the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the spirit bonds fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2010, the director of accounts and reports shall transfer from the state general fund to the spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2008 Supp. 74-50,136, and amendments thereto.

Business machinery and equipment tax reduction assistance fund.....	No limit
Telecommunications and railroad machinery and equipment tax reduction assistance fund.....	No limit

Sec. 39.
 INSURANCE DEPARTMENT

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

Insurance department service regulation fund	No limit
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Provided, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,500: *Provided further*, That transfers may be made from this fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company examination fund.....	No limit
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Provided, That transfers may be made from the insurance company examination fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company annual statement examination fund ...	No limit
Insurance company examiner training fund	No limit
Conversion of materials and equipment fund	No limit
Commissioner’s travel reimbursement fund.....	No limit

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

Workers compensation fund	No limit
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Provided, That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made.

State firefighters relief fund.....	No limit
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Provided, That notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, transfers may be made from the state firefighters relief fund to the insurance department rehabilitation and repair fund of the insurance department: *Provided further*, That, pursuant to provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, one or more transfers may be made during fiscal year 2010 from the state firefighters relief fund to the insurance department service regulation fund to repay the amount that was borrowed for the special distribution in FY 2008 pursuant to section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, relating to the overpayment to the firefighters relief association for Manhattan, KS: *And provided further*, That, as used in this proviso, (1) “2010 formula amount” means the amount determined in accordance with the formula and other provisions of K.S.A. 40-1706, and amendments thereto, for the firefighters relief association for Manhattan, KS, for fiscal year 2010, (2) “2008 payment

amount” means the amount actually paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2008, and (3) “2010 repayment amount” means the difference between the 2010 formula amount and the 2008 payment amount: *And provided further*, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, the amount of the distribution to be paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2010 shall not exceed the 2008 payment amount: *And provided further*, That the commissioner of insurance shall certify the 2010 repayment amount to the director of accounts and reports and the outstanding amount that remains to be repaid to the insurance department service regulation fund pursuant to provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas after the transfer to the insurance department service regulation fund pursuant to this proviso: *And provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount equal to the 2010 repayment amount from the state firefighters relief fund to the insurance department service regulation fund: *And provided further*, That, at the same time that the commissioner of insurance transmits such certification to the director of accounts and reports, the commissioner of insurance shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

Insurance company tax and fee refund fund..... No limit
 Group-funded workers’ compensation pools fee fund No limit

Provided, That transfers may be made from the group-funded workers’ compensation pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

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

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

Uninsurable health insurance plan fund..... No limit
 Insurance education and training fund No limit

Provided, That expenditures may be made from the insurance education and training fund for training programs and official hospitality: *Provided further*, That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such training programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the insurance education and training fund.

Other federal grants fund No limit

Provided, That the above agency is authorized to make expenditures from the other federal grants fund of any moneys credited to this fund from any individual grant if the grant: (1) Is less than or equal to \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2010 other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$250,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during fiscal year 2010, other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature.

Monumental life settlement fund..... No limit

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

Fines and penalties fund \$10,000

Provided, That, notwithstanding the provisions of K.S.A. 40-2606, and

amendments thereto, or any other statute, all moneys received during fiscal year 2010 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the fines and penalties fund.

Settlements fund..... No limit
Provided, That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: *Provided further*, That expenditures from the settlements fund shall be made for the purpose of providing consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2010 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223 or 75- 3721, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2010 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

Sec. 40.
HEALTH CARE STABILIZATION FUND BOARD
OF GOVERNORS

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

Health care stabilization fund..... No limit
Conference fee fund..... No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2010, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures \$1,658,928

Provided, That expenditures from the operating expenditures account for official hospitality shall not exceed \$500: *Provided further*, That \$251,834 shall be expended from this account for technology improvements and professional development before June 30, 2010.

Legal services and other claims expenses No limit
Claims and benefits No limit

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:

Conference fee fund..... No limit

Sec. 41.
JUDICIAL COUNCIL

(a) Any unencumbered balance in each of the following accounts of the state general fund in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: Recodification commission.

(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:

Judicial council fund No limit
Grants and gifts fund No limit

Provided, That all private grants and gifts received by the judicial council,

other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

Publications fee fund	No limit
Judicial performance fund	No limit
Recodification commission gifts and grants fund	No limit

Provided, That all moneys received by the recodification commission for gifts and grants from any source 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 recodification commission gifts and grants fund: *Provided, however*, That during the fiscal year ending June 30, 2010, no expenditures shall be made from the recodification commission gifts and grants fund to reimburse any employee, agent or contractor for mileage and other travel expenses incurred for travel out-of-state or mileage and other travel expenses for traveling from or returning to a location outside the state of Kansas.

(c) On June 30, 2010, notwithstanding the provisions of K.S.A. 20-2207, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the publications fee fund as of June 30, 2010, in excess of \$175,000 from the publications fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the publications fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the publications fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That when the judicial council must expend moneys for unforeseen and unbudgeted items, that such moneys shall be paid first from the judicial council fund and then from the publication fees fund.

Sec. 42.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

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

Operating expenditures	\$11,993,010
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures	\$9,265,000
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Provided, That any unencumbered balance in excess of \$100 as of June 30, 2009, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered.

Capital defense operations	\$1,920,819
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Provided, That any unencumbered balance in excess of \$100 as of June 30, 2009, in the capital defense operations account is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners	\$309,432
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 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:

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

Inservice education workshop fee fund..... No limit
Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2010, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2010, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2010 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 43.

JUDICIAL BRANCH

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

Judiciary operations \$111,473,614

Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto: *And provided further*, That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: *And provided further*, That expenditures from the judiciary operations account for such contingencies shall not exceed \$25,000: *And provided further*, That expenditures from the judiciary operations account for official hospitality shall not exceed \$4,000: *And provided further*, That expenditures shall be made from the judiciary operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

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

Library report fee fund No limit
Judiciary technology fund No limit
Judicial branch gifts fund..... No limit
Dispute resolution fund..... No limit
Judicial branch education fund No limit

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

programs: *And provided further*, That such fees may be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch education fund.

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

Sec. 44.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 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 public employees retirement fund.....	No limit
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Provided, That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.

Kansas public employees deferred compensation fees fund	No limit
Group insurance reserve fund	No limit
Optional death benefit plan reserve fund	No limit
Kansas endowment for youth fund.....	No limit
Senior services trust fund	No limit
Family and children endowment account — family and children investment fund.....	No limit
Non-retirement administration fund.....	No limit

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

KDFA series 2003H bond debt service fund	No limit
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Provided, That notwithstanding the provisions of K.S.A. 74-4921 et seq., and amendments thereto, any employer contributions remitted in accordance with the provisions of K.S.A. 20-2605, and amendments thereto, K.S.A. 74-4920, and amendments thereto, K.S.A. 74-4939, and amendments thereto, and K.S.A. 74-4967, and amendments thereto, for the purpose of paying the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be deposited in the KDFA series 2003H bond debt service fund: *Provided further*, That the executive director of the Kansas public employees retirement system shall certify to the director of accounts and reports an amount to reimburse the state general fund for bond debt service payments authorized in fiscal year 2010: *And provided further*, That the director of accounts and reports shall transfer to the state general fund such amount certified as provided by the executive director no later than June 30, 2010.

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund for the fiscal year ending June 30, 2010, for the following specified purposes:

Agency operations \$9,037,114

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

Investment-related expenses No limit

KPERS technology project No limit

(c) Expenditures may be made from the non-retirement administration fund for the fiscal year ending June 30, 2010, for the following specified purposes:

Agency operations \$88,047

Investment-related expenses No limit

(d) On July 1, 2009, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by subsection (d)(4) of K.S.A. 38-2102, and amendments thereto, to be transferred on July 1, 2009, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby increased to \$66,885,884.

(e) On July 1, 2009, or as soon thereafter as moneys are available therefor, notwithstanding the provisions of K.S.A. 38-2101, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$11,041,630 from the Kansas endowment for youth fund to the state general fund.

Sec. 45.

KANSAS HUMAN RIGHTS COMMISSION

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

Operating expenditures \$1,551,613

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$150: *Provided further*, That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

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

Federal fund..... No limit

Conversion of materials and equipment fund No limit

Annual banquet fund No limit

Provided, That expenditures may be made from the annual banquet fund for operating expenditures for the commission's annual banquet, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such banquet: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such banquet, including official hospitality: *And provided further*, That all fees received for such banquet shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the annual banquet fund.

Education and training fund No limit

Provided, That expenditures may be made from the education and training fund for operating expenditures for the commission's education and training programs for the general public, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, shall be credited to the education and training fund.

Sec. 46.

STATE CORPORATION COMMISSION

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

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

Provided, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further*, That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*, That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services recovery fund of the department of administration for services rendered in collection efforts: *And provided further*, That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*, That the state corporation commission shall include as part of the fiscal year 2011 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2011, 2012 and 2013.

Natural gas underground storage fee fund	No limit
Gas pipeline inspection fee fund.....	No limit
Abandoned oil and gas well fund	No limit
Well plugging assurance fund.....	No limit
Facility conservation improvement program fund.....	No limit
Gas pipeline safety program — federal fund	No limit
Carbon dioxide injection well and underground storage fund	No limit
Energy related grants — federal fund	No limit
Energy grants management fund	No limit
Energy conservation plan — federal fund	No limit
Underground injection control class II — federal fund	No limit
Pipeline damage prevention grant program — federal fund	No limit
Other federal grants fund	No limit

Provided, That the above agency is authorized to make expenditures from the other federal grants fund of any moneys credited to this fund from any individual grant if the grant: (1) Is less than or equal to \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2010 other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$250,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during fiscal year 2010, other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature.

Inservice education workshop fee fund.....	No limit
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Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: *Provided further*, That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Base state registration clearing fund.....	No limit
Credit card clearing fund.....	No limit

Suspense fund	No limit
KETA development fund	No limit

(b) Expenditures for the fiscal year ending June 30, 2010, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund shall not exceed, in the aggregate, \$16,290,795: *Provided*, That, within such limitation on the aggregate of expenditures, expenditures made for fiscal year 2010 from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund for official hospitality shall not exceed, in the aggregate, \$2,000.

(c) Expenditures for the fiscal year ending June 30, 2010, by the state corporation commission from the conservation fee fund or the abandoned oil and gas well fund may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(d) During the fiscal year ending June 30, 2010, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer additional moneys from the conservation fee fund of the state corporation commission, which are in excess of \$400,000 prescribed by K.S.A. 2008 Supp. 55-193, and amendments thereto, to the abandoned oil and gas well plugging fund of the state corporation commission: *Provided*, That the executive director of the state corporation commission shall certify each such transfer of additional moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) In addition to other purposes for which expenditures may be made by the Kansas corporation commission from the public service regulation fund for fiscal year 2010 for the 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 Kansas 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 shall not exceed \$98,413.

(f) During the fiscal year ending June 30, 2010, notwithstanding the provisions of any other statute, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The executive director of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(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 (g) 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 commission 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.

Sec. 47.

CITIZENS' UTILITY RATEPAYER BOARD

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

Utility regulatory fee fund \$806,222

(b) On July 1, 2009, October 1, 2009, January 1, 2010, and April 1, 2010, or as soon after each such date as moneys are available, and upon receipt of certification by the state corporation commission of the amount to be transferred, the director of accounts and reports shall transfer from the public service regulation fund of the state corporation commission to the utility regulatory fee fund of the citizens' utility ratepayer board all moneys assessed by the state corporation commission for the citizens' utility ratepayer board under K.S.A. 66-1502 or 66-1503, and amendments thereto, and deposited in the state treasury to the credit of the public service regulation fund.

(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.

Sec. 48.

DEPARTMENT OF ADMINISTRATION

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

General administration \$1,049,126

Provided, That any unencumbered balance in the general administration account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the general administration account for three employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Financial management system..... \$909,138

Provided, That any unencumbered balance in the financial management system account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Department of administration systems..... \$2,399,625

Provided, That any unencumbered balance in the department of administration systems account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures from the department of administration systems account for official hospitality shall not exceed \$1,000.

Personnel services \$1,955,579

Provided, That any unencumbered balance in the personnel services ac-

count in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Purchasing..... \$519,718

Provided, That any unencumbered balance in the purchasing account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Budget analysis \$1,392,720

Provided, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the budget analysis account for eight employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Facilities management..... \$60,788

Provided, That any unencumbered balance in the facilities management account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Accounts and reports \$1,969,607

Provided, That any unencumbered balance in the accounts and reports account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Public broadcasting council grants \$2,007,926

Provided, That any unencumbered balance in the public broadcasting council grants account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That all expenditures from the public broadcasting council grants account for capital equipment shall be made to provide matching funds for federal capital equipment grants awarded to eligible public broadcasting stations: *And provided further*, That expenditures from this account may be made to provide matching funds for capital equipment projects funded from any nonstate source in the event federal capital equipment grants are not awarded: *And provided further*, That in the event the federal facility programs cease to exist or fail to conduct grant solicitations, expenditures may be made from this account to provide matching funds for capital equipment projects funded from any nonstate source without first applying for federal capital equipment grants.

KPERS bonds debt service \$25,731,305

Public broadcasting digital conversion debt service..... \$286,376

Policy analysis initiatives \$172,435

Provided, That any unencumbered balance in the policy analysis initiatives account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$5,000.

Long-term care ombudsman \$282,488

Provided, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Any unencumbered balance in the implementation of new pay plan account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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 or indirect cost recoveries authorized by law shall not exceed the following:

Federal cash management fund..... No limit

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

Building and ground fund..... No limit

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

General fees fund..... No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including

human resources programs and official hospitality: *Provided further*, That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*, That fees shall be fixed in order to recover all or part of the operating expenses incurred, including official hospitality: *And provided further*, That all fees received, including fees received under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund of the department of administration.

Human resource information systems cost recovery fund No limit
 Budget fees fund..... No limit

Provided, That expenditures may be made from the budget fees fund for operating expenditures for the division of the budget, including training programs, special projects and official hospitality: *Provided further*, That the director of the budget is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs and special projects shall be fixed in order to recover all or part of the operating expenses incurred for such training programs and special projects, including official hospitality: *And provided further*, That all fees received for such training programs and special projects and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the budget fees fund.

Purchasing fees fund..... No limit

Provided, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*, That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenses.

Architectural services fee fund No limit

Provided, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: *Provided further*, That the director of facilities management is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for reproducing and distributing architectural information: *And provided further*, That all fees received for such reproduction and distribution of architectural information shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services fee fund.

Budget equipment conversion fund..... No limit
 Conversion of materials and equipment fund No limit
 Architectural services equipment conversion fund..... No limit
 Property contingency fund..... No limit
 Flood control emergency — federal fund No limit
 CJIS Byrne Grant — federal fund No limit
 FICA reimbursements medical residents fund..... No limit
 Information technology fund..... No limit

Provided, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury to the credit of the information technology fund.

Information technology reserve fund..... No limit
 State buildings operating fund..... No limit

Provided, That expenditures may be made from the state buildings operating fund for operating and other expenses for the Hiram Price Dillon House: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for use of the rooms and other facilities of the Hiram Price Dillon House in accordance with policies

adopted by the legislative coordinating council under K.S.A. 75-3682, and amendments thereto, for approving the use of such property: *And provided further*, That fees for approved use of such property shall be reasonable and directly related to the costs of such use and shall be fixed in order to recover all or part of the operating expenses incurred for such use: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3739, and amendments thereto, to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *And provided further*, That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3739, and amendments thereto, shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*, That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by subsection (a) of K.S.A. 2008 Supp. 75-37,123, and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee County including both state-owned and privately-owned buildings: *And provided further*, That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services recovery fund No limit

Provided, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration which are not specifically authorized by any other statute: *And provided further*, That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund.

Architectural services recovery fund No limit

Provided, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further*, That the director of facilities management is hereby authorized to charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further*, That all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

Motor pool service fund No limit

Intragovernmental printing service fund No limit

Intragovernmental printing service depreciation reserve fund No limit

Municipal accounting and training services recovery fund No limit

Provided, That expenditures may be made from the municipal accounting

and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: *Provided further*, That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees shall be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the municipal accounting and training services recovery fund.

Canceled warrants payment fund.....	No limit
State emergency fund	No limit
Bid and contract deposit fund	No limit
Federal withholding tax clearing fund.....	No limit
Financial management system development fund.....	No limit

Provided, That the secretary of administration may establish fees and make special assessments in order to finance the costs of developing the financial management system: *Provided further*, That all moneys received for such fees and special assessments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial management system development fund of the department of administration.

State gaming revenues fund.....	No limit
Financial management system development fund — on budget	No limit
Construction defects recovery fund.....	No limit
Facilities conservation improvement fund	No limit
State revolving fund services fee fund	No limit
Conversion of materials and equipment — recycling program fund	No limit
Curtis office building maintenance reserve fund	No limit
Equipment lease purchase program administration clearing fund.....	No limit
Suspense fund	No limit
Electronic funds transfer suspense fund	No limit
Surplus property program fund — on budget.....	No limit
Surplus property program fund — off budget.....	No limit
Older Americans act long-term care ombudsman federal fund	No limit
Long-term care ombudsman gift and grant fund.....	No limit
Title XIX — long-term care ombudsman medicaid federal grant fund	No limit
Wireless enhanced 911 grant fund	No limit
Landon state office building repair expense fund	No limit
MacVicar avenue assessment expense fund	No limit

(c) On July 1, 2009, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(d) During the fiscal year ending June 30, 2010, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto.

(e) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or in any capital improvement account of the state general fund for the above agency for fiscal year 2010 by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or any such capital improvement account of the state general fund for fiscal year 2010 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to

the director of the budget and the director of legislative research.

(f) (1) On July 1, 2009, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2010, except that such amount shall be proportionally adjusted during fiscal year 2010 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2010. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2009 and fiscal year 2010 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2010 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2010, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2010.

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

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

(g) (1) On July 1, 2009, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2010, except that such amount shall be proportionally adjusted during fiscal year 2010 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2010. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2010 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2010, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2010.

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

(h) (1) On July 1, 2009, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions

building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget which shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2010, except that such amount shall be proportionally adjusted during fiscal year 2010 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2010. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2010 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2010, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2010.

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

(i) (1) On July 1, 2009, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget which shall be equal to 80% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2010, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2010 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2010, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2010.

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

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

(j) During the fiscal year ending June 30, 2010, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2010, from the state general fund for the department of administration to another item of appropriation for fiscal year 2010 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(k) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2010, the following:

SIBF — state building insurance \$100,000

Provided, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the SIBF — state building insurance account of the state institutions building fund for state building insurance premiums.

(l) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2010, the following:

CIBF — state building insurance \$80,000

Provided, That, notwithstanding the provisions of K.S.A. 76-6b09, and amendments thereto, expenditures may be made by the above agency from the CIBF — state building insurance account of the correctional institutions building fund for state building insurance premiums.

(m) On July 1, 2009, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2010, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the department on aging to the older Americans act long- term care ombudsman federal fund of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2010 shall be equal to and shall not exceed the Older Americans Act Title VII: Ombudsman Award and 4.38% of the Kansas Older Americans Act Title III: Part B Supportive Services Award.

(n) (1) On July 1, 2009, notwithstanding the provisions of any other statute, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state general fund and shall record a corresponding credit to the state general fund in the net amount equal to \$32,689,900 minus the amount credited and debited on or before June 30, 2009, pursuant to section 76(p)(9)(D) of chapter 142 of the 2006 Session Laws of Kansas, to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2006, for state agencies.

(2) On or before September 1, 2009, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state general fund pursuant to this subsection (n), to reflect all moneys actually transferred and credited to the state general fund during fiscal year 2010.

(3) (A) (i) Prior to August 15, 2009, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has a specific expenditure limitation prescribed for fiscal year 2010 and that is in excess of the amount authorized under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2010.

(ii) On or before June 30, 2010, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has no specific expenditure limitation prescribed for the fiscal year, that is in excess of the amount estimated under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2010, and that is determined by the director of the budget not to be needed for the purpose for which such amount was originally budgeted, including, but not limited to, actual or projected cost savings as a result of completed, cancelled or modified projects, programs or operations.

(iii) As used in paragraphs (i) and (ii) of this subsection (n)(3)(A), "specific expenditure limitation prescribed for the fiscal year" includes any case in which no expenditures may be made from such reappropriated balance except upon approval by the state finance council.

(B) Prior to August 15, 2009, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all unanticipated lapses of moneys which were appropriated or reappropriated from the state general fund for fiscal year 2009 and which were not reappropriated for fiscal year 2010, as determined by the director of the budget: *Provided*, That, as used in this subsection (n)(3)(B), "unanticipated lapses of moneys" shall not include any amount lapsed from the state general fund pursuant to explicit language in an appropriation act of the 2009 regular session of the legislature or any amount lapsed from the state general fund for which specific reappropriation language was

deliberately not included in any appropriation act of the 2009 regular session of the legislature.

(C) Prior to August 15, 2009, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all amounts of unencumbered balances in accounts of the state general fund that were first encumbered during a fiscal year commencing prior to July 1, 2008, that were released during fiscal year 2009, and that were not specifically reappropriated by an appropriation act of the 2009 regular session of the legislature.

(4) (A) On August 15, 2009, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (n)(3)(A)(i), the appropriation for fiscal year 2010 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2010, by this or other appropriation act of the 2009 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (n)(3)(A)(i).

(B) On June 30, 2010, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (n)(3)(A)(ii), the appropriation for fiscal year 2010 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2010, by this or other appropriation act of the 2009 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (n)(3)(A)(ii).

(5) At the same time as the director of the budget transmits each certification to the director of accounts and reports pursuant to subsection (n)(3), the director of the budget shall transmit a copy of such certification to the director of legislative research.

(6) (A) Prior to August 15, 2009, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection (n): *Provided* That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection (n). At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

(B) The director of the budget shall review each such certification from the state board of regents and shall certify a copy of each such certification from the state board of regents to the director of accounts and reports. At the same time as such certification is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research.

(C) On August 15, 2009, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection (n)(6), the appropriation for fiscal year 2010 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2010, by this or other appropriation act of the 2009 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection (n)(6).

(7) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection (n), the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the state agencies for fiscal year 2010.

(8) (A) On or before September 1, 2009, after receipt of each certification by the director of the budget pursuant to this subsection (n), the

director of accounts and reports shall transfer and debit to the 27th payroll adjustment account of the state general fund, which is hereby established in the state general fund, by an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (n)(3) and subsection (n)(6) in accordance with such certifications.

(B) On September 1, 2009, the director of accounts and reports shall transfer the balance of the 27th payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however,* That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(C) On September 1, 2009, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27th payroll adjustment account of the state general fund pursuant to this subsection (n), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (n) during fiscal year 2010.

(D) On or before June 30, 2010, after receipt of each certification by the director of the budget pursuant to subsection (n)(3)(A)(ii), the director of accounts and reports shall transfer and debit to the 27th payroll adjustment account of the state general fund, which is hereby established in the state general fund, an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (n)(3)(A)(ii) in accordance with such certifications.

(E) On June 30, 2010, the director of accounts and reports shall transfer the balance of the 27th payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however,* That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(F) On June 30, 2010, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27th payroll adjustment account of the state general fund pursuant to this subsection (n), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (n) during fiscal year 2010.

(G) On June 30, 2010, the director of accounts and reports shall record a credit to the state treasurer's receivables for the state general fund and shall record a corresponding debit to the state general fund in the amount of the outstanding receivable created to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2006.

(H) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (n) and all reductions and adjustments thereto made pursuant to this subsection (n). The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state general fund by the state treasurer in accordance with the notice thereof.

(9) As used in this subsection (n), "regents agency" means the state board of regents, Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, and Wichita state university.

(10) The provisions of this subsection (n) shall not apply to:

(A) The health care stabilization fund of the health care stabilization fund board of governors;

(B) any money held in trust in a trust fund or held in trust in any other special revenue fund of any state agency;

(C) any moneys received from any agency or authority of the federal government or from any other federal source, other than any such federal moneys that are credited to or may be received and credited to special revenue funds of a regents agency and that are determined by the state board of regents to be federal moneys that may be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection (n);

(D) any account of the Kansas educational building fund or the state institutions building fund; or

(E) any fund in the state treasury, as determined by the director of the budget, that would experience financial or administrative difficulties as a result of executing the provisions of this subsection (n), including, but not limited to, cash-flow problems, the inability to meet ordinary expenditure obligations, or any conflicts with prevailing contracts, compacts or other provisions of law.

(11) Each amount transferred from any special revenue fund of any state agency, including any regents agency, to the state general fund pursuant to this subsection (n), is transferred to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(12) On or after July 1, 2009, notwithstanding the provisions of K.S.A. 75-4209, and amendments thereto, or any other statute, upon specific authorization in an appropriation act of the legislature, the pooled money investment board is authorized and directed to loan an amount of not more than \$6,000,000 to the state general fund to provide financing for any additional amounts required above the moneys otherwise provided by law to repay amounts provided by law to finance the cost of the 27th payroll chargeable to the fiscal year 2006 and to provide for an adequate reserve in the 27th payroll adjustment account. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loan. Such loan shall not bear interest and shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Any such loan shall be repaid from the state general fund and any appropriate special revenue funds in the state treasury.

(o) During the fiscal year ending June 30, 2010, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2010 by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund for fiscal year 2010, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the provisions of K.S.A. 2008 Supp. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 2008 Supp. 75-1269, and amendments thereto, to the contrary: *Provided further*, That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(p) During the fiscal year ending June 30, 2010, notwithstanding the provisions of any statute or any rules and regulations to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2010 as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund for fiscal year 2010, for the secretary of administration to provide parking for state employees on state-owned parking lots located within the state capitol area, as defined by subsection (c) of K.S.A. 75-2240a, and amendments thereto, without charge or cost to such employees for such parking: *Provided*, That this subsection shall not apply to parking garages or other parking structures in such state capitol area or to any state-owned parking lots for which revenues have been pledged to repay bonds issued for the construction of any of such parking garages, structures or lots: *Provided further*, That the secretary of administration shall continue otherwise to administer

access to state-owned parking lots in accordance with policies and procedures adopted as provided by law, including use of hang tags and waiting lists for specific parking lots, in order to ensure orderly parking procedures: *And provided further*, That the secretary of administration shall make expenditures from moneys appropriated from the state buildings operating fund or any other special revenue funds for the purpose of maintaining the state-owned parking lots.

Sec. 49.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:

Administrative hearings office fund..... No limit

Sec. 50.

STATE COURT OF TAX APPEALS

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

Operating expenditures \$1,604,271

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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:

Duplicating fees fund..... \$5,000

COTA filing fee fund..... \$546,101

(c) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 74-2438a, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,191 from the COTA filing fee fund of the state court of tax appeals to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the COTA filing fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the COTA filing fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state court of tax appeals by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 51.

DEPARTMENT OF REVENUE

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

Operating expenditures \$19,244,024

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

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

Sand royalty fund No limit

Division of vehicles operating fund \$45,964,242

Provided, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles

operating fund for the fiscal year ending June 30, 2010: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or of any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

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

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

Special training fund.....	No limit
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Provided, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*, That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*, That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.

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

Provided, That expenditures may be made from the central stores fund to operate and maintain a central stores activity to sell supplies to other state agencies: *Provided further*, That all moneys received for such supplies shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the central stores fund.

Microfilming fund	No limit
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Provided, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: *Provided further*, That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.

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

Privilege tax refund fund	No limit
Suspense fund	No limit
Cigarette tax refund fund	No limit
Motor-vehicle fuel tax refund fund	No limit
Cereal malt beverage tax refund fund.....	No limit
Income tax refund fund.....	No limit
Sales tax refund fund	No limit
Compensating tax refund fund	No limit
Alcoholic liquor tax refund fund	No limit
Cigarette/tobacco products regulation fund	No limit
Motor carrier tax refund fund	No limit
Car company tax fund.....	No limit
Protested motor carrier taxes fund.....	No limit
Tobacco products refund fund	No limit
Transient guest tax refund fund established by K.S.A. 12-1694a.....	No limit
Interstate motor fuel taxes clearing fund.....	No limit
Bingo refund fund.....	No limit
Transient guest tax refund fund established by K.S.A. 12-16,100.....	No limit
Interstate motor fuel taxes refund fund	No limit
Interfund clearing fund.....	No limit
Local alcoholic liquor clearing fund.....	No limit
International registration plan distribution clearing fund ..	No limit
Rental motor vehicle excise tax refund fund.....	No limit
International fuel tax agreement clearing fund.....	No limit
Mineral production tax refund fund	No limit
Special fuels tax refund fund.....	No limit
LP-gas motor fuels refund fund.....	No limit
Local alcoholic liquor refund fund	No limit
Sales tax clearing fund.....	No limit
Rental motor vehicle excise tax clearing fund	No limit
VIPS/CAMA technology hardware fund.....	No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or of any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.

County and city retailers sales tax clearing fund — county and city sales tax.....	No limit
City and county compensating use tax clearing fund.....	No limit
County and city transient guest tax clearing fund	No limit
Automated tax systems fund.....	No limit
Dyed diesel fuel fee fund	No limit
Electronic databases fee fund.....	No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or of any other statute, expenditures may be made from electronic databases fee fund for the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.

Photo fee fund.....	No limit
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Provided, That expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of implementing Chapter 5 and Chapter 63 of the 2003 Session Laws of Kansas.

Estate tax abatement refund fund.....	No limit
Distinctive license plate fund	No limit
Repossessed certificates of title fee fund.....	No limit
Hazmat fee fund	No limit
Intra-governmental service fund	No limit

(c) On July 1, 2009, October 1, 2009, January 1, 2010, and April 1,

2010, the director of accounts and reports shall transfer \$11,116,597 from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2009, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund of the department of administration to the setoff services revenue fund of the department of revenue for reimbursing costs of recovering amounts owed state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) On August 1, 2009, the director of accounts and reports shall transfer \$20,400 from the social welfare fund and \$39,600 from the federal child support enforcement fund of the department of social and rehabilitation services to the child support enforcement contractual agreement fund of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the agreement.

(f) (1) During the fiscal year ending June 30, 2010, notwithstanding the provisions of K.S.A. 2008 Supp. 79-34,156, and amendments thereto, the director of accounts and reports shall not transfer any amount from either the state economic development initiatives fund or the state general fund to the Kansas qualified biodiesel fuel producer incentive fund during the fiscal year ending June 30, 2010.

(2) On July 1, 2009, October 1, 2009, January 1, 2010, and April 1, 2010, the director of accounts and reports shall transfer \$50,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund: *Provided*, That, if sufficient moneys are not available in the state economic development initiatives fund for such transfer on July 1, 2009, October 1, 2009, January 1, 2010, or April 1, 2010, then the director of accounts and reports shall transfer on such date, the amount of moneys available in the state economic initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund.

(g) 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 \$1,088,006 from the division of vehicles operating fund of the department of revenue to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the division of vehicles operating fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the division of vehicles operating 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 department of revenue by other state agencies which receive appropriations from the state general fund to provide such services.

(h) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 75-5159, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$49,791 from the division of vehicles modernization fund of the department of revenue to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the division of vehicles modernization fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the division of vehicles modernization 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 department of revenue by other state agencies which receive appropriations from the state general fund to provide such services.

(i) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 79-4710, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,924 from the state bingo regulation fund of the department of revenue to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state bingo regulation fund to the state general fund as prescribed by law: *Provided*

further, That the amount transferred from the state bingo regulation 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 department of revenue by other state agencies which receive appropriations from the state general fund to provide such services.

(j) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 79-3391, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$4,991 from the cigarette and tobacco products regulation fund of the department of revenue to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the cigarette and tobacco products regulation fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the cigarette and tobacco products regulation 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 department of revenue by other state agencies which receive appropriations from the state general fund to provide such services.

(k) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 70a-105, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,684 from the sand royalty fund of the department of revenue to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the sand royalty fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the sand royalty 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 department of revenue by other state agencies which receive appropriations from the state general fund to provide such services.

(l) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$111,577 from the electronic databases fee fund of the department of revenue to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the electronic databases fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the electronic databases fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of revenue by other state agencies which receive appropriations from the state general fund to provide such services.

(m) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 75-6212, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,787 from the setoff services revenue fund of the department of revenue to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the setoff services revenue fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the setoff services revenue 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 department of revenue by other state agencies which receive appropriations from the state general fund to provide such services.

(n) 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 \$2,175 from the child support enforcement contractual agreement fund of the department of revenue to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the child support enforcement

contractual agreement fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the child support enforcement contractual agreement 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 department of revenue by other state agencies which receive appropriations from the state general fund to provide such services.

(o) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$46,072 from the VIPS/CAMA technology hardware fund of the department of revenue to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the VIPS/CAMA technology hardware fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the VIPS/CAMA technology hardware 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 department of revenue by other state agencies which receive appropriations from the state general fund to provide such services.

(p) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 8-145e, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,801 from the repossessed certificates of title fee fund of the department of revenue to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the repossessed certificates of title fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the repossessed certificates of title fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of revenue by other state agencies which receive appropriations from the state general fund to provide such services.

(q) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-299, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$27,159 from the photo fee fund of the department of revenue to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the photo fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the photo fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of revenue by other state agencies which receive appropriations from the state general fund to provide such services.

(r) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-2425, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$4,690 from the vehicle dealers and manufacturers fee fund of the department of revenue to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the vehicle dealers and manufacturers fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the vehicle dealers and manufacturers fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of revenue by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 52.

KANSAS LOTTERY

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

Lottery prize payment fund	No limit
Lottery operating fund	No limit
<i>Provided</i> , That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.	
Expanded lottery receipts fund.....	No limit
Lottery gaming facility manager fund	No limit
Expanded lottery act revenues fund	\$0

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection, an amount of not less than \$4,500,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2009, and on or before the 15th of each month thereafter through July 15, 2010: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund to the state gaming revenues fund and shall credit such amount to the state gaming revenues fund for the fiscal year ending June 30, 2010: *Provided, however*, That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2010 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15th of each month through July 15, 2010, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,500,000: *Provided further*, That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2010 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2010 is equal to or more than \$73,540,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2010 pursuant to this subsection shall be equal to or more than \$73,540,000: *And provided further*, That the transfers prescribed by this subsection shall be made in lieu of transfers under subsection (d) of K.S.A. 74-8711, and amendments thereto, for fiscal year 2010.

(c) Notwithstanding the provisions of K.S.A. 79-4801, and amendments thereto, or any other statute and in addition to the requirements of subsection (b) of this section, on or after June 15, 2010, upon certification by the executive director of the lottery, the director of accounts and reports shall transfer from the lottery operating fund to the state gaming revenues fund the amount of total profit attributed to the special veterans benefits game under K.S.A. 2008 Supp. 74-8724, and amendments thereto, during fiscal year 2010: *Provided*, That the director of accounts and reports shall transfer immediately thereafter such amount of total profit attributed to the special veterans benefits game from the state gaming revenues fund to the state general fund: *Provided further*, That, on or before June 15, 2010, the executive director of the lottery shall certify to the director of accounts and reports the amount equal to the amount of total profit attributed to the special veterans benefits game under K.S.A. 2008 Supp. 74-8724, and amendments thereto, during fiscal year 2010: *And provided further*, That, at the same time as such certification is transmitted to the director of accounts and reports, the executive director of the lottery shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(d) In addition to the purposes for which expenditures of moneys in the lottery operating fund may be made, as authorized by provisions of K.S.A. 2008 Supp. 74-8711, and amendments thereto, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act, and the Kansas expanded lottery act.

(e) During the fiscal year ending June 30, 2010, notwithstanding the provisions of K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer all moneys, other than moneys received for privilege fees, that are credited to the expanded lottery act revenues fund from the expanded lottery act revenues fund to the state general fund within 10 days after such moneys are credited to the expanded lottery act revenues fund: *Provided*, That no moneys re-

ceived 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 the transfer of such amounts shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law: *Provided further*, That the moneys transferred from the expanded lottery act revenues 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 department of revenue, and other state agencies, by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 53.

KANSAS RACING AND GAMING COMMISSION

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

State racing fund..... No limit

Provided, That expenditures from the state racing fund for official hospitality shall not exceed \$2,500.

Racing reimbursable expense fund..... No limit

Racing applicant deposit fund No limit

Kansas horse breeding development fund No limit

Kansas greyhound breeding development fund No limit

Provided, That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to subsection (b) of K.S.A. 2008 Supp. 74-8767, and amendments thereto, shall be deposited to a separate account established for the purpose described herein and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds which win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*, That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with subsection (b) of K.S.A. 2008 Supp. 74-8767, and amendments thereto.

Racing investigative expense fund..... No limit

Horse fair racing benefit fund No limit

Tribal gaming fund No limit

Provided, That expenditures from the tribal gaming fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$1,500.

Expanded lottery act regulation fund..... No limit

Provided, That expenditures from the expanded lottery act regulation fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$2,500.

Live horse racing purse supplement fund No limit

Live greyhound racing purse supplement fund No limit

Greyhound promotion and development fund No limit

Gaming machine examination fund No limit

Horse purse fund No limit

(b) On July 1, 2009, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2010, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2010 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund of the Kansas racing and gaming commission during fiscal year 2010 for the operating expenditures for the state gaming

agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2010, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with subsection (b) of K.S.A. 75-5516, and amendments thereto, pursuant to bills which are presented in a timely manner by the Kansas bureau of investigation for services rendered. Any expenditure from the state racing fund during fiscal year 2010 to reimburse the Kansas bureau of investigation for professional services and fees in an amount certified by the director of the Kansas bureau of investigation shall be in addition to any expenditure limitation imposed on the state racing fund for the fiscal year ending June 30, 2010.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund for fiscal year 2010 for the Kansas racing and gaming commission by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 2010 for the state gaming agency regulatory oversight of class III gaming, including but not limited to the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming, which are hereby authorized.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports (1) shall not make the transfer from the Kansas greyhound breeding development fund of the Kansas racing and gaming commission to the greyhound tourism fund of the department of commerce that is directed to be made on or before June 30, 2010, by subsection (b)(1) of K.S.A. 74-8831, and amendments thereto, and (2) shall transfer on or before June 30, 2010, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2010, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2010, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from the parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee, projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund.

(h) On the effective date of this act, the pooled money investment board is authorized and directed to extend the repayment date and to modify any related provisions of the loan agreement entered into with the Kansas racing and gaming commission pursuant to section 89(h) of chapter 131 of the 2008 Session Laws of Kansas and as modified pursuant to section 41(d) of 2009 House Substitute for Substitute for Senate Bill No. 23, to the effect that the repayment date under such loan agreement is extended from June 30, 2010, to June 30, 2012.

(a) Any unencumbered balance in each of the following accounts of the state general fund in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: Senior community service employment program; Kansas commission on disability concerns; strong military bases program.

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

Older Kansans employment program \$291,630

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2009, in the older Kansans employment program account is hereby reappropriated for fiscal year 2010.

Rural opportunity program \$1,856,859

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2009, in the rural opportunity program account is hereby reappropriated for fiscal year 2010.

Senior community service employment program..... \$3,941

Kansas commission on disability concerns \$211,737

Strong military bases program \$330,710

Operating grant (including official hospitality) \$14,019,902

Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures may be made from the operating grant (including official hospitality) account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the agricultural value added center program: *And provided further*, That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce: *And provided further*, That during fiscal year 2010, all expenditures made by the department of commerce from moneys appropriated in the state treasury for the department, including moneys appropriated in the operating grant (including official hospitality) account of the state economic development initiatives fund, shall be made for the purpose of achieving the following outcome measures:

Measure	Budget Year Projection FY 2010
Jobs created or retained by projects utilizing KDOC assistance	35,000
Payroll generated by projects utilizing KDOC assistance	\$215,000,000
Capital investment in Kansas resulting from projects utilizing KDOC assistance	\$250,000,000
Funds leveraged through match in projects utilizing KDOC assistance	\$25,000,000
Individuals trained through workforce development programs	11,000
Sales generated by projects utilizing KDOC assistance	\$155,000,000
Increase in visitation resulting from KDOC tourism promotion efforts	225,000
Kansans served with counseling, technical assistance or business services	125,000
Number of communities receiving community assistance services	150
Number of grants provided to Kansas businesses, communities, and families	500
Number of businesses impacted by funding from KDOC	2,800

(c) 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:

Publication and other sales fund	No limit
Conversion of equipment and materials fund	No limit
Conference registration and disbursement fund	No limit
Trademark fund	No limit
Greyhound tourism fund	No limit
Reimbursement and recovery fund	No limit
Community development block grant — federal fund.....	No limit
Community development block grant — federal fund — revolving loan account	No limit
Other federal grants fund	No limit

Provided, That the above agency is authorized to make expenditures from the other federal grants fund of any moneys credited to this fund from any individual grant if the grant is: (1) Less than or equal to \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2010 other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$250,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the fiscal year 2010, other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature.

National main street center fund	No limit
IMPACT program services fund	No limit
IMPACT program repayment fund	No limit
Kansas partnership fund	No limit

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

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

Market development fund	No limit
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Provided, That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the agricultural value added center program: *Provided further*, That all moneys received by the department of commerce for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.

Kansas economic opportunity initiatives fund	No limit
Kansas existing industry expansion fund.....	No limit

Provided, That expenditures may be made from the Kansas existing industry expansion fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the Kansas existing industry expansion program: *Provided further*, That all moneys received by the department of commerce for repayment of loans made under the Kansas existing industry expansion program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas existing industry expansion fund.

Athletic fee fund	No limit
WIA — federal fund.....	No limit
Trade adjustment assistance — federal fund	No limit
Veterans assistance programs — federal fund.....	No limit
Wagner Peyser — federal fund	No limit
Senior community service employment program — federal fund	No limit

Indirect cost — federal fund.....	No limit
Kansas commission on disability concerns fee fund	No limit
Kansas commission on disability concerns — gifts, grants and donations fund.....	No limit
State affordable airfare fund	\$5,000,000
Southeast Kansas flood — NEG — federal fund.....	No limit
Greensburg — NEG — federal fund	No limit
Workforce development — WIRED — federal fund.....	No limit
Disability Program Navigator — federal fund.....	No limit
Registered apprenticeship works — federal fund	No limit
Neighborhood stabilization program — federal fund	No limit
Enterprise facilitation fund	No limit

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2010, for (1) the provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute, (2) sale of *Kansas!* magazine and other publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute, and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce, including those provided at tourist information centers: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from such special revenue funds of the department of commerce for fiscal year 2010, in accordance with the provisions of this or other appropriation act of the 2009 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund for fiscal year 2010 for the department of commerce as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund for fiscal year 2010 for official hospitality.

(f) On August 15, 2009, and December 15, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,625,000 from the state economic development initiatives fund to the Kansas economic opportunity initiatives fund of the department of commerce.

Sec. 55.

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)	\$358,874
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 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. 56.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

Sec. 57.

KANSAS HOUSING RESOURCES CORPORATION

(a) 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:

State housing trust fund No limit

Provided, That all expenditures from the state housing trust fund shall be made by the Kansas housing resources corporation pursuant to K.S.A. 12-5246 and K.S.A. 2008 Supp. 12-5242 and 12-5252 through 12-5258, and amendments thereto: *Provided further*, That, notwithstanding the provisions of K.S.A. 74-8959, and amendments thereto, or any other statute, the Kansas housing resources corporation may make expenditures from the state housing trust fund for the purposes of implementing and administering the provisions of K.S.A. 2008 Supp. 12-5252 through 12-5258, and amendments thereto, the Kansas rural housing incentive district act.

Sec. 58.

DEPARTMENT OF LABOR

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

Operating expenditures \$497,169

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2010, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-5413 et seq., and 75-4321 et seq., and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

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

Workmen’s compensation fee fund \$13,431,128
Occupational health and safety — federal fund..... No limit
Boiler inspection fee fund..... No limit
General fees fund..... No limit
Special employment security fund..... No limit

Provided, That expenditures may be made from the special employment security fund for payment of communications costs: *And provided further*, That expenditures from this fund for payment of communications costs shall not exceed \$15,000.

Employment security administration fund..... No limit
State workplace health and safety fund..... No limit
Wage claims assignment fee fund No limit
Employment security computer systems institute fund..... No limit
Department of labor special projects fund No limit
Federal indirect cost offset fund..... \$355,169
Dispute resolution fund..... No limit

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

Employment security fund..... No limit

(c) In addition to the other purposes for which expenditures may be

made by the department of labor from the employment security fund for fiscal year 2010 as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2010 from the employment security fund from moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of debt service on a bond issued for the rewrite of the unemployment insurance benefit system: *Provided*, That expenditures from the employment security fund during fiscal year 2010 of moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of such debt service shall not exceed \$2,639,275.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2010, expenditures may be made by the above agency from the special employment security fund for fiscal year 2010 for the following capital improvement purposes: Payment on the master lease agreement for the renovation of the Eastman building on the Topeka west complex: *Provided*, That expenditures from this fund for fiscal year 2010 for such capital improvement purposes shall not exceed \$99,625: *Provided further*, That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitation imposed on the special employment security fund for fiscal year 2010.

(e) During the fiscal year ending June 30, 2010, and the fiscal year ending June 30, 2011, in addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from the state general fund or any special revenue fund for the department of labor for fiscal year 2010 or fiscal year 2011 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, expenditures may be made by the department of labor from the state general fund or from any special revenue fund for fiscal year 2010 and for fiscal year 2011, to establish a pilot program of alternatives to layoffs, in accordance with the provisions of Kansas Administrative Regulation No. 1-1-5, which establishes alternatives to layoffs: *Provided*, That such pilot program may be implemented and pursued only after the development and approval of a layoff plan for the department of labor pursuant to the provisions of the administrative regulations contained in Article 14 of the Kansas Administrative Regulations: *Provided further*, That on or before June 30, 2011, the secretary of labor shall submit a report to the secretary of administration detailing the impacts, outcomes, results, lessons learned and any recommendations regarding the future use of the policies developed and tested through use of the pilot project of alternatives to layoffs.

Sec. 59.

KANSAS COMMISSION ON VETERANS AFFAIRS

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

Operating expenditures — veteran services \$1,144,928

Provided, That any unencumbered balance in the operating expenditures — veterans affairs account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Operations — state veterans cemeteries \$541,729

Provided, That any unencumbered balance in the operations — state veterans cemeteries account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,200.

Operating expenditures — Kansas soldiers' home \$2,703,628

Provided, That any unencumbered balance in the operating expenditures — Kansas soldiers' home account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Operating expenditures — Kansas veterans' home \$3,217,601

Provided, That any unencumbered balance in the operating expenditures — Kansas veterans' home account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Additional operating expenditures — veterans homes and cemeteries..... \$435,056

Provided, That any unencumbered balance in the additional operating expenditures — veterans homes and cemeteries account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Operating expenditures — administration \$497,807

Provided, That any unencumbered balance in the operating expenditures — administration account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Veterans claim assistance program — service grants \$516,418

Provided, That any unencumbered balance in the veterans claim assistance program — service grants account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures from the veterans claim assistance program — service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided however*, That no expenditures shall be made by the Kansas commission on veterans affairs from the veterans claim assistance program — service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

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

Soldiers' home fee fund	\$2,262,066
Soldiers' home benefit fund	No limit
Soldiers' home work therapy fund.....	No limit
Soldiers' home medicare fund	No limit
Veterans' home fee fund	\$3,359,588
Persian Gulf War veterans health initiative fund	No limit
Veterans' home canteen fund.....	No limit
Veterans' home benefit fund.....	No limit
Soldiers' home outpatient clinic fund	No limit
State veterans cemeteries fee fund.....	No limit
State veterans cemeteries donations and contributions fund	No limit
Outpatient clinic patient federal reimbursement fund — federal	No limit
VA burial reimbursement fund — federal.....	\$35,667
Veterans home federal fund.....	\$3,077,188
Soldiers home federal fund.....	\$3,530,819
Commission on veterans affairs federal fund	\$250,259
Kansas veterans memorials fund	No limit

Sec. 60.

DEPARTMENT OF HEALTH AND ENVIRONMENT —
DIVISION OF HEALTH

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

Operating expenditures (including official hospitality)..... \$3,766,857

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account of the department of health and environment — division of health in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Operating expenditures (including official hospitality) — health \$4,361,462

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) - health account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Vaccine purchases \$839,120

Provided, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Infant and toddler program..... \$178,529

Provided, That any unencumbered balance in the infant and toddler program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Aid to local units \$5,000,000

Provided, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units — primary health projects..... \$6,932,948

Provided, That any unencumbered balance in the aid to local units — primary health projects account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Teen pregnancy prevention activities..... \$291,916

Provided, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures from the teen pregnancy prevention activities account shall be made to give highest priority to recipients of temporary assistance to families and other medicaid eligible teens.

Aid to local units — family planning..... \$97,644

Provided, That any unencumbered balance in the aid to local units — family planning account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That all expenditures from the aid to local units — family planning account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs \$532,125

Provided, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Prescription support for community based primary care clinics \$740,625

Provided, That any unencumbered balance in the prescription support for community based primary care clinics account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures shall be made from the prescription support for community based primary care clinics account for: (1) Purchase of drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs at not-for-profit or publicly-funded primary care clinics, including federally qualified community health centers and federally qualified community health center look-alikes as defined by 42 U.S.C. 330, that provide comprehensive primary health care services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay: *And provided further*, That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted.

Breast cancer screening program \$227,125

Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Ryan White matching funds..... \$49,375

Provided, That any unencumbered balance in the Ryan White matching funds account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Youth mentoring program..... \$95,017

Provided, That any unencumbered balance in the youth mentoring program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Coordinated school health program..... \$531,752

Provided, That any unencumbered balance in the coordinated school health program account in excess of \$100 as of June 30, 2009, is hereby

reappropriated for fiscal year 2010.

Cerebral palsy posture seating..... \$108,625

Provided, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Pregnancy maintenance initiative \$355,000

Provided, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

PKU treatment \$208,000

(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:

Primary care safety net clinic loan guarantee fund..... No limit

Title XIX fund No limit

Breast and cervical cancer program and detection — federal fund..... No limit

Health and environment training fee fund — health..... No limit

Provided, That expenditures may be made from the health and environment training fee fund — health for acquisition and distribution of division of health program literature and films and for participation in or conducting training seminars for training employees of the division of health of the department of health and environment, for training recipients of state aid from the division of health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund — health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of health from moneys appropriated from the health and environment training fee fund — health for fiscal year 2010, expenditures may be made by the department of health and environment from the health and environment training fee fund — health for fiscal year 2010 for agency operations for the division of health.

Health facilities review fund..... No limit

Insurance statistical plan fund No limit

Health and environment publication fee fund — health... No limit

Provided, That expenditures from the health and environment publication fee fund — health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

District coroners fund..... No limit

Sponsored project overhead fund — health..... No limit

Child care facilities licensure — federal fund No limit

Cancer registry — federal fund No limit

Child care and development block grant — federal fund No limit

Office of rural health — federal fund..... No limit

Medicare — federal fund No limit

Provided, That transfers of moneys from the medicare — federal fund to the state fire marshal may be made during fiscal year 2010 pursuant to a contract which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.

Migrant health program — federal fund No limit

Venereal disease control project — federal fund No limit

Disease prevention and health promotion grants — federal fund	No limit
<i>Provided</i> , That no moneys from any grant that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year shall be deposited to the credit of the disease prevention and health promotion grants — federal fund.	
Women, infants and children health program — federal fund	No limit
Occupational health and safety statistics program — federal fund	No limit
Other federal grants fund — health	No limit
<i>Provided</i> , That the department of health and environment is authorized to make expenditures for the division of health from the other federal grants fund — health of any moneys credited to this fund from any individual grant if the grant is: (1) Less than or equal to \$500,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2010 other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature: <i>Provided, however</i> , That, upon application to and authorization by the governor, the division of health may make expenditures for the division of health of moneys credited to this fund from any individual federal grant which is more than \$500,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year.	
Immunization grant funds — federal fund	No limit
Title I — P.L. 99-457 child development — federal fund	No limit
Preventive health and health services block grant — federal fund	No limit
Maternal and child health services block grant — federal fund	No limit
National center for health statistics — federal fund	No limit
Title X family planning — federal fund	No limit
Early childhood developmental services — federal fund ..	No limit
Commodity supplemental food program — federal fund ..	No limit
Special child clinic program — federal fund	No limit
Make a difference information network — federal fund ..	No limit
Ryan White Title II — federal fund	No limit
Bicycle helmet revolving fund	No limit
SSA fee fund	No limit
Lead poisoning prevention — federal fund	No limit
Title IV-E — federal fund	No limit
Trauma fund	No limit
<i>Provided</i> , That expenditures may be made by the department of health and environment for fiscal year 2010 from the trauma fund of the department of health and environment for the stroke prevention project: <i>Provided further</i> , That expenditures from the trauma fund for official hospitality shall not exceed \$2,000.	
Homeland security — federal fund	No limit
AIDS project — education and risk reduction — federal fund	No limit
Medical student loan repayment — federal fund	No limit
HRSA grant — federal fund	No limit
Gifts, grants and donations fund — health	No limit
Special bequest fund — health	No limit
Civil registration and health statistics fee fund	No limit
Vital statistics system project fund	No limit
Tobacco use prevention and control program — federal fund	No limit
Lead-based paint hazard fee fund	No limit
Census of traumatic occupational fatalities — federal fund	No limit
Avian flu vaccine — federal fund	No limit
Real ID — federal fund	No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2010, the following:

Healthy start	\$250,000
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Provided, That any unencumbered balance in the healthy start account

in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Infants and toddlers program \$5,700,000

Provided, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Smoking prevention..... \$1,000,000

Provided, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Newborn hearing aid loaner program \$50,000

Provided, That any unencumbered balance in the newborn hearing aid loaner program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

SIDS network grant..... \$75,000

Provided, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Newborn screening..... \$321,309

Provided, That any unencumbered balance in the newborn screening account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(d) On July 1, 2009, and on other occasions during fiscal year 2010 when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment — division of health or of the department of health and environment — division of environment, to the sponsored project overhead fund — health of the department of health and environment — division of health.

(e) On July 1, 2009, October 1, 2009, January 1, 2010, and April 1, 2010, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$559,307 from the child care and development federal fund of the department of social and rehabilitation services to the child care and development block grant — federal fund of the department of health and environment.

(f) During the fiscal year ending June 30, 2010, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment — division of health, which have available moneys, to the sponsored project overhead fund — health of the department of health and environment — division of health for expenditures, as the case may be, for administrative expenses.

(g) In addition to the other purposes for which expenditures may be made by the department of health and environment from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the department of health and environment from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 for up to four full-time equivalent positions in the unclassified service under the Kansas civil service act: *Provided*, That all such additional full-time equivalent positions in the unclassified service under the Kansas civil service act shall be in addition to other positions within the department of health and environment in the unclassified service as prescribed by law and shall be established by the secretary of health and environment within the position limitation established for the department of health and environment on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2010 made by this or other appropriation act of the 2009 regular session of the legislature: *Provided, however*, That the authority to establish such additional positions in the unclassified service shall not affect the classified service status

of any person who is an employee of the department of health and environment in the classified service under the Kansas civil service act.

(h) During the fiscal year ending June 30, 2010, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment — division of health to the sponsored project overhead fund — health of the department of health and environment — division of health pursuant to this section may include amounts equal to up to 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(i) During the fiscal year ending June 30, 2010, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2010, from the state general fund for the department of health and environment — division of health or the department of health and environment — division of environment to another item of appropriation for fiscal year 2010 from the state general fund for the department of health and environment — division of health or the department of health and environment — division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the department of health and environment — division of health from moneys appropriated from the district coroners fund for fiscal year 2010, as authorized by this or other appropriation act of the 2009 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment — division of health from such moneys appropriated from the district coroners fund for fiscal year 2010 pursuant to K.S.A. 22a-242, and amendments thereto.

(k) On July 1, 2009, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund of the health care stabilization fund board of governors to the health facilities review fund of the department of health and environment for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 et seq., and amendments thereto.

(l) In addition to the other purposes for which expenditures may be made by the department of health and environment — division of health from the moneys appropriated from the state general fund or from any special revenue fund for the department of health and environment — division of health for fiscal year 2010, as authorized by chapter 131 or chapter 184 of the 2008 Session Laws of Kansas or by this or any other appropriation act of the 2009 regular session of the legislature, expenditures shall be made by the department of health and environment — division of health from moneys appropriated from the state general fund or from any special revenue fund for the department of health and environment — division of health for fiscal year 2010 to review and inspect all hospitals as defined by K.S.A. 65-425, and amendments thereto, and adult care homes and assisted living facilities as defined by K.S.A. 39-923, and amendments thereto, and identify any buildings that need to make adjustments or improvements for tornado safety.

(m) During fiscal year 2010, the department of health and environment — division of health shall not expend any moneys appropriated from the state general fund or any special revenue fund or funds for the fiscal year ending June 30, 2010, for family planning services until the department engages in a competitive grant process for the distribution of funds appropriated from the state general fund or any special revenue fund or funds for this purpose.

Sec. 61.

DEPARTMENT OF HEALTH AND ENVIRONMENT —
DIVISION OF ENVIRONMENT

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

Operating expenditures (including official hospitality)..... \$4,844,760

Provided, That any unencumbered balance in the operating expenditures

(including official hospitality) account of the department of health and environment — division of environment in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Operating expenditures (including official hospitality) —
laboratories..... \$3,948,770

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) — laboratories account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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:

Radiation control operations fee fund..... No limit
Mined-land conservation and reclamation fee fund No limit
Solid waste management fund..... No limit

Provided, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2010, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.

Public water supply fee fund..... No limit
Voluntary cleanup fund..... No limit
Storage tank fee fund..... No limit
Air quality fee fund..... No limit
Hazardous waste collection fund..... No limit
Power generating facility fee fund..... No limit
Health and environment training fee fund —
environment No limit

Provided, That expenditures may be made from the health and environment training fee fund — environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund — environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund — environment for fiscal year 2010, expenditures may be made by the department of health and environment from the health and environment training fee fund — environment for fiscal year 2010 for agency operations for the division of environment.

Driving under the influence equipment fund No limit
Nuclear safety emergency preparedness special revenue
fund No limit

Provided, That all moneys received from the adjutant general from the nuclear safety emergency management fee fund of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment — division of environment.

Waste tire management fund No limit
Health and environment publication fee fund —
environment No limit

Provided, That expenditures from the health and environment publication fee fund — environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and

amendments thereto.

Local air quality control authority regulation services fund	No limit
Environmental response fund.....	No limit
Sponsored project overhead fund — environment.....	No limit
Resource conservation and recovery act — federal fund ..	No limit
Water supply — federal fund.....	No limit
EPA voluntary cleanup federal fund.....	No limit

Provided, That all expenditures from the EPA voluntary cleanup federal fund during fiscal year 2010 shall be supplemental to fees collected for direct or indirect costs of administering the voluntary cleanup and property redevelopment act: *Provided, however*, That such expenditures shall be in accordance with the federal agreement entered into by the secretary of health and environment for the grant moneys.

Clinical laboratory improvement amendments — federal fund	No limit
EPA — core support — federal fund.....	No limit
Other federal grants fund — environment	No limit

Provided, That the department of health and environment is authorized to make expenditures for the division of environment from the other federal grants fund — environment of any moneys credited to this fund from any individual grant if the grant: (1) Is less than or equal to \$500,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2010 other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the department of health and environment may make expenditures for the division of environment of moneys credited to this fund from any individual federal grant which is more than \$500,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year: *Provided further*, That transfers or payments from this fund to other state agencies shall be in addition to any expenditure limitation placed on this fund.

Air quality program — federal fund	No limit
Leaking underground storage tank trust — federal fund ..	No limit
National surface mining control and reclamation act — federal fund.....	No limit
Abandoned mined-land — federal fund.....	No limit
State indoor radon grant — federal fund	No limit
EPA non-point source implementation — federal fund....	No limit
Pollution prevention program — federal fund	No limit
Gifts, grants and donations fund — environment	No limit
Special bequest fund — environment.....	No limit
Aboveground petroleum storage tank release trust fund...	No limit
Underground petroleum storage tank release trust fund...	No limit
Drycleaning facility release trust fund	No limit
Public water supply loan fund	No limit
Public water supply loan operations fund.....	No limit
Kansas water pollution control revolving fund.....	No limit

Provided, That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L.92-500) shall be credited to the Kansas water pollution control revolving fund: *Provided further*, That expenditures from this fund shall be made to provide for the payment of such matching grants.

Kansas water pollution control operations fund.....	No limit
Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds	No limit
Surcharge fund for Kansas water pollution control revolving funds.....	No limit
Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds.....	No limit
Debt service reserve fund.....	No limit
EPA water related grants — federal fund	No limit

Provided, That no moneys from any grant that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year shall be deposited to the credit of the EPA

water related grants — federal fund.	
Chemical control — federal fund.....	No limit
Subsurface hydrocarbon storage fund.....	No limit
Clean air leadership — federal fund.....	No limit
Natural resources damages trust fund.....	No limit
Hazardous waste management fund.....	No limit
Brownfields revolving loan program — federal fund.....	No limit
Mined—land reclamation fund.....	No limit
104 (6) (1) outreach operator training program — federal fund.....	No limit
Underground storage tank — federal fund.....	No limit
EPA underground injection control — federal fund.....	No limit
Laboratory medicaid cost recovery fund — environment.....	No limit
Diagnostic X-ray program — federal fund.....	No limit
Environmental control use fund.....	No limit
Environmental response remedial activity specific site — lead site federal fund.....	No limit
Emergency environmental response — nonspecific sites federal fund.....	No limit
Chemical control fund.....	No limit
Medicare program — environment — federal fund.....	No limit
EPA 106 water pollution control — federal fund.....	No limit
Salt solution mining well plugging fund.....	No limit
Kansas essential fuels supply trust fund.....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2010, for the state water plan project or projects specified as follows:

Contamination remediation..... \$570,737

Provided, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

TMDL initiatives and use attainability analysis..... \$214,055

Provided, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Watershed restoration and protection plan..... \$481,042

Provided, That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Local environmental protection program..... \$1,066,942

Provided, That any unencumbered balance in the local environmental protection program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Nonpoint source program..... \$299,029

Provided, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2010, for the project specified as follows:

Newborn screening..... \$1,898,457

(e) During the fiscal year ending June 30, 2010, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2010 from the state water plan fund for the department of health and environment — division of environment to another item of appropriation for fiscal year 2010 from the state water plan fund for the department of health and environment — division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(f) During the fiscal year ending June 30, 2010, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of

accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund of the department of health and environment which are directed to be made on or before the 10th day of each month by K.S.A. 65-3024, and amendments thereto.

(g) On July 1, 2009, and on other occasions during fiscal year 2010 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment — division of health or of the department of health and environment — division of environment, to the sponsored project overhead fund — environment of the department of health and environment — division of environment.

(h) During the fiscal year ending June 30, 2010, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment — division of environment, which have available moneys, to the sponsored project overhead fund — environment of the department of health and environment — division of environment or to the sponsored project overhead fund — health of the department of health and environment — division of health, as the case may be, for expenditures for administrative expenses.

(i) During the fiscal year ending June 30, 2010, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2010, from the state general fund for the department of health and environment — division of health or the department of health and environment — division of environment to another item of appropriation for fiscal year 2010 from the state general fund for the department of health and environment — division of health or the department of health and environment — division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) During the fiscal year ending June 30, 2010, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment — division of environment to the sponsored project overhead fund — environment of the department of health and environment — division of environment pursuant to this section may include amounts equal to up to 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

Sec. 62.

DEPARTMENT ON AGING

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

Administration \$794,192

Provided, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from this account for official hospitality by the secretary of aging shall not exceed \$550: *Provided further*, That expenditures from this account may be made for printing the agency's newsletter: *And provided further*, That printing the agency's newsletter shall not be subject to K.S.A. 75-1005, and amendments thereto.

Administration — assessments \$88,523

Provided, That any unencumbered balance in the administration — assessments account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Administration — assessments — Level II care \$46,606

Provided, That any unencumbered balance in the administration — assessments — Level II care account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Administration — assessments — Level I care \$330,457

Provided, That any unencumbered balance in the administration — assessments — Level I care account in excess of \$100 as of June 30, 2009,

is hereby reappropriated for fiscal year 2010.

Administration — medicaid \$1,703,264

Provided, That any unencumbered balance in the administration — medicaid account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Administration — medicaid MFP - admin match \$35,065

Provided, That any unencumbered balance in the administration — medicaid MFP - admin match account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Administration — older Americans act match..... \$178,825

Provided, That any unencumbered balance in the administration — older Americans act match account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Senior care act \$1,973,021

Provided, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary of aging a report for fiscal year 2009 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2009: *And provided further*, That the secretary of aging shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2010 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2009: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Program grants — nutrition — state match..... \$3,498,366

Provided, That any unencumbered balance in the program grants — nutrition — state match account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That each grant agreement with an area agency on aging for a grant from the program grants — nutrition — state match account shall require the area agency on aging to submit to the secretary of aging a report for federal fiscal year 2009 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2009: *And provided further*, That the secretary of aging shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2010 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2009: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC — medicaid assistance — TCM/FE..... \$1,844,067

Provided, That any unencumbered balance in the LTC — medicaid assistance — TCM/FE account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from the LTC — medicaid assistance — TCM/FE account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC — medicaid assistance — HCBS/FE \$22,283,858

Provided, That any unencumbered balance in the LTC — medicaid assistance — HCBS/FE account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from the LTC — medicaid assistance — HCBS/FE account shall be placed in appropriate services which are

determined to be the most economical services available with regard to state general fund expenditures.

LTC — medicaid assistance — NF..... \$114,937,676

Provided, That any unencumbered balance in the LTC — medicaid assistance — NF account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures: *And provided further*, That notwithstanding the provisions of K.S.A. 2008 Supp. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary of aging shall institute trending methods to provide rate increases for nursing facilities for fiscal year 2010.

LTC — medicaid assistance — PACE..... \$1,769,485

Provided, That any unencumbered balance in the LTC — medicaid assistance — PACE account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That all expenditures made from the LTC — medicaid assistance — PACE account shall be for the PACE program: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Nursing facilities regulation \$1,814,286

Provided, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Nursing facilities regulation — title XIX \$1,008,474

Provided, That any unencumbered balance in the nursing facilities regulation — title XIX account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Any unencumbered balance in excess of \$100 as of June 30, 2009, in each of the following accounts is hereby reappropriated for fiscal year 2010: Program grants — rural nutrition — pilot program.

(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 shall not exceed the following:

Older Americans act — federal fund..... No limit
Title XIX fund — federal No limit

Provided, That transfers of moneys from the title XIX fund — federal to the state fire marshal may be made during fiscal year 2010 pursuant to a contract which is hereby authorized to be entered into by the secretary of aging with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Senior care act — social service block grant fund..... \$4,500,000

Provided, That each grant agreement with an area agency on aging for a grant from the senior care act — social service block grant fund shall require the area agency on aging to submit to the secretary of aging a report for fiscal year 2009 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2009: *Provided further*, That the secretary of aging shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2010 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2009: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services which are determined to be the most economical services available.

Nutrition fund — federal No limit
Senior citizen nutrition check-off fund No limit
Conferences and workshops attendance and publications fees fund..... No limit

Provided, That the secretary of aging is hereby authorized to fix, charge

and collect conference and workshop attendance fees for conferences and workshops sponsored by the department on aging and fees for copies of publications: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conferences and workshops attendance and publications fees fund: *And provided further*, That expenditures may be made from this fund to defray all or part of the costs of such conferences and workshops including official hospitality and of such publications.

State licensure fee fund..... \$864,259
 General fees fund..... No limit

Provided, That the secretary of aging is hereby authorized to collect (1) fees from the sale of surplus property, (2) fees charged for searching, copying and transmitting copies of public records, (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property, and (4) other miscellaneous fees: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That expenditures shall be made from this fund to meet the obligations of the department on aging, or to benefit and meet the mission of the department on aging.

Gifts and donations fund No limit

Provided, That the secretary of aging is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury and credited to the gifts and donations fund.

Medical resources and collection fund..... No limit

Provided, That all moneys received or collected by the secretary of aging due to medicaid overpayments shall be deposited in the state treasury and credited to the medical resources and collection fund and expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *Provided further*, That all moneys received or collected by the secretary of aging due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury and credited to this fund and expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

SHICK fund — grants — federal No limit
 SHICK fund — state operations — federal..... No limit
 Senior services fund..... No limit
 Long-term care loan and grant fund..... No limit
 Intergovernmental transfer administration fund \$0
 Non-government grant fund..... No limit
 Other federal grants and assistance fund..... No limit

Provided, That the above agency is authorized to make expenditures from the other federal grants and assistance fund of any moneys credited to this fund from any individual grant if the grant: (1) Is less than or equal to \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2010 other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$250,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year.

Health facilities review fund..... No limit
 Medicare fund — federal No limit

(c) During the fiscal year ending June 30, 2010, the secretary of aging, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2010, from the state general fund for the department on aging to another item of appropriation for fiscal year 2010 from the state general fund for the department on aging. The secretary of aging shall certify each such transfer to the director of accounts and reports and shall transmit a copy of

each such certification to the director of legislative research.

(d) In addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2010 for the department of social and rehabilitation services and in addition to the other purposes for which expenditures may be made by the department of health and environment — division of health from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2010 for the department of health and environment — division of health, as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the secretary of social and rehabilitation services and the secretary of health and environment for fiscal year 2010 to enter into a contract with the secretary of aging, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary of aging to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary of social and rehabilitation services and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary of social and rehabilitation services or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2010: *Provided*, That, in addition to the other purposes for which expenditures may be made by the department on aging from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2010 for the department on aging, as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures shall be made by the secretary of aging for fiscal year 2010 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(e) On the effective date of this act, of the \$146,292,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the LTC — medicaid assistance — NF account, the sum of \$17,270,859 is hereby lapsed.

(f) On the effective date of this act, of the \$2,818,146 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the LTC — medicaid assistance — PACE account, the sum of \$200,344 is hereby lapsed.

(g) On the effective date of this act, of the \$28,450,640 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the LTC — medicaid assistance — HCBS/FE account, the sum of \$3,357,268 is hereby lapsed.

(h) On the effective date of this act, of the \$2,612,627 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the LTC — medicaid assistance — TCM/FE account, the sum of \$279,781 is hereby lapsed.

Sec. 63.

KANSAS HEALTH POLICY AUTHORITY

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

Operating expenditures \$20,392,623

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Office of the inspector general \$104,955

Provided, That any unencumbered balance in the office of the inspector general account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Other medical assistance \$369,220,105

Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Children’s health insurance program \$19,514,609

Provided, That any unencumbered balance in the children’s health insurance program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Independence in employment \$538,000

(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:

Preventive health care program fund..... \$333,815

Cafeteria benefits fund..... No limit

Provided, That expenditures from the cafeteria benefits fund for the fiscal year ending June 30, 2010, for salaries and wages and other operating expenditures shall not exceed \$2,325,014.

State workers compensation self-insurance fund No limit

Provided, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2010, for salaries and wages and other operating expenditures shall not exceed \$3,345,959.

Dependent care assistance program fund..... No limit

Provided, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2010, for salaries and wages and other operating expenditures shall not exceed \$133,902.

Non-state employer group benefit fund..... \$164,662

Kansas health policy authority special revenue fund No limit

Provided, That expenditures from the Kansas health policy authority special revenue fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$1,000.

Health committee insurance fund..... \$339,223

Health care database fee fund..... No limit

Medical programs fee fund..... \$49,200,000

Health and hospitalization insurance clearing fund..... No limit

Provided, That expenditures from the health and hospitalization insurance clearing fund for the fiscal year ending June 30, 2010, for salaries and wages and other operating expenditures shall not exceed \$7,854,305.

Health insurance premium reserve fund..... No limit

Other state fees fund \$252,644

Health care access improvement fund \$37,390,236

Other federal grants and assistance fund..... No limit

Medical assistance federal fund No limit

Children’s health insurance federal fund..... No limit

Ticket to work infrastructure grant federal fund..... No limit

Health policy and finance — PERM grant federal fund... No limit

Ryan White title II federal fund No limit

(c) During the fiscal year ending June 30, 2010, the executive director of the Kansas health policy authority, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2010, from the state general fund for the Kansas health policy authority to another item of appropriation for fiscal year 2010 from the state general fund for the Kansas health policy authority. The executive director of the Kansas health policy authority shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) On the effective date of this act, of the \$457,479,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 98(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the other medical assistance account, the sum of \$45,538,947 is hereby lapsed.

(e) During fiscal year 2009 or fiscal year 2010, as soon as funds are available from the federal American recovery and reinvestment act of 2009 which are allowed to be expended for the purpose of increasing

funding for graduate medical education, the Kansas health policy authority shall transfer an amount of not to exceed \$6,500,000 from the appropriate fund or funds of the Kansas health policy authority to the Wichita center for graduate medical education federal fiscal stabilization fund of the university of Kansas medical center for the fiscal year ending June 30, 2010, for the purpose of providing funding of \$6,500,000 to the Wichita center for graduate medical education for the fiscal year ending June 30, 2010.

Sec. 64.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

State operations \$115,470,727

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of social and rehabilitation services shall not exceed \$500.

Alcohol and drug abuse services grants \$3,429,615

Provided, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Mental health and retardation services aid and assistance \$137,685,037

Provided, That any unencumbered balance in the mental health and retardation services aid and assistance account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Kansas neurological institute — operating expenditures ... \$11,665,821

Provided, That any unencumbered balance in the Kansas neurological institute — operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the Kansas neurological institute — operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*, That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital — operating expenditures..... \$30,265,271

Provided, That any unencumbered balance in the Larned state hospital — operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the Larned state hospital — operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital — sexual predator treatment program \$12,293,994

Provided, That any unencumbered balance in the Larned state hospital — sexual predator treatment program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Osawatomie state hospital — operating expenditures..... \$17,343,956

Provided, That any unencumbered balance in the Osawatomie state hospital — operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures from the Osawatomie state hospital — operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Parsons state hospital and training center — operating expenditures \$10,747,244

Provided, That any unencumbered balance in the Parsons state hospital and training center — operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures from the Parsons state hospital and training center — operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further*, That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Rainbow mental health facility — operating expenditures \$5,625,539

Provided, That any unencumbered balance in the Rainbow mental health facility — operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures from the Rainbow mental health facility — operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Children’s mental health initiative..... \$1,481,250

Provided, That any unencumbered balance in the children’s mental health initiative account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That no expenditures shall be made from the children’s mental health initiative account for inpatient hospital beds for children.

Youth services aid and assistance \$115,673,005

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Vocational rehabilitation aid and assistance \$6,445,715

Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *Provided, however*, That all such expenditures for durable equipment or assistive technology devices shall require a \$1 for \$1 match from non-state sources: *And provided further*, That expenditures may be made from this account by the secretary of social and rehabilitation services for the purchase of worker’s compensation insurance for consumers of vocational rehabilitation services and assessments at work site and job tryout sites throughout the state.

Cash assistance \$58,015,398

Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Community based services..... \$61,215,055

Provided, That any unencumbered balance in the community based services account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Other medical assistance \$77,822,191

Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Community mental health centers supplemental funding..... \$4,912,500

Provided, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June

30, 2009, is hereby reappropriated for fiscal year 2010.

(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 shall not exceed the following:

Title XIX fund \$45,210,781

Provided, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and retardation services may be credited to the title XIX fund: *Provided further*, That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act, for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance, and for transfers to the other federal grants and assistance fund.

Nonfederal reimbursements fund No limit

Provided, That all nonfederal reimbursements received by the department of social and rehabilitation services shall be deposited in the state treasury and credited to the nonfederal reimbursements fund: *Provided further*, That moneys in the nonfederal reimbursements fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act, for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance, and for transfers to the social welfare fund.

Kansas neurological institute fee fund \$1,178,211

Kansas neurological institute — foster grandparents program — federal fund No limit

Kansas neurological institute — FGP gifts, grants, donations special..... No limit

Kansas neurological institute — FGP gifts, grants, donations fund..... No limit

Kansas neurological institute — patient benefit fund..... No limit

Kansas neurological institute — work therapy patient benefit fund..... No limit

Kansas neurological institute — conferences fees fund No limit

Provided, That all moneys received as fees for conference activities by Kansas neurological institute shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas neurological institute — conferences fees fund: *Provided further*, That the superintendent of Kansas neurological institute is hereby authorized to fix, charge and collect fees for conference activities sponsored by Kansas neurological institute: *And provided further*, That expenditures may be made from this fund to defray the costs of such conference activities.

Larned state hospital fee fund..... \$3,897,760

Larned state hospital — elementary and secondary education fund — federal..... No limit

Larned state hospital — vocational education fund — federal..... No limit

Larned state hospital — ECIA fund — federal..... No limit

Larned state hospital — motor pool revolving fund..... No limit

Larned state hospital work therapy patient benefit fund... No limit

Larned state hospital — canteen fund..... No limit

Larned state hospital — patient benefit fund..... No limit

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Osawatomie state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomie state hospital: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomie state hospital fee fund.

Osawatomie state hospital — ECIA fund — federal..... No limit

Osawatomi state hospital — canteen fund	No limit
Osawatomi state hospital — patient benefit fund.....	No limit
Osawatomi state hospital — work therapy patient benefit fund	No limit
Osawatomi state hospital — motor pool revolving fund ..	No limit
Osawatomi state hospital — training fee revolving fund	No limit

Provided, That all moneys received as fees for training activities for Osawatomi state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Osawatomi state hospital — training fee revolving fund: *Provided further*, That the superintendent of Osawatomi state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomi state hospital: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomi state hospital.

Osawatomi state hospital fee fund	\$5,225,669
Parsons state hospital and training center — canteen fund	No limit
Parsons state hospital and training center — patient benefit fund.....	No limit
Parsons state hospital and training center — work therapy patient benefit fund	No limit
Parsons state hospital and training center fee fund.....	\$1,229,990

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

Rainbow mental health facility fee fund	\$1,063,053
Rainbow mental health facility — patient benefit fund	No limit
Rainbow mental health facility — work therapy patient benefit fund.....	No limit
Social services clearing fund.....	No limit
Social welfare fund	\$29,496,729
Other state fees fund	No limit
Alcohol and drug abuse block grant federal fund	No limit
Child welfare services block grant federal fund.....	No limit
Mental health block grant federal fund.....	No limit
Social services block grant — federal fund	No limit
Child care and development federal fund	No limit
Children’s cabinet grants federal fund	No limit
Temporary assistance to needy families federal fund	No limit
Disability determination services federal fund	No limit
Food stamp assistance federal fund.....	No limit
Foster care assistance federal fund.....	No limit
Medical assistance federal fund	No limit
Rehabilitation services federal fund.....	No limit
Other federal grants and assistance fund.....	No limit
SRS enterprise fund	No limit
SRS trust fund	No limit
Problem gambling and addictions grant fund.....	No limit
Child support enforcement administration fund.....	No limit
Energy assistance block grant federal fund.....	No limit
Family and children trust account — family and children investment fund	No limit

Provided, That expenditures from the family and children trust account — family and children investment fund for official hospitality shall not exceed \$1,500.

(c) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2010, the following:

Children's cabinet accountability fund \$541,802

Provided, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Children's mental health waiver..... \$3,800,000

Provided, That any unencumbered balance in the children's mental health waiver account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Family centered system of care \$5,000,000

Provided, That any unencumbered balance in the family centered system of care account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Child care \$1,400,000

Provided, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Children's cabinet early childhood discretionary grant program..... \$8,443,161

Provided, That any unencumbered balance in the children's cabinet early childhood discretionary grant program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Family preservation \$3,241,062

Provided, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Early headstart..... \$3,452,779

Provided, That any unencumbered balance in the early headstart account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Quality initiative infants & toddlers..... \$500,000

Provided, That any unencumbered balance in the quality initiative infants and toddlers account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Early childhood block grant \$11,099,830

Provided, That any unencumbered balance in the early childhood block grant account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(d) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2010, the following:

Children's cabinet administration..... \$259,093

(e) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2010, the following:

Larned state hospital — city of Larned wastewater treatment \$124,827

Provided, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital — city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital's portion of the city of Larned's wastewater treatment system.

(f) During the fiscal year ending June 30, 2010, the secretary of social and rehabilitation services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2010, from the state general fund for the department of social and rehabilitation services or any institution or facility under the general supervision and management of the secretary of social and rehabilitation services to another item of appropriation for fiscal year 2010 from the state general fund for the department of social and rehabilitation services or any institution or facility under the general supervision and management of the secretary of social and rehabilitation services. The secretary of social and rehabilitation services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) During the fiscal year ending June 30, 2010, the secretary of social and rehabilitation services, with the approval of the director of the budget

and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the department of social and rehabilitation services, or of any institution or facility under the general supervision and management of the secretary of social and rehabilitation services, to another federal fund of the department of social and rehabilitation services, or of another institution or facility under the general supervision and management of the secretary of social and rehabilitation services. The secretary of social and rehabilitation services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(h) On July 1, 2009, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital — canteen fund to the Osawatomie state hospital — patient benefit fund.

(i) On July 1, 2009, the superintendent of Parsons state hospital and training center, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center — canteen fund to the Parsons state hospital and training center — patient benefit fund.

(j) On July 1, 2009, the superintendent of Larned state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital — canteen fund to the Larned state hospital — patient benefit fund.

(k) (1) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the title XIX fund to the other federal grants and assistance fund the amount specified by the secretary of social and rehabilitation services.

(2) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the nonfederal reimbursements fund to the social welfare fund the amount specified by the secretary of social and rehabilitation services.

(l) During the fiscal year ending June 30, 2010, all moneys received by the secretary of social and rehabilitation services, to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund, shall be deposited in the state treasury to the credit of the family and children endowment account of the family and children investment fund.

(m) During the fiscal year ending June 30, 2010, to the extent it is determined by the secretary of social and rehabilitation services to be cost effective, the secretary of social and rehabilitation services shall apply for and accept donations from private sources to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund. During the fiscal year ending June 30, 2010, upon receipt of one or more donations of moneys from private sources for deposit to the credit of the family and children endowment account of the family and children investment fund, in addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from any moneys appropriated from the state general fund or any special revenue fund or funds for the fiscal year 2010, as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures shall be made by the department of social and rehabilitation services from any such moneys appropriated for fiscal year 2010 for payments into the family and children endowment account of the family and children investment fund that match the aggregate amount of all such donations and that are equal to the aggregate amount of moneys donated to and credited to the family and children endowment account of the family and children investment fund during fiscal year 2010.

(n) During the fiscal year ending June 30, 2010, no moneys paid by the department of social and rehabilitation services from the mental health and retardation services aid and assistance account of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the department of social and rehabilitation services, the legislative division of post audit,

or another state agency with access to its financial records upon request for such access.

(o) During the fiscal year ending June 30, 2010, in addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2010 for the department of social and rehabilitation services as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures shall be made by the secretary of social and rehabilitation services for fiscal year 2010 to fix, charge and collect fees from parents for services provided to their children by an institution or program of the department of social and rehabilitation services: *Provided*, That in accordance with the provisions of federal law, the secretary of social and rehabilitation services shall not deny services to children under the home and community based services programs based on the failure of any parent to pay such fees: *Provided further*, That such fees shall be fixed by adoption of a sliding fee scale established by the secretary of social and rehabilitation services and such fees shall recover all or part of the expenses incurred in providing such services: *And provided further*, That such fees shall be reduced or waived in cases of demonstrable hardship and for families who are at or below 200% of the federal poverty level and who are receiving home and community based services: *And provided further*, That all moneys received by the department of social and rehabilitation services for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A.75-4215, and amendments thereto, and shall be credited to the social welfare fund.

(p) During the fiscal year ending June 30, 2010, the director of accounts and reports shall transfer the amounts specified by the director of the budget from the LTC — medicaid assistance — NF account of the state general fund of the department on aging to the LTC — medicaid assistance — HCBS/FE account of the state general fund of the department on aging or to the community based services account of the department of social and rehabilitation services: *Provided*, That such amounts to be transferred shall be certified by the director of the budget on December 1, 2009, and on June 1, 2010, to reflect the nursing facility rate paid for persons moving from a nursing facility to the home and community-based services waiver for the physically disabled or the frail elderly for the six months preceding the date of certification: *Provided further*, That each of the individuals transferred must meet the requirements described in a policy jointly developed by the secretary of aging and the secretary of social and rehabilitation services governing the operations of this transfer: *And provided further*, That the director of the budget shall transmit a copy of each such certification to the director of legislative research: *And provided further*, That the department of social and rehabilitation services shall report to the legislature at the beginning of the regular session in 2010 with expenditure data regarding this program.

(q) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$323,928 from the Osawatomie state hospital fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the Osawatomie state hospital fees fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the Osawatomie state hospital fees 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 Osawatomie state hospital by other state agencies which receive appropriations from the state general fund to provide such services.

(r) On the effective date of this act, of the \$56,173,190 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 99(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the community based services account, the sum of \$8,223,259 is hereby lapsed.

(s) On the effective date of this act, of the \$169,771,500 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 99(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the mental health and retardation services aid and assistance account, the sum of \$12,495,203 is hereby lapsed.

(t) On the effective date of this act, of the \$98,839,321 appropriated

for the above agency for the fiscal year ending June 30, 2009, by section 99(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the other medical assistance account, the sum of \$12,982,488 is hereby lapsed.

(u) On the effective date of this act, of the \$133,501,215 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 99(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the youth services aid and assistance account, the sum of \$1,915,014 is hereby lapsed.

Sec. 65.

KANSAS GUARDIANSHIP PROGRAM

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

Kansas guardianship program..... \$1,208,682

Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Sec. 66.

DEPARTMENT OF EDUCATION

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

Operating expenditures (including official hospitality)..... \$11,077,070

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Governor's teaching excellence scholarships and awards... \$50,800

Provided, That any unencumbered balance in the governor's teaching excellence scholarships and awards account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That all expenditures from the governor's teaching excellence scholarships and awards account for teaching excellence scholarships shall be made in accordance with K.S.A. 72-1398, and amendments thereto: *And provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants for governor's teaching excellence scholarships shall be deposited in the state treasury and credited to the governor's teaching excellence scholarships program repayment fund.

Mentor teacher program grants..... \$1,450,000

Special education services aid..... \$369,788,630

Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures shall not be made from the special education services aid account for the provision of instruction for any homebound or hospitalized child unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: *Provided further*, That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-983, and amendments thereto: *And provided further*, That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing proviso, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-978, and amendments thereto.

General state aid..... \$2,001,654,934

Provided, That an unencumbered balance in the general state aid account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Supplemental general state aid..... \$339,212,000

Provided, That any unencumbered balance in the supplemental general state aid account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Kansas foundation for agriculture project grant \$35,000

Provided, That expenditures from the Kansas foundation for agriculture project grant account shall be used for agriculture in the classroom programs to supplement existing elementary and secondary curricula with agricultural information: *Provided further*, That expenditures from this account shall be made only if private funding sources are available to match such state grants on a 60% state and 40% private basis.

Discretionary grants..... \$820,000

Provided, That the above agency shall make expenditures from the discretionary grants account during the fiscal year 2010, in an amount not less than \$400,000 for after school programs for middle school students in the sixth, seventh and eighth grades: *Provided further*, That the after school programs may also include fifth and ninth grade students, if they attend a junior high school: *And provided further*, That such discretionary grants shall be awarded to after school programs that operate for a minimum of two hours a day, every day that school is in session, and a minimum of six hours a day for a minimum of five weeks during the summer: *And provided further*, That the discretionary grants awarded to after school programs shall require a dollar-for-dollar local match: *And provided further*, That the aggregate amount of discretionary grants awarded to any one after school program for fiscal year 2010 shall not exceed \$25,000.

School food assistance..... \$2,510,486

School safety hotline \$10,000

KPERS — employer contributions..... \$260,751,192

Provided, That any unencumbered balance in the KPERS — employer contributions account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That all expenditures from the KPERS — employer contributions account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939, and amendments thereto: *And provided further*, That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

Educable deaf-blind and severely handicapped children's programs aid..... \$110,000

School district juvenile detention facilities and Flint Hills job corps center grants..... \$7,706,161

Provided, That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-8187, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 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 and transfers to other state agencies shall not exceed the following:

State school district finance fund No limit

School district capital improvements fund..... No limit

Provided, That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-6761, and amendments thereto.

School district capital outlay state aid fund..... No limit

Conversion of materials and equipment fund No limit

State safety fund No limit

School bus safety fund No limit

Motorcycle safety fund..... No limit

Federal indirect cost reimbursement fund No limit

Certificate fee fund No limit

Food assistance — federal fund..... No limit

Food assistance — school breakfast program — federal fund	No limit
Food assistance — national school lunch program — federal fund	No limit
Food assistance — child and adult care food program — federal fund.....	No limit
Elementary and secondary school aid — federal fund.....	No limit
Elementary and secondary school aid — educationally deprived children — federal fund	No limit
Educationally deprived children — state operations — federal fund	No limit
Elementary and secondary school — educationally deprived children — LEA's fund	No limit
ESEA chapter II — state operations — federal fund.....	No limit
Education of handicapped children fund — federal.....	No limit
Education of handicapped children fund — state operations — federal	No limit
Education of handicapped children fund — preschool — federal fund.....	No limit
Education of handicapped children fund — preschool state operations — federal.....	No limit
Elementary and secondary school aid — federal fund — migrant education fund	No limit
Elementary and secondary school aid — federal fund — migrant education — state operations	No limit
Vocational education amendments of 1968 — federal fund	No limit
Vocational education title II — federal fund.....	No limit
Vocational education title II — federal fund — state operations	No limit
Educational research grants and projects fund.....	No limit
Drug abuse fund — department of education — federal	No limit
Drug abuse funds — federal — state operations fund	No limit
Federal K-12 repair and modernization fund.....	No limit
Federal statewide data system fund.....	No limit
Federal K-12 fiscal stabilization fund.....	No limit
Inservice education workshop fee fund.....	No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Private donations, gifts, grants and bequests fund	No limit
Interactive video fee fund.....	No limit

Provided, That expenditures may be made from the interactive video fee fund for operating expenditures incurred in conjunction with the operation and use of the interactive video conference facility of the department of education: *Provided further*, That the state board of education is hereby authorized to fix, charge and collect fees for the operation and use of such interactive video conference facility: *And provided further*, That all fees received for the operation and use of such interactive video conference facility shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the interactive video fee fund.

Reimbursement for services fund	No limit
Communities in schools program fund	No limit
Governor's teaching excellence scholarships program repayment fund	No limit

Provided, That all expenditures from the governor's teaching excellence

scholarships program repayment fund shall be made in accordance with K.S.A. 72-1398, and amendments thereto: *Provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor's teaching excellence scholarships program repayment fund.

Elementary and secondary school aid — federal fund — reading first.....	No limit
Elementary and secondary school aid — federal fund — reading first — state operations.....	No limit
State grants for improving teacher quality — federal fund.....	No limit
State grants for improving teacher quality — federal fund — state operations.....	No limit
21st century community learning centers — federal fund.....	No limit
State assessments — federal fund.....	No limit
Rural and low-income schools program — federal fund...	No limit
Language assistance state grants — federal fund.....	No limit
Service clearing fund.....	No limit
Helping schools license plate program fund.....	No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2010, the following:

Pre-K Pilot.....	\$5,000,000
Parent education program.....	\$7,539,500

Provided, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount which is equal to not less than 65% of the grant.

(d) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund of the department of social and rehabilitation services to the communities in schools program fund of the department of education.

(e) On July 1, 2009, and quarterly thereafter, the director of accounts and reports shall transfer \$67,816 from the state highway fund of the department of transportation to the school bus safety fund of the department of education.

(f) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 6(a) of chapter 184 of the 2008 Session Laws of Kansas from the state general fund in the Kansas career pipeline grant account, the sum of \$8,305 is hereby lapsed.

Sec. 67.

STATE LIBRARY

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

Operating expenditures.....	\$1,726,546
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Grants to libraries and library systems.....	\$3,192,912
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Provided, That any unencumbered balance in the grants to libraries and library systems account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That, of the moneys appropriated in the grants to libraries and library systems account, \$2,121,197 shall be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555, and amendments thereto, \$595,936 shall be distributed for interlibrary loan development grants and \$475,779 shall be paid

according to contracts with the subregional libraries of the Kansas talking book services.

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

State library fund	No limit
Federal library services and technology act — fund.....	No limit
Grants and gifts fund	No limit

Sec. 68.

KANSAS ARTS COMMISSION

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

Operating expenditures	\$258,863
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$4,000: *Provided further*, That expenditures may be made by the above agency from any amount of savings in the operating expenditures account shall be utilized for the purpose of matching federal grant moneys, local grant moneys, or local in-kind contributions, or any combination thereof, for arts programming projects.

Arts programming grants and challenge grants.....	\$1,090,562
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Provided, That expenditures from the arts programming grants and challenge grants account shall be made in a manner to benefit the maximum number of Kansas communities in the development of Kansas talent and art: *Provided further*, That expenditures from this account shall be utilized for the purpose of matching federal grant moneys, local grant moneys, or local in-kind contributions, or any combination thereof, for arts programming projects.

(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 arts commission gifts, grants and bequests — federal fund	No limit
Kansas arts commission fee fund	No limit
Kansas arts commission special gifts fund.....	No limit
Arts programming grants fund.....	No limit

Provided, That moneys received by the Kansas arts commission from the remittance of the unexpended balance of arts programming grants to the commission shall be deposited in the state treasury and credited to the arts programming grants fund: *Provided further*, That expenditures from this fund shall be utilized for the purpose of matching federal grant moneys, local grant moneys, or local in-kind contributions, or any combination thereof, for arts programming projects.

Sec. 69.

KANSAS STATE SCHOOL FOR THE BLIND

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

Operating expenditures	\$5,759,064
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped	\$140,625
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 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:

General fees fund.....	No limit
Local services reimbursement fund.....	No limit

Provided, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund	No limit
Special bequest fund.....	No limit
Gift fund.....	No limit
Technology lending library — federal fund	No limit
Nine month payroll clearing fund	No limit
Food assistance — cash for commodities — federal fund	No limit
Food assistance — breakfast — federal fund.....	No limit
Food assistance — lunch — federal fund.....	No limit
Chapter I handicapped — federal fund	No limit
Education improvement — federal fund.....	No limit
Math and science improvement — federal fund	No limit
Elementary and secondary education act — federal fund	No limit
Supported employment initiative — federal fund.....	No limit
E-rate grant — federal fund	No limit

Sec. 70.

KANSAS STATE SCHOOL FOR THE DEAF

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

Operating expenditures	\$9,467,923
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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:

General fees fund.....	No limit
Local services reimbursement fund.....	No limit

Provided, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund	No limit
Elementary and secondary education act — federal fund	No limit
Vocational education fund — federal.....	No limit
School lunch program — federal fund.....	No limit
Special bequest fund.....	No limit
Special workshop fund	No limit
Gift fund.....	No limit
Nine month payroll clearing fund	No limit

Sec. 71.

STATE HISTORICAL SOCIETY

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

Operating expenditures	\$5,573,466
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,500.

Kansas humanities council	\$72,374
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 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:

Credit card clearing fund.....	No limit
Vehicle repair and replacement fund.....	No limit
General fees fund.....	No limit
Archeology fee fund.....	No limit

Provided, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

Archeology federal fund.....	No limit
Microfilm fees fund.....	No limit

Provided, That expenditures may be made from the microfilm fees fund for operating expenses for providing microfilming services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing microfilming services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

Records center fee fund.....	No limit
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Provided, That expenditures may be made from the records center fee fund for operating expenses for providing copying and related services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the records center fee fund.

Historic properties fee fund.....	No limit
National historic preservation act fund — state.....	No limit
Historic preservation overhead fees fund.....	No limit
National historic preservation act fund — local.....	No limit
Private gifts, grants and bequests fund.....	No limit
Museum and historic sites visitor donation fund.....	No limit
Insurance collection replacement/reimbursement fund....	No limit
Heritage trust fund.....	No limit

Provided, That expenditures from the heritage trust fund for state operations shall not exceed \$82,736.

Land survey fee fund.....	No limit
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Provided, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year ending June 30, 2010, for operating expenditures that are not related to administering the land survey program.

State historical society facilities fund.....	No limit
Historic properties fund.....	No limit
Law enforcement memorial fund.....	No limit
Other federal grants fund.....	No limit

Provided, That the above agency is authorized to make expenditures from the other federal grants fund of any moneys credited to this fund from any individual grant if the grant: (1) Is less than or equal to \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2010 other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$250,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current

or any ensuing fiscal year.

Property sale proceeds fund..... No limit

Provided, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

Amelia Earhart bridge mitigation project fund..... No limit

Sec. 72.

FORT HAYS STATE UNIVERSITY

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

Operating expenditures (including official hospitality)..... \$34,386,996

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Master's-level nursing capacity \$139,257

Kansas wetlands education center at Cheyenne bottoms .. \$287,576

Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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 shall not exceed the following:

Parking fees fund No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund..... No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures maybe made from the general fees fund for official hospitality.

Restricted fees fund..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; performing arts center services; farm income; choral music clinic; year-book; off-campus tours; memorial union activities; student activity (un-allocated); Leader (newspaper); conferences, clinics and workshops — noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act — federal fund No limit

Service clearing fund No limit

Provided, That the service clearing fund shall be used for the following

service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund..... No limit
 Health fees fund No limit

Provided, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees fund No limit
 Kansas career work study program fund No limit
 Economic opportunity act — federal fund No limit
 Kansas comprehensive grant fund..... No limit
 Faculty of distinction matching fund No limit
 Nine month payroll clearing account fund..... No limit
 Federal Perkins student loan fund No limit
 Housing system revenue fund No limit
 Institutional overhead fund..... No limit
 Oil and gas royalties fund No limit
 Housing system suspense fund No limit
 Housing system operations fund No limit
 Housing system repairs, equipment and improvement fund No limit
 Sponsored research overhead fund No limit
 Kansas distinguished scholarship fund No limit
 University federal fund..... No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *Provided further*, That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.

Federal higher education fiscal stabilization fund — Fort Hays state university No limit

[†]

(c) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund to the federal Perkins student loan fund.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal higher education fiscal stabilization fund — Fort Hays state university No limit

Provided, That expenditures made from the federal higher education fiscal stabilization fund — Fort Hays state university shall be expended only for deferred maintenance.

Sec. 73.

KANSAS STATE UNIVERSITY

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

Operating expenditures (including official hospitality)..... \$109,301,449

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Midwest institute for comparative stem cell biology..... \$139,500

Provided, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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 shall not exceed the following:

Parking fees fund	No limit
Faculty of distinction matching fund	No limit
General fees fund.....	No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund.....	No limit
Restricted fees fund.....	No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; flight services; human resources management system; computer services; copy centers; standardized test fees; placement center; recreational services; college of technology and aviation; motor pool; music; professorships; student activities fees; army and aerospace uniforms; aerospace uniform augmentation; biology sales and services; chemistry; field camps; state department of education; physics storeroom; sponsored research, instruction, public service, equipment and facility grants; chemical engineering; nuclear engineering; contract-post office; library collections; civil engineering; continuing education; sponsored construction or improvement projects; attorney, educational and personal development, human resources; student financial assistance; application for undergraduate programs; speech and hearing fees; gifts; human development and family research and training; college of education — publications and services; guaranteed student loan application processing; student identification card; auditorium receipts; catalog sales; emission spectroscopy fees; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; human ecology storeroom; college of human ecology sales; family resource center fees; human movement performance; application for post baccalaureate programs; art exhibit fees; college of education — Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations — construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages.

Kansas career work study program fund	No limit
Service clearing fund	No limit

Provided, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities

storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research overhead fund	No limit
Housing system suspense fund	No limit
Housing system operations fund	No limit
Housing system repairs, equipment and improvement fund	No limit
Mandatory retirement annuity clearing fund	No limit
Student health fees fund	No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Scholarship funds fund.....	No limit
Perkins student loan fund.....	No limit
Board of regents — U.S. department of education awards fund	No limit
State agricultural university fund	No limit
Federal extension civil service retirement clearing fund ...	No limit
Salina — student union fees fund	No limit
Salina — housing system operation fund.....	No limit
Kansas distinguished scholarship fund	No limit
Kansas comprehensive grant fund.....	No limit
Temporary deposit fund.....	No limit
Business procurement card clearing fund.....	No limit
Suspense fund	No limit
Voluntary tax shelter annuity clearing fund.....	No limit
Agency payroll deduction clearing fund	No limit
Payroll clearing fund.....	No limit
Pre-tax parking clearing fund	No limit
University federal fund.....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Johnson county education research triangle fund	No limit
Federal higher education fiscal stabilization fund — Kansas state university	No limit

[†]

(c) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed \$100,000 from the general fees fund to the Perkins student loan fund.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal higher education fiscal stabilization fund — Kansas state university	No limit
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Provided, That expenditures made from the federal higher education fiscal stabilization fund — Kansas state university shall be expended only for deferred maintenance.

Sec. 74.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

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

Cooperative extension service (including official hospitality)	\$19,738,609
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Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Agricultural experiment stations (including official hospitality)	\$31,504,132
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Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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 shall not exceed the following:

Restricted fees fund..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director’s office; agronomy — Ashland farm; KSU agricultural research center — Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy — general; agronomy — experimental field crop sales; entomology sales; grain science and industry — Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; animal resource facility; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation — construction; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2010.

Fertilizer research fund.....	No limit
Sponsored research overhead fund	No limit
Federal extension fund.....	No limit
Federal experimental station fund.....	No limit
Federal awards — advance payment fund.....	No limit
Smith-Lever special program grant — federal fund.....	No limit
Faculty of distinction matching fund	No limit
Kansas artificial breeding service unit fees fund.....	No limit
Agricultural land use-value fund	No limit
University federal fund.....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Federal higher education fiscal stabilization fund — Kansas state university extension systems and agriculture research programs	No limit
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[†]

(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:

Agricultural experiment stations	\$294,617
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(d) During the fiscal years ending June 30, 2009, and June 30, 2010, no moneys appropriated from the state general fund or any special revenue fund for Kansas state university or Kansas state university extension

systems and agriculture research programs shall be expended on or after the effective date of this act by Kansas state university or Kansas state university extension systems and agriculture research programs, directly or indirectly, for (1) any financial aid or other support for any 4-H competitive events or activities at county fairs for which the minimum age for participants is increased from 7 years of age to 9 years of age, or (2) any financial aid or other support for any 4-H organization or unit that sponsors competitive events at county fairs and that is planning to increase or has increased the minimum age for participants in such events from 7 years of age to 9 years of age.

(e) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal higher education fiscal stabilization fund — Kansas state university extension systems and agriculture research programs No limit

Provided, That expenditures made from the federal higher education fiscal stabilization fund — Kansas state university extension systems and agriculture research programs shall be expended only for deferred maintenance.

Sec. 75.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

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

Operating expenditures (including official hospitality)..... \$10,460,071

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Veterinary training program for rural Kansas \$400,000

Provided, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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 shall not exceed the following:

General fees fund..... No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Veterinary medicine teaching hospital revenue fund..... No limit

Faculty of distinction matching fund No limit

Hospital and diagnostic laboratory improvement fund No limit

Restricted fees fund..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; animal resource center; storerooms; departmental receipts for all sales refunds and other collections; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center:

Provided, however, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize

the purchase of such insurance.

Sponsored research overhead fund	No limit
Health professions student loan fund	No limit
University federal fund.....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Federal higher education fiscal stabilization fund — Kansas state university veterinary medical center.....	No limit
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[†]

(c) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund to the health professions student loan fund.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal higher education fiscal stabilization fund — Kansas state university veterinary medical center.....	No limit
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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.

Sec. 76.

EMPORIA STATE UNIVERSITY

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

Operating expenditures (including official hospitality).....	\$32,633,306
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Reading recovery program.....	\$225,887
Nat'l Board Cert/Future Teacher Academy.....	\$135,562

(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 shall not exceed the following:

Parking fees fund	No limit
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Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....	No limit
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Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest on state normal school fund fund.....	No limit
Restricted fees fund.....	No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts — for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and

shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund.

Service clearing fund No limit

Provided, That the service clearing fund shall be used for the following service activities: Telecommunications services; office supplies inventory; state car operation; E.S.U. press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; data processing center; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund..... No limit
 Kansas career work study program fund No limit
 Student health fees fund No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Faculty of distinction matching fund No limit
 Bureau of educational measurements fund..... No limit
 National direct student loan fund No limit
 Economic opportunity act — work study — federal fund No limit
 Educational opportunity grants — federal fund No limit
 Basic opportunity grant program — federal fund No limit
 Research and institutional overhead fund..... No limit
 Kansas comprehensive grant fund..... No limit
 Housing system suspense fund..... No limit
 Housing system operations fund..... No limit
 Housing system repairs, equipment and improvement fund No limit
 Kansas distinguished scholarship fund No limit
 University federal fund..... No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership federal fund No limit
 Federal higher education fiscal stabilization fund — Emporia state university No limit

[†]

(c) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Emporia state university of not to exceed \$30,000 from the general fees fund to the national direct student loan fund.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal higher education fiscal stabilization fund — Emporia state university No limit

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

Sec. 77.

PITTSBURG STATE UNIVERSITY

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

fund for the fiscal year ending June 30, 2010, the following:

Operating expenditures (including official hospitality)..... \$35,800,245

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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 shall not exceed the following:

Parking fees fund No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund..... No limit

Provided, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*, That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; and grants from other state agencies; *Midwest Quarterly*; chamber music series; contract — post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity — state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund No limit

Provided, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health fees fund No limit

Provided, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further*, That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund No limit

Faculty of distinction matching fund No limit

Perkins student loan fund No limit

Sponsored research overhead fund	No limit
College work study fund.....	No limit
Nursing student loan fund	No limit
Housing system suspense fund	No limit
Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund	No limit
Kansas comprehensive grant fund.....	No limit
Kansas distinguished scholarship program fund	No limit
University federal fund.....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Federal higher education fiscal stabilization fund — Pittsburg state university	No limit
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[†]

(c) During the fiscal year ending June 30, 2010, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Perkins student loan fund; nursing student loan fund.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal higher education fiscal stabilization fund — Pittsburg state university	No limit
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Provided, That expenditures made from the federal higher education fiscal stabilization fund — Pittsburg state university shall be expended only for deferred maintenance.

Sec. 78.

UNIVERSITY OF KANSAS

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

Operating expenditures (including official hospitality)..... \$136,333,684

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Geological survey

\$6,268,088

Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Umbilical cord matrix project.....

\$139,369

Provided, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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 shall not exceed the following:

Parking facilities revenue fund	No limit
Faculty of distinction matching fund	No limit
General fees fund.....	No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That all moneys received for tuition for students enrolled in courses offered at the regents center on the Edwards campus shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to this fund.

Regents center development fund	No limit
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Provided, That expenditures shall be made from the regents center development fund for program operations and development and for capital improvements at the Edwards campus.

Interest fund	No limit
Sponsored research overhead fund	No limit
Law enforcement training center fund	No limit

Provided, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program: *Provided further*, That expenditures may be made from this fund for the acquisition of tracts of land.

Law enforcement training center fees fund	No limit
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Provided, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund.....	No limit
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Provided, That restricted fees shall be limited to receipts for the following accounts: Institute for public policy and business research; technology equipment; clinical psychology conference; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; engineering equipment fee; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund	No limit
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Provided, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Health service fund	No limit
Kansas career work study program fund	No limit
Student union fund.....	No limit
Federal Perkins loan fund.....	No limit
Ford foundation — forgivable loan fund.....	No limit
Health professions student loan fund	No limit
Housing system suspense fund	No limit
Scientific research and development project — special revenue fund.....	No limit
Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund	No limit
Educational opportunity act — federal fund.....	No limit
Loans for disadvantaged students fund	No limit
Prepaid tuition fees clearing fund	No limit
Kansas comprehensive grant fund.....	No limit
Fire service training fund	No limit

University federal fund.....	No limit
Johnson county education research triangle fund	No limit
Federal higher education fiscal stabilization fund — uni- versity of Kansas	No limit

[†]

(c) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Federal Perkins student loan program account of the national direct student loan fund; federal supplemental educational opportunity program account of the national direct student loan fund; federal disadvantaged student loan program account of the national direct student loan fund; health professions student loan fund.

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2010, for the water plan project or projects specified, the following:

Geological survey	\$34,400
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Provided, That any unencumbered balance in excess of \$100 as of June 30, 2009, in the geological survey account is hereby reappropriated for fiscal year 2010.

(e) During the fiscal year ending June 30, 2010, the director of accounts and reports shall transfer one or more amounts specified by the chancellor of the university of Kansas from one or more accounts of the restricted fees fund to the multicultural resource center — construction fund.

(f) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal higher education fiscal stabilization fund — uni- versity of Kansas.....	No limit
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Provided, That expenditures made from the federal higher education fiscal stabilization fund — university of Kansas shall be expended only for deferred maintenance.

Sec. 79.

UNIVERSITY OF KANSAS MEDICAL CENTER

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

Operating expenditures (including official hospitality).....	\$108,184,188
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures may be made from this account for the purchase of malpractice insurance for students in training at the university of Kansas school of medicine, nursing and allied health: *And provided further*, That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans	\$2,786,764
Cancer center	\$4,635,650

(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 shall not exceed the following:

General fees fund.....	No limit
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Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Faculty of distinction matching fund	No limit
Restricted fees fund.....	No limit

Provided, That restricted fees shall be limited to the following accounts: Technology equipment; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated re-

search collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; computer remote access; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; student union fees; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; fungal sales; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; department of social and rehabilitation services cost-sharing: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development — special revenue fund	No limit
Kansas breast cancer research fund.....	No limit
Sponsored research overhead fund	No limit
Parking fund — Wichita campus	No limit
Services to hospital authority fund	No limit
Direct medical education reimbursement fund.....	No limit
Service clearing fund	No limit

Provided, That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; clothing (uniforms); physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; graphic services; instructional services; biomedical engineering; audiovisual services; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Educational nurse faculty loan program fund.....	No limit
Federal college work study fund.....	No limit
AMA education and research grant fund.....	No limit
Federal health professions/primary care student loan fund	No limit
Federal nursing student loan fund	No limit
Suspense fund	No limit
Federal student educational opportunity grant fund	No limit
Federal Pell grant fund	No limit
Federal Perkins student loan fund	No limit
Medical loan repayment fund.....	No limit

Provided, That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund or on the total expenditures from the medical loan repayment fund.

Medical student loan programs provider assessment fund	No limit
Graduate medical education administration reserve fund	No limit
University of Kansas medical center private practice foundation reserve fund.....	No limit
Robert Wood Johnson award fund.....	No limit

Federal scholarship for disadvantaged students fund	No limit
University federal fund.....	No limit
Leveraging educational assistance partnership federal fund	No limit
Graduate medical education support fund.....	No limit
Johnson county education triangle research fund	No limit
Federal higher education fiscal stabilization fund — university of Kansas medical center	No limit

[†]

Wichita center for graduate medical education federal fiscal stabilization fund	No limit
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(c) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following funds: Federal Perkins student loan fund; federal nursing student loan fund; federal student education opportunity grant fund; federal college work study fund; educational nurse faculty loan program fund; federal health professions/primary care student loan fund.

(d) During the fiscal year ending June 30, 2010, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for such medical students.

(e) During the fiscal year ending June 30, 2010, the director of accounts and reports shall transfer an amount specified by the chancellor from the general fees fund to the student health insurance premiums account of the restricted fees fund.

(f) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal higher education fiscal stabilization fund — university of Kansas medical center	No limit
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Provided, That expenditures made from the federal higher education fiscal stabilization fund — university of Kansas medical center shall be expended only for deferred maintenance.

Sec. 80.

WICHITA STATE UNIVERSITY

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

Operating expenditures (including official hospitality).....	\$68,930,425
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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 shall not exceed the following:

General fees fund.....	No limit
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Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....	No limit
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Provided, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts — for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby

characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund	No limit
<i>Provided</i> , That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunication; computer service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.	
Faculty of distinction matching fund	No limit
Kansas career work study program fund	No limit
Scholarship funds fund.....	No limit
Sponsored research overhead fund	No limit
Economic opportunity act — federal fund	No limit
Education opportunity grant — federal fund.....	No limit
Matching education opportunity grant fund	No limit
Health professions student assistance program — loans fund	No limit
Nine month payroll clearing account fund.....	No limit
Pell grants fund.....	No limit
Housing system suspense fund	No limit
Housing system operations fund.....	No limit
Housing system renovation principal and interest fund	No limit
Housing system renovation and bond reserve fund.....	No limit
WSU housing system depreciation and replacement fund	No limit
Perkins loan fund	No limit
Kansas distinguished scholarship fund	No limit
Kansas comprehensive grant fund.....	No limit
WSU housing systems revenue fund.....	No limit
University federal fund.....	No limit
<i>Provided</i> , That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.	
Leveraging educational assistance partnership — federal fund	No limit
Federal higher education fiscal stabilization fund — Wichita state university	No limit

[†]

(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:

Aviation research.....	\$4,994,337
<i>Provided</i> , That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.	
Aviation infrastructure.....	\$2,500,000

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal higher education fiscal stabilization fund —

Wichita state university No limit

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

Sec. 81.

STATE BOARD OF REGENTS

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

Operating expenditures (including official hospitality)..... \$3,475,892

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: Provided further, That, during the fiscal year ending June 30, 2010, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2010 by the state board of regents as authorized by this or other appropriation act of the 2009 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2010 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: And provided further, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: And provided further, That, during the fiscal year ending June 30, 2010, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2010 by the state board of regents as authorized by this or other appropriation act of the 2009 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2010 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: And provided further, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

State scholarship program..... \$1,133,199

Provided, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: Provided further, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 72-6816, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: And provided further, That of the total amount appropriated in the state scholarship program account the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program \$15,689,878

Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Ethnic minority scholarship program..... \$315,213

Provided, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Kansas work-study program \$528,172

Provided, That any unencumbered balance in the Kansas work-study pro-

gram account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*, That all moneys transferred from this account to the Kansas career work study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships \$186,401

Provided, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Military service scholarships..... \$500,000

Provided, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act.

Teachers scholarship program \$1,962,859

Provided, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

National guard educational assistance \$925,838

Provided, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Vocational scholarships..... \$121,275

Provided, That any unencumbered balance in the vocational scholarships account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Nursing student scholarship program \$443,592

Provided, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Optometry education program \$113,850

Provided, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Municipal university operating grant \$11,636,840

Postsecondary aid for vocational education..... \$32,637,844

Provided, That no technical college shall receive less state aid in the fiscal year ending June 30, 2010, than it received in the previous fiscal year.

Adult basic education..... \$1,548,998

Community college operating grant..... \$101,976,543

Technology equipment at community colleges and Wash-

burn university..... \$423,241

Provided, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Vocational education capital outlay aid..... \$76,035

Payment to KPERs \$349,376

Tuition waivers \$90,000

Nurse educator grant program \$200,000

Provided, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies grant program \$1,900,000

Provided, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas postsecondary education institutions from the nursing faculty and supplies grant program account for expansion of nursing faculty and consumable laboratory supplies: *And provided further*, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nurse faculty and supplies grant program account for \$1 from the state educational institution receiving the grant: *And provided further*, That not less than \$100,000 in such grants shall be made to accredited private post secondary educational institutions in Kansas.

Postsecondary technical education authority \$767,693

Any unencumbered balance in each of the following accounts in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: Southwest Kansas access project.

Kansas academy of math and science \$350,000

Provided, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Unified operating grant \$424,921

(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 shall not exceed the following:

- Osteopathic medical service scholarship repayment fund No limit
- Vocational education scholarship discontinued attendance fund No limit
- Leveraging educational assistance program fund — federal No limit
- Regents' scholarship gift fund No limit

Provided, That expenditures may be made from the regents' scholarship gift fund for scholarships awarded to Kansas residents who are attending institutions of postsecondary education in Kansas which are authorized under the laws of this state to award academic degrees and who meet academic and other eligibility criteria established by the state board of regents by rules and regulations: *Provided, however*, That a financial needs test shall not be one of the eligibility criteria established by the state board of regents for such scholarships: *Provided further*, That no scholarship awarded from this fund shall exceed \$2,000 per academic year: *And provided further*, That any recipient of a scholarship awarded from this fund may also receive either a state scholarship under K.S.A. 72-6810 through 72-6816, and amendments thereto, or a tuition grant under K.S.A. 72-6107 through 72-6111, and amendments thereto, or both: *And provided further*, That there shall be no reduction of any scholarship awarded from this fund for the amount of any such state scholarship or tuition grant received.

KAN-ED fund No limit

Provided, That expenditures may be made from the KAN-ED fund for official hospitality for the purposes of the KAN-ED act.

- KAN-ED federal fund No limit
- Earned indirect costs fund — federal No limit
- Faculty of distinction program fund No limit
- Paul Douglas teacher scholarship fund — federal No limit
- GED credentials processing fees fund No limit
- Proprietary school fee fund No limit
- Tuition waiver gifts, grants and reimbursements fund No limit
- Adult basic education — federal fund No limit
- Truck driver training fund No limit
- No child left behind federal fund No limit
- Comprehensive grant program discontinued attendance fund No limit
- State scholarship discontinued attendance fund No limit
- Kansas ethnic minority fellowship program fund No limit
- Private postsecondary educational institution degree authorization expense reimbursement fee fund No limit

Substance abuse education fund — federal	No limit
Nursing service scholarship program fund.....	No limit
Clearing fund.....	No limit
Conversion of materials and equipment fund	No limit
Teacher scholarship program fund.....	No limit
Motorcycle safety fund.....	No limit
Financial aid services fee fund.....	No limit

Provided, That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: *Provided further*, That the executive director of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications for student financial assistance under programs administered by the state board of regents: *And provided further*, That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.

Inservice education workshop fee fund.....	No limit
Optometry education repayment fund.....	No limit
Teacher scholarship repayment fund.....	No limit
Advanced registered nurse practitioner service scholarship program fund.....	No limit
Nursing service scholarship repayment fund.....	No limit
Nurse educator service scholarship repayment fund	No limit
ROTC service scholarship program fund.....	No limit
ROTC service scholarship repayment fund.....	No limit
Carl D. Perkins vocational and technical education — federal fund	No limit
Carl D. Perkins vocational and technical education — federal fund — state operations	No limit
College access challenge grant program.....	No limit
Other federal grants fund.....	No limit

Provided, That the above agency is authorized to make expenditures from the other federal grants fund of any moneys credited to this fund from any individual grant if the grant: (1) Is less than or equal to \$750,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2010 other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$750,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during fiscal year 2010, other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature.

Kansas national guard educational assistance program repayment fund	No limit
Carl D. Perkins technical preparation — federal fund	No limit
Grants fund.....	No limit
Workforce development loan fund.....	No limit
Regents clearing fund	No limit
Private and out-of-state postsecondary educational institution fee fund.....	No limit
Postsecondary educational infrastructure finance KDFFA 2008A revenue fund	No limit
Federal higher education fiscal stabilization fund.....	No limit

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Federal higher education fiscal stabilization fund — community colleges	No limit
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Federal higher education fiscal stabilization fund — municipal university.....	No limit
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[†]

Federal higher education fiscal stabilization fund —
 postsecondary technical education No limit

[†]

(c) During the fiscal year ending June 30, 2010, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2010, to another item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2010. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the legislative research department. As used in this subsection, “account” (1) means the operating expenditures (including official hospitality) account of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university; and (2) includes each account of the state general fund of the state board of regents.

(d) During the fiscal years ending June 30, 2009, and June 30, 2010, the chief executive officer of the state board of regents, subject to the applicable restrictions and limitations or other provisions of federal grant agreements, is hereby authorized to transfer moneys that are received under a federal grant and that are credited to a federal fund of the state board of regents to a federal fund of an institution under the supervision and management of the state board of regents during the fiscal years ending June 30, 2009, and June 30, 2010. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and to the director of legislative research. As used in this subsection (d), “federal fund” means (1) the federal flexible fiscal stabilization fund, the federal higher education fiscal stabilization fund — community colleges, the federal higher education fiscal stabilization fund — municipal university, or the federal higher education fiscal stabilization fund — postsecondary technical education of the state board of regents, (2) the federal flexible fiscal stabilization fund — university of Kansas, the federal flexible fiscal stabilization fund — university of Kansas medical center, the federal flexible fiscal stabilization fund — Kansas state university, the federal flexible fiscal stabilization fund — Kansas state university veterinary medical center, the federal flexible fiscal stabilization fund — Kansas state university extension systems and agriculture research programs, the federal flexible fiscal stabilization fund — Wichita state university, the federal flexible fiscal stabilization fund — Emporia state university, the federal flexible fiscal stabilization fund — Pittsburg state university, and the federal flexible fiscal stabilization fund — Fort Hays state university of such institutions, or (3) a federal fiscal stabilization fund of a community college, the municipal university or an institution of postsecondary technical education.

(e) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 for such state educational institution as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2010: *Provided, however*, That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further*, That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance

council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*, That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal or greater than the cost of debt service on such bonds: *And provided further*, That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection at the beginning of the 2010 regular session of the legislature.

(2) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

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

SEDIF — vocational education capital outlay aid..... \$2,565,000

Provided, That expenditures from the SEDIF — vocational education capital outlay aid account for each grant of vocational education capital outlay aid shall be matched by the area vocational school, the area vocational-technical school or the technical college awarded such grant in an amount which is equal to 50% of the grant: *Provided further*, That any unencumbered balance in excess of \$100 as of June 30, 2009, in the SEDIF — vocational education capital outlay aid account is hereby reappropriated for fiscal year 2010.

SEDIF — technology innovation and internship program..... \$180,500

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2009, in the SEDIF — technical innovation and internship program account is hereby reappropriated for fiscal year 2010.

(g) On July 1, 2009, the \$713,000 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 5(a) of chapter 160 of the 2008 Session Laws of Kansas from the state general fund in the Kansas academy for math and science account, is hereby lapsed.

(h) On July 1, 2010, the \$754,000 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 5(a) of chapter 160 of the 2008 Session Laws of Kansas from the state general fund in the Kansas academy for math and science account, is hereby lapsed.

(i) On July 1, 2011, the \$792,000 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 5(a) of chapter 160 of the 2008 Session Laws of Kansas from the state general fund in the Kansas academy for math and science account, is hereby lapsed.

(j) On July 1, 2012, the \$835,000 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 5(a) of chapter 160 of the 2008 Session Laws of Kansas from the state general fund in the Kansas academy for math and science account, is hereby lapsed.

(k) On July 1, 2013, the \$938,000 appropriated for the above agency for the fiscal year ending June 30, 2014, by section 5(a) of chapter 160 of the 2008 Session Laws of Kansas from the state general fund in the Kansas academy for math and science account, is hereby lapsed.

(l) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2010, the following:

EBF — state building insurance..... \$475,000

Provided, That, notwithstanding the provisions of K.S.A. 76-6b02, and amendments thereto, expenditures may be made by the above agency

from the EBF — state building insurance account of the Kansas educational building fund for state building insurance premiums.

(m) During the fiscal year ending June 30, 2010, notwithstanding any provisions of subsection (f) of K.S.A. 2008 Supp. 66-2010, and amendments thereto, as such subsection existed prior to June 30, 2009, to the contrary, the amount of \$10,000,000 shall be certified before July 1, 2010, by the chief executive officer of the state board of regents to the administrator of the KUSF and the administrator of the KUSF shall pay such amount from the Kansas universal service fund of the state corporation commission to the KAN-ED fund of the state board of regents during the fiscal year 2010 in accordance with the provisions of subsections (f)(1) and (f)(2) of K.S.A. 2008 Supp. 66-2010, and amendments thereto, as such subsections existed prior to June 30, 2009.

(n) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal higher education fiscal stabilization fund No limit

Provided, That all moneys credited to the federal higher education fiscal stabilization fund shall be expended only for deferred maintenance.

Federal higher education fiscal stabilization fund —
community colleges No limit

Provided, That all moneys credited to the federal higher education fiscal stabilization fund — community colleges shall be expended only for deferred maintenance.

Federal higher education fiscal stabilization fund —
municipal university No limit

Provided, That all moneys credited to the federal higher education fiscal stabilization fund — municipal university shall be expended only for deferred maintenance.

Federal higher education fiscal stabilization fund —
postsecondary technical education No limit

Provided, That all moneys credited to the federal higher education fiscal stabilization fund — postsecondary technical education shall be expended only for deferred maintenance.

Sec. 82.

DEPARTMENT OF CORRECTIONS

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

Operating expenditures \$20,678,699

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Community corrections \$16,711,194

Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2010 which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Day reporting centers and reentry programs \$6,161,826

Provided, That any unencumbered balance in the day reporting centers and reentry programs account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Local jail payments \$1,343,987

Provided, That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under subsection (b) of K.S.A. 19-1930, and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs \$48,120,630

Provided, That any unencumbered balance in the treatment and programs account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Topeka correctional facility — facilities operations \$12,597,201

Provided, That any unencumbered balance in the Topeka correctional facility — facilities operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the Topeka correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility — facilities operations \$8,370,552

Provided, That any unencumbered balance in the Hutchinson correctional facility — facilities operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the Hutchinson correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility — facilities operations \$37,338,480

Provided, That any unencumbered balance in the Lansing correctional facility — facilities operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the Lansing correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility — facilities operations \$12,598,561

Provided, That any unencumbered balance in the Ellsworth correctional facility — facilities operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the Ellsworth correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility — facilities operations \$2,385,842

Provided, That any unencumbered balance in the Winfield correctional facility — facilities operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the Winfield correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility — facilities operations \$2,935,807

Provided, That any unencumbered balance in the Norton correctional facility — facilities operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the Norton correctional facility — facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility — facilities operations..... \$23,923,596

Provided, That any unencumbered balance in the El Dorado correctional facility — facilities operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the El Dorado correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility — facilities operations \$9,872,348

Provided, That any unencumbered balance in the Larned correctional mental health facility — facilities operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the Larned correctional mental health facility — facilities operations account for official hospitality shall not exceed \$500.

Facilities operations \$13,587,648

Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Any unencumbered balance in excess of \$100 as of June 30, 2009, in each of the following accounts is hereby reappropriated for fiscal year 2010: Community correctional conservation camps.

Any unencumbered balance in the DUI treatment services account in excess of \$100 as of June 30, 2009, is hereby reappropriated for the fiscal year 2010: *Provided further*, That expenditures may be made from the DUI treatment services account for payments associated with providing treatment services to offenders who were driving under the influence of

alcohol or drugs regardless of when the services were rendered.

(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:

Other federal grants fund No limit

Provided, That the above agency is authorized to make expenditures from the other federal grants fund of any moneys credited to this fund from any individual grant if the grant: (1) Is less than or equal to \$1,000,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2010 other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$1,000,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year.

Federal flexible fiscal stabilization fund No limit

Supervision fees fund..... No limit

Residential substance abuse treatment — federal fund No limit

Justice assistance — federal fund..... No limit

Department of corrections state asset forfeiture fund No limit

Chapter I — federal fund..... No limit

Victims of crime act — federal fund No limit

Correctional industries fund..... No limit

Provided, That expenditures may be made from the correctional industries fund for official hospitality.

Alcohol and drug abuse treatment fund No limit

Provided, That expenditures may be made from the alcohol and drug abuse fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

State of Kansas — department of corrections inmate benefit fund..... No limit

Department of corrections — alien incarceration grant fund — federal No limit

Department of corrections — general fees fund No limit

Provided, That expenditures may be made from the department of corrections — general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: *Provided further*, That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to this fund.

JEHT reentry program fund No limit

Topeka correctional facility — community development block grant — federal fund..... No limit

Topeka correctional facility — bureau of prisons contract — federal fund No limit

Topeka correctional facility — general fees fund..... No limit

Hutchinson correctional facility — general fees fund..... No limit

Federal flexible fiscal stabilization fund — Hutchinson correctional facility..... No limit

Lansing correctional facility — general fees fund No limit

Ellsworth correctional facility — general fees fund..... No limit

Winfield correctional facility — general fees fund No limit

Federal flexible fiscal stabilization fund — Winfield correctional facility..... No limit

Norton correctional facility — general fees fund..... No limit

Federal flexible fiscal stabilization fund — Norton correctional facility..... No limit

El Dorado correctional facility — general fees fund	No limit
Larned correctional mental health facility — general fees fund	No limit
Department of corrections victim assistance fund	No limit

(c) During the fiscal year ending June 30, 2010, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2010, from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2010 from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) (1) During the fiscal year ending June 30, 2010, the secretary of corrections, subject to the applicable restrictions and limitations or other provisions of federal grant agreements, is hereby authorized to transfer moneys received under a federal grant that are credited to a federal fund of the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections to another federal fund for the fiscal year ending June 30, 2010, for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(2) As used in this subsection (d), “federal fund” means the federal flexible fiscal stabilization fund, the federal flexible fiscal stabilization fund — Hutchinson correctional facility, the federal flexible fiscal stabilization fund — Winfield correctional facility, and the federal flexible fiscal stabilization fund — Norton correctional facility.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account of the state general fund during fiscal year 2010 for costs pursuant to subsection (b) of K.S.A. 19-1930, and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(f) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund during fiscal year 2010 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2009, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2010.

(g) On July 1, 2009, October 1, 2009, January 1, 2010, and April 1, 2010, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$534,476 from the correctional industries fund to the department of corrections — general fees fund.

(h) On July 1, 2009, the day reporting centers and reentry programs account of the state general fund of the department of corrections is hereby redesignated as the reentry programs account of the state general fund of the department of corrections.

(i) On July 1, 2009, the director of accounts and reports shall transfer all moneys in the justice assistance — federal fund to the other federal grants fund. On July 1, 2009, all liabilities of the justice assistance — federal fund are hereby transferred to and imposed on the other federal grants fund and the justice assistance — federal fund is hereby abolished.

(j) On July 1, 2009, the director of accounts and reports shall transfer all moneys in the department of corrections victim assistance fund to the

department of corrections — general fees fund. On July 1, 2009, all liabilities of the department of corrections victim assistance fund are hereby transferred to and imposed on the department of corrections — general fees fund and the department of corrections victim assistance fund is hereby abolished.

Sec. 83.

JUVENILE JUSTICE AUTHORITY

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

Operating expenditures \$3,641,968

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Management information systems..... \$1,151,673

Provided, That any unencumbered balance in the management information systems account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Kansas juvenile correctional complex facility operations ... \$15,969,602

Provided, That any unencumbered balance in the Kansas juvenile correctional complex facility operations account in excess of \$100 as of June 30, 2009, are hereby reappropriated to the Kansas juvenile correctional complex facility operations account for fiscal year 2010: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739, and amendments thereto.

Atchison youth residential center operations..... \$380,922

Provided, That any unencumbered balance in the Atchison juvenile correctional facility operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated to the Atchison youth residential center operations account for fiscal year 2010: *Provided further*, That expenditures may be made from the Atchison youth residential center operations account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739, and amendments thereto: *And provided further*, That, on July 1, 2009, all liabilities of the Atchison juvenile correctional facility operations account are hereby transferred to and imposed on the Atchison youth residential center operations account.

Beloit juvenile correctional facility operations \$3,878,689

Provided, That any unencumbered balance in the Beloit juvenile correctional facility operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739, and amendments thereto.

Larned juvenile correctional facility operations \$8,879,689

Provided, That any unencumbered balance in the Larned juvenile correctional facility operations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Purchase of services..... \$16,932,132

Intervention and graduated sanctions community grants .. \$16,512,786

Incentive funding \$687,500

Provided, That all expenditures from the incentive funding account shall be made to provide matching funds for cash contributions by units of local government to juvenile prevention, intervention and graduated sanctions programs within their judicial district: *Provided further*, That, if the above agency does not receive notification and verification of funds from local governments being expended for this purpose during fiscal year 2010, then, the commissioner of juvenile justice shall certify to the director of accounts and reports the amount of unencumbered moneys in the incentive funding account to be lapsed on June 30, 2010: *And provided further*, That the commissioner of juvenile justice shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(b) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2010, the following:

Prevention program grant \$5,579,530

Provided, That any unencumbered balance in the prevention program grant account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That money awarded as grants from this account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Intervention and graduated sanctions community grants .. \$3,420,470

Provided, That any unencumbered balance in the intervention and graduated sanctions community grants account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(c) 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:

Title XIX fund	No limit
Title IV-E fund	No limit
Juvenile accountability incentive block grant — federal fund	No limit
Juvenile justice delinquency prevention — federal fund...	No limit
Juvenile detention facilities fund.....	\$4,400,000
Juvenile justice fee fund — central office.....	No limit
Juvenile justice federal fund — Beloit juvenile correctional facility.....	No limit
Juvenile justice federal fund — Larned juvenile correctional facility	No limit
Juvenile justice federal fund — Kansas juvenile correctional complex.....	No limit
Juvenile justice federal fund.....	No limit
Kansas juvenile delinquency prevention trust fund	No limit
Byrne grant — federal fund.....	No limit
Atchison youth residential center fee fund	No limit

Provided, That, notwithstanding the provisions of K.S.A. 76-2101a, and amendments thereto, or any other statute, all moneys received for charges and other operations of the Atchison juvenile correctional facility or the Atchison youth residential center shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Atchison youth residential center fee fund.

Beloit juvenile correctional facility fee fund.....	No limit
Beloit juvenile correctional facility — elementary and secondary education fund — federal.....	No limit
Title VI-B — Beloit juvenile correctional facility — federal fund	No limit
Larned juvenile correctional facility fee fund.....	No limit
Larned juvenile correctional facility — elementary and secondary education fund — federal.....	No limit
Kansas juvenile correctional complex fee fund.....	No limit
Kansas juvenile correctional complex — elementary and secondary education fund — federal	No limit

Kansas juvenile correctional complex — gifts, grants, and donations fund No limit

(d) During the fiscal year ending June 30, 2010, the commissioner of juvenile justice, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2010, from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to another item of appropriation for fiscal year 2010 from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice. The commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2010, the commissioner of juvenile justice, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2010, from the children’s initiatives fund for the juvenile justice authority to another item of appropriation for fiscal year 2010 from the children’s initiatives fund for the juvenile justice authority. The commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) In addition to the other purposes for which expenditures may be made by the juvenile justice authority from the juvenile detention facilities fund for fiscal year 2010, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, the juvenile justice authority is hereby authorized and directed to make expenditures from the juvenile detention facilities fund for fiscal year 2010 for purchase of services.

(g) On July 1, 2009, the director of accounts and reports shall transfer all moneys in the Atchison juvenile correctional facility fee fund of the Atchison juvenile correctional facility to the Atchison youth residential center fee fund of the juvenile justice authority, which is hereby established in the state treasury. On July 1, 2009, all liabilities of the Atchison juvenile correctional facility fee fund of the Atchison juvenile correctional facility are hereby transferred to and imposed on the Atchison youth residential center fee fund of the juvenile justice authority.

(h) On the effective date of this act, of the \$961,059 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 70(g) of 2009 House Substitute for Substitute for Senate Bill No. 23, from the state general fund in the purchase of services account, the sum of \$558,754 is hereby lapsed.

Sec. 84.

ADJUTANT GENERAL

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

- Operating expenditures \$4,893,433
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,250.
- Disaster relief \$7,567,665
Provided, That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.
- Incident management team \$17,224
Provided, That any unencumbered balance in the incident management team account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.
- Civil air patrol — operating expenditures..... \$31,488
- Military activation payments..... \$24,137
Provided, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 2008 Supp. 75-3228, and amendments thereto: *Provided further*, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2009, is

hereby reappropriated for fiscal year 2010.

Kansas military emergency relief \$48,375

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

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

Conversion of materials and equipment fund — military division	No limit
Adjutant general expense fund	No limit
Emergency management — federal fund matching — equipment fund	No limit
Emergency management — federal fund matching — administration fund.....	No limit
Nuclear safety emergency management fee fund	No limit

Provided, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2010 pursuant to agreements which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act.

Military fees fund — federal	No limit
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Provided, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund — federal.

Emergency management — federal fund.....	No limit
Homeland security federal fund	No limit
Homeland security interest — federal fund.....	No limit
Armories and units general fees fund	No limit
Emergency management — disaster fund — federal fund	No limit
State emergency fund allocation — several disasters fund	No limit
State emergency fund allocation — weather related emergencies fund	No limit
State emergency fund — weather disasters	No limit
State emergency fund — assistance fund	No limit
Radioactive materials fund.....	No limit
Hazardous materials emergency preparedness federal fund	No limit
Civil air patrol — grants and contributions — federal fund	No limit
Emergency management performance grant (EMPG) — federal fund.....	No limit
NG — federal forfeiture fund	No limit
Inaugural expense fund	No limit
Indirect cost — federal fund.....	No limit

Kansas military emergency relief fund No limit

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

National guard life insurance premium reimbursement fund No limit

Emergency management assistance compact federal fund No limit

National guard museum assistance fund No limit

Provided, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35th infantry division museum and education center facility.

Great plains joint regional training center fee fund..... No limit

Provided, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to expenditures for other positions within the adjutant general's department in the unclassified service as prescribed by law: *Provided*, That the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*, That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2010 made by this or other appropriation act of the 2009 regular session of the leg-

islature.

Sec. 85.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 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, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund \$3,646,804

Provided, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$500.

Other federal grants fund No limit

Provided, That the above agency is authorized to make expenditures from the other federal grants fund of any moneys credited to this fund from any individual grant if the grant: (1) Is less than or equal to \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2010 other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$250,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year.

Gifts, grants and donations fund No limit

Hazardous material program fund..... \$376,917

Intragovernmental service fund No limit

State fire marshal liquefied petroleum gas fee fund..... \$174,596

Hazardous materials emergency fund \$238,000

Provided, That expenditures may be made by the state fire marshal from the hazardous materials emergency fund for fiscal year 2010 for the purposes of responding to specific incidences of emergencies related to hazardous materials without prior approval of the state finance council: *Provided, however*, That expenditures from the hazardous materials emergency fund during fiscal year 2010 for the purposes of responding to any specific incidence of an emergency related to hazardous materials without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session.

(b) On July 1, 2009, and January 1, 2010, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$188,665.50 from the fire marshal fee fund to the hazardous material program fund of the state fire marshal.

(c) During the fiscal year ending June 30, 2010, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund to the hazardous materials emergency fund of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. *Provided*, That the aggregate amount of such transfers for the fiscal year ending June 30, 2010, shall not exceed \$50,000.

(d) During the fiscal year ending June 30, 2010, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund during fiscal year 2010, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2010 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2010 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the

amount of moneys from the hazardous materials emergency fund to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2010 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(e) During the fiscal year ending June 30, 2010, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund and any other resources available to the fire marshal fee fund during the fiscal year 2010, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2010 are insufficient to meet in full the estimated expenditures for fiscal year 2010 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2010: *Provided*, That the aggregate amount of such transfers during fiscal year 2010 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection is transmitted to the director of accounts and reports during fiscal year 2010 or 2011, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 86.

KANSAS PAROLE BOARD

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

Parole from adult correctional institutions..... \$452,402

Provided, That any unencumbered balance in the parole from adult correctional institutions account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Sec. 87.

KANSAS HIGHWAY PATROL

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

Operating expenditures \$34,603,615

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$3,000.

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

General fees fund..... No limit

Provided, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury and credited to the general fees fund, except as otherwise provided by law.

Homeland security 2006 — federal fund No limit

Homeland security 2007 — federal fund	No limit
Homeland security 2008 — federal fund	No limit
Homeland security 2009 — federal fund	No limit
For patrol of Kansas turnpike fund	No limit

Provided, That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol motor vehicle fund	No limit
Highway patrol — federal fund	No limit
Kansas highway patrol state forfeiture fund	No limit
Gifts and donations fund	No limit

Provided, That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.

Federal forfeiture fund	No limit
Motor carrier safety assistance program state fund	No limit

Provided, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Motor carrier safety assistance program — federal fund...	No limit
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Provided, That expenditures shall be made from the motor carrier safety assistance program — federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

COPS grant — federal fund.....	No limit
Highway patrol training center clearing fund.....	No limit

Provided, That expenditures may be made from the highway patrol training center clearing fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center clearing fund.

Aircraft fund — on budget	No limit
Highway safety fund	No limit
Capitol area security fund.....	No limit
Vehicle identification number fee fund.....	No limit
Motor vehicle fuel and storeroom sales fund	No limit

Provided, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol operations fund	\$19,520,547
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Provided, That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *Provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol training center fund.....	No limit
Executive aircraft fund.....	No limit

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

1122 program clearing fund..... No limit

(c) On or before the 10th of each month during the fiscal year ending June 30, 2010, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(d) On July 1, 2009, and January 1, 2010, or as soon after each date as moneys are available the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$650,000 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program state fund of the Kansas highway patrol.

(e) On July 1, 2009, October 1, 2009, January 1, 2010, and April 1, 2010, or as soon after each date as moneys are available, the director of accounts and reports shall transfer \$4,957,042 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2010 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2010 for support and maintenance of the Kansas highway patrol.

(f) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$215,000 from the state highway fund of the department of transportation to the highway safety fund of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(g) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$250,000 from the state highway fund of the department of transportation to the general fees fund of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(h) On July 1, 2009, and January 1, 2010, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 74-2136, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$200,000 from the highway patrol motor vehicle fund of the Kansas highway patrol to the aircraft fund — on budget of the Kansas highway patrol.

(i) On July 1, 2009, October 1, 2009, January 1, 2010, and April 1, 2010, or as soon after each date as moneys are available, the director of accounts and reports shall transfer \$8,650,903.75 from the state highway fund of the department of transportation to the state general fund. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2010 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2010 for the support and maintenance of the Kansas highway patrol.

(j) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the vehicle identification number fee fund of the Kansas highway patrol to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the vehicle identification number fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the vehicle identification number fee fund to the state general fund pursuant to this subsection is to reimburse

the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the Kansas highway patrol by other state agencies which receive appropriations from the state general fund to provide such services.

(k) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$300,000 from the highway patrol motor vehicle fund of the Kansas highway patrol to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the highway patrol motor vehicle fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the highway patrol motor vehicle 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 Kansas highway patrol by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 88.
ATTORNEY GENERAL — KANSAS BUREAU OF INVESTIGATION

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

Operating expenditures \$15,384,913

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated to the operating expenditures account for fiscal year 2010: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 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 bureau of investigation state forfeiture fund..... No limit
Kansas bureau of investigation federal forfeiture fund No limit
Kansas bureau of investigation federal grants fund No limit

Provided, That the above agency is authorized to make expenditures from the Kansas bureau of investigation federal grants fund of any moneys credited to this fund from any individual federal grant if the grant is less than or equal to \$500,000 in the aggregate and the grant does not require the matching expenditure of any moneys in the state treasury during fiscal year 2010 or any ensuing fiscal year, other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$500,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year not appropriated by this or other appropriation act of the 2009 regular session of the legislature.

High intensity drug trafficking area — federal fund..... No limit
Private detective fee fund..... No limit
DNA database fund..... No limit
Kansas bureau of investigation motor vehicle fund No limit

Provided, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*, That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials fee fund..... No limit

Provided, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation incurred for laboratory tests conducted for noncriminal justice entities, including gov-

ernmental agencies and private organizations, which testing activity is hereby authorized: *Provided, however,* That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to subsection (a) of K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by subsection (c) of K.S.A. 28-176, and amendments thereto: *Provided further,* That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees for laboratory tests conducted for such noncriminal justice entities: *And provided further,* That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting laboratory tests for such noncriminal justice entities: *And provided further,* That all fees received for such laboratory tests, including all moneys received pursuant to subsection (a) of K.S.A. 28-176, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

KBI general fees fund..... No limit

Provided, That expenditures may be made from the KBI general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however,* That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; (4) sale and distribution of crime prevention materials: *Provided further,* That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the KBI general fees fund: *And provided further,* That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the KBI general fees fund: *And provided further,* That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the KBI general fees fund: *And provided further,* That expenditures from any moneys received from the division of alcoholic beverage control and credited to the KBI general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures.

Record check fee fund..... No limit

Provided, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however,* That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further,* That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.

Intergovernmental service fund.....	No limit
Agency motor pool fund.....	No limit

Sec. 89.

EMERGENCY MEDICAL SERVICES BOARD

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

Rural health options grant fund.....	No limit
Rural access to emergency devices grant — federal fund	No limit
Emergency medical services operating fund.....	\$1,350,225

Provided, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*, That, notwithstanding any provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute to the contrary, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*, That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant payment fund.....	No limit
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Provided, That priority for these grants shall be given to rural areas.

EMS revolving fund.....	No limit
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Provided, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*, That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*, That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2010.

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the board of emergency medical services operating fund for fiscal year 2010 by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2010 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants, instructor-coordinators and training officers: *Provided further*, That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants, instructor-coordinators and training officers: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants, instructor-coordinators and training officers who are obtaining a post-secondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund for the emergency medical services board for fiscal year 2010, as authorized

by this or any other appropriation act of the 2009 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund for the emergency medical services board for fiscal year 2010 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in the EMS region are related to the operation and administration of the Kansas emergency medical services examination to the emergency medical services board: *Provided*, That the report for each EMS region specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to such EMS region for the operation of the most recently conducted Kansas emergency medical services examination in such EMS region.

(d) On July 1, 2009, and January 1, 2010, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$128,935.50 from the emergency medical services operating fund to the educational incentive grant payment fund.

(e) During the fiscal year ending June 30, 2010, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2010, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2010 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2010 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2010 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2010, if any EMS regional council enters into a grant agreement with the emergency medical service board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2010.

Sec. 90.

KANSAS SENTENCING COMMISSION

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

Operating expenditures \$713,591

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Substance abuse treatment programs \$8,134,151

Provided, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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:

General fees fund..... No limit

Statistical analysis — federal fund..... No limit

Drug abuse fund — federal No limit

Sec. 91.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) 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 commission on peace officers' standards and training fund \$578,700

Provided, That expenditures from the Kansas commission on peace officers' standards and training fund for the fiscal year ending June 30, 2010, for official hospitality shall not exceed \$500.

Sec. 92.

KANSAS DEPARTMENT OF AGRICULTURE

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

Operating expenditures \$10,714,669

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated to the operating expenditures account for fiscal year 2010: Provided further, That expenditures may be made from this account for expenses incurred in holding the annual meeting: And provided further, That expenditures from this account for official hospitality shall not exceed \$5,000: And provided further, That the above agency may negotiate and enter into contracts to carry out its functions at the annual meeting: And provided further, That such contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739, and amendments thereto.

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

Dairy fee fund No limit
Meat and poultry inspection fee fund No limit
Wheat quality survey fund No limit
Entomology fee fund No limit
Laboratory equipment fund No limit
Water structures — state highway fund \$102,032
Soil amendment fee fund No limit
Agricultural liming materials fee fund No limit
Weights and measures fee fund No limit
Water appropriation certification fund \$522,414
Water resources cost fund No limit

Provided, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 2008 Supp. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

Agriculture seed fee fund No limit
Chemigation fee fund No limit
Agriculture statistics fund No limit
Petroleum inspection fee fund No limit
Water transfer hearing fund No limit
Grain commodity commission services fund No limit
Kansas agricultural remediation board fund No limit
Kansas agricultural remediation fund No limit
Warehouse fee fund No limit
U.S. geological survey cooperative gauge agreement grants fund No limit

Provided, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: Provided further, That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state

treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Computer services fund	No limit
Agricultural chemical fee fund.....	No limit
Feeding stuffs fee fund	No limit
Fertilizer fee fund	No limit
Plant pest emergency response fund	No limit
Pesticide use fee fund.....	No limit
Geographic information system fee fund.....	No limit
Egg fee fund	No limit
Fertilizer/pesticide compliance admin fund.....	No limit
Water structures fund	\$130,514
Meat and poultry inspection fund — federal	No limit
EPA pesticide performance partnership grant — federal fund	No limit
FEMA dam safety — federal fund.....	No limit
FEMA stream mapping — federal fund	No limit
Pest detection and survey — federal fund.....	No limit
USDA NASS postage fund	No limit
FDA tissue residue fund — federal	No limit
Conversion of materials and equipment fund	No limit
Speciality crop block grant — federal fund.....	No limit
Publications fee fund	No limit

Provided, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*, That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

Agriculture preparedness — homeland security fund.....	No limit
Other federal grants fund	No limit

Provided, That, the above agency is authorized to make expenditures from the other federal grants fund of any moneys credited to this fund from any individual grant if the grant: (1) Is less than or equal to \$500,000 in the aggregate, and (2) does not require the matching expenditure of any moneys in the state treasury during fiscal year 2010 other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$500,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during fiscal year 2010, other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature: *Provided further*, That no grant for the farmers' assistance, counseling and training program shall be deposited to the credit of this fund.

Civil litigation fee fund.....	No limit
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Provided, That the above agency is authorized to make expenditures from the civil litigation fee fund for costs or other expenses associated with investigation and litigation regarding fraudulent meat sales: *Provided further*, That a portion of the moneys received by the state from fines and other moneys collected as a result of the settlement of fraudulent meat sales cases, as determined by the secretary of agriculture and the attorney

general, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the civil litigation fee fund by the attorney general.

Food safety fund No limit

Provided, That expenditures may be made from the food safety fund for operating expenditures for the food inspection program and other activities for the regulation of food service establishments, food vending machines, food vending machine companies and food vending machine dealers under the food service and lodging act: *Provided further*, That, notwithstanding the provisions of K.S.A. 36-512, and amendments thereto, to the contrary, all moneys received from fees charged and collected by the secretary of agriculture under the food inspection program and other activities for the regulation of food service establishments, food vending machines, food vending machine companies and food vending machine dealers under the food service and lodging act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, deposited in the state treasury and shall be credited to the food safety fund: *And provided further*, That the secretary of agriculture is hereby authorized to make expenditures from the food safety fund for contracts or other agreements with local governments to inspect food service, food processing, grocery or other facilities for which the department of agriculture has inspection authority.

Gifts and donations fund No limit

Provided, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

General fees fund..... No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the secretary of agriculture is hereby authorized to fix, charge and collect fees in order to recover all or part of the costs incurred for such regulatory program activities and for official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for the regulatory program activity or official hospitality for which such fees are imposed: *And provided further*, That all amounts received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Food service inspection reimbursement fund No limit

Food inspection fee fund..... No limit

Provided, That expenditures may be made from the food inspection fee fund for operating expenditures for the food inspection program and other activities for the regulation of food service establishments under the food service and lodging act: *Provided further*, That, notwithstanding the provisions of K.S.A. 36-512, and amendments thereto, to the contrary, all moneys received from fees charged and collected by the secretary of agriculture under the food inspection program and other activities for the regulation of food service establishments under the food service and lodging act shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the food inspection fee fund: *And provided further*, That, on October 1, 2009, and on the first day of each month thereafter, the director of accounts and reports shall transfer from the food inspection fee fund to the food service inspection reimbursement fund an amount equal to 80% of all fees credited to the food inspection fee fund where food service inspection services are provided by a local agency under contract with the secretary to inspect food service establishments located in a municipality.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2010, for the water plan project or projects specified, the following:

Basin management	\$755,321
Water use.....	\$49,700
Interstate water issues.....	\$343,370

(d) During the fiscal year ending June 30, 2010, the secretary of agriculture, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2010 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2010 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to (1) the director of legislative research, (2) the chairperson of the house of representatives agriculture and natural resources budget committee, and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2009, the director of accounts and reports shall transfer \$101,788 from the state highway fund of the department of transportation to the water structures — state highway fund of the Kansas department of agriculture.

Sec. 93.

KANSAS ANIMAL HEALTH DEPARTMENT

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

Operating expenditures \$927,357

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval by the state finance council.

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

Animal disease control fund No limit

Provided, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Animal dealers fee fund No limit

Provided, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300; *Provided further*, That expenditures shall be made from the animal dealers fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets.

Veterinary inspection fee fund..... No limit

Livestock market brand inspection fee fund No limit

Livestock brand fee fund..... No limit

Provided, That expenditures from the livestock brand fee fund for official hospitality shall not exceed \$250.

Livestock brand emergency revolving fund..... No limit

County option brand fee fund No limit

Livestock and pseudorabies indemnity fund No limit

Legal services fund..... No limit

Provided, That all moneys received by the animal health department from other state agencies pursuant to one or more interagency agreements for the provision of legal services, which agreements are hereby authorized and directed to be entered into, shall be credited to the legal services fund.

Disease control fund — federal No limit

Animal donation fund No limit

Animal health protection fund..... No limit

(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.

[†]

Sec. 94.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 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 and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund	No limit
<i>Provided</i> , That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.	
State fair federal transfer fund	No limit
State fair special cash fund	No limit
State fair debt service special revenue fund.....	No limit

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2010, the following:

State fair debt service	\$341,861
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(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 129(a) of chapter 131 of the 2008 Session Laws of Kansas on the state fair fee fund is hereby increased from \$10,000 to \$15,000.

Sec. 95.

STATE CONSERVATION COMMISSION

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

Operating expenditures	\$796,425
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,500.

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

Agency motor pool fund.....	No limit
Land reclamation fee fund.....	No limit
Watershed protect approach/WTR RSRCE MGT fund....	No limit
Conversion of materials and equipment fund	No limit
Buffer participation incentive fund.....	No limit
NRCS contribution agreement 2002 farm bill — federal fund	No limit
Water resources management buffer — federal fund.....	No limit
Environmental improvement incentives fund.....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2010, for the following water plan project or projects specified, the following:

Water resources cost share \$2,943,551

Provided, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2009, is hereby reappropriated to the water resources cost share account for fiscal year 2010:

Provided further, That the initial allocation for grants to conservation districts for fiscal year 2010 shall be made on a priority basis, as determined by the state conservation commission and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise shall not exceed the amount equal to 6% of the approved budget amount for fiscal year 2010 for the water resources cost share account.

Nonpoint source pollution assistance..... \$3,126,379

Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Conservation district aid..... \$2,255,919

Provided, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Watershed dam construction..... \$949,500

Provided, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the state conservation commission: *Provided, however*, That expenditures from this account for such engineering contracts for watershed planning shall not exceed \$50,000.

Lake restoration \$898,619

Provided, That any unencumbered balance in the lake restoration account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Kansas water quality buffer initiatives..... \$270,000

Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided further*, That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices under the governor's water quality initiative: *And provided further*, That such expenditures may be made from this account from the approved budget amount for fiscal year 2010 in accordance with contracts, which are hereby authorized to be entered into by the executive director of the state conservation commission on behalf of the commission, for such grants or incentives: *Provided, however*, That expenditures from this account for contractual educational and technical assistance for fiscal year 2010 shall not exceed \$40,000.

Riparian and wetland program \$226,604

Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Water transition assistance program \$826,334

Provided, That any unencumbered balance in the water transition assistance program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(d) During the fiscal year ending June 30, 2010, the executive director of the state conservation commission, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2010 from the state water plan fund for the state conservation commission to another item of appropriation for fiscal year 2010 from the state water plan fund for the state conservation commission: *Provided*, That the executive director of the state conservation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to (1) the director of legislative research, (2) the chairperson of the house of representatives agriculture and natural resources budget committee, and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the wildlife fee fund of the department of wildlife and parks to the buffer participation incentive fund of the state conservation commission.

(f) On and after the effective date of this act, during fiscal year 2009 and fiscal year 2010, all expenditures made by the state conservation commission from the moneys appropriated in the conservation reserve enhancement program account from the state water plan fund for fiscal year 2009 or fiscal year 2010 as authorized by chapter 187 of the 2008 Session Laws of Kansas, or by this or other appropriation act of the 2009 regular session of the legislature, shall be made by the state conservation commission in accordance with the following: *Provided*, That all expenditures under the conservation reserve enhancement program, referred to as CREP in this subsection, are subject to the following criteria:

(1) The total number of acres enrolled in Kansas in CREP for the three fiscal years 2008, 2009 and 2010 shall not exceed 40,000 acres;

(2) the number of acres eligible for enrollment in CREP in Kansas shall be limited to one-half of the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the CREP area, except that if federal law permits the land enrolled in the CREP program to be used for agricultural purposes such as planting of agricultural commodities, including, but not limited to: Grains, cellulosic or biomass materials, alfalfa, grasses, legumes or other cover crops, then the number of acres eligible for enrollment shall be limited to the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the CREP area;

(3) lands enrolled in the conservation reserve program as of January 1, 2008, shall not be eligible for enrollment in CREP;

(4) no more than 25% of the acreage in CREP may be in any one county;

(5) no water right that is owned by a governmental entity, except a groundwater management district, shall be purchased or retired by the state or federal government pursuant to CREP; and

(6) only water rights in good standing are eligible for inclusion under CREP: *And provided further*, That to be a water right in good standing the following criteria must be met: (A) At least 50% of the maximum annual quantity authorized to be diverted under the water right has been used in any three years from 2001 through 2005; (B) in the years 2001 through 2005 the water rights used for the acreage in CREP shall not have exceeded the maximum annual quantity authorized to be diverted and shall not have been the subject of enforcement sanctions by the division of water resources in the last four years; and (C) the water right holder has submitted the required annual water use report required by K.S.A. 82a-732, and amendments thereto, for each of the most recent 10 years: *And provided further*, That the state conservation commission shall submit a CREP report to the senate committee on natural resources and the house committee on agriculture and natural resources at the beginning of the 2010 regular session of the legislature which shall contain a description of program activities and shall include: (i) The total water rights, measured in acre feet, retired in CREP during fiscal year 2009 and fiscal year 2010 to date, (ii) the acreage enrolled in CREP during fiscal year 2009 and in fiscal year 2010 to date, (iii) the dollar amounts

received and expended for CREP during fiscal year 2009 and in fiscal year 2010 to date, (iv) the economic impact of the CREP program, (v) the change in groundwater levels in the CREP area during fiscal year 2009 and fiscal year 2010 to date, (vi) the annual amount of water usage in the CREP area during fiscal year 2009 and fiscal year 2010 to date, (vii) an assessment of meeting each of the program objectives identified in the agreement with the farm service agency, and (viii) such other information as the state conservation commission shall specify.

Sec. 96.

KANSAS WATER OFFICE

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

Water resources operating expenditures \$2,029,866

Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$250.

Any unencumbered balance in the reservoir storage beneficial use fund account of the state general fund in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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 shall not exceed the following:

Conversion of materials and equipment fund No limit
 Local water project match fund..... No limit

Provided, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*, That all moneys credited to this fund shall be used to match state funds or federal funds, or both for water projects.

Water supply storage assurance fund..... No limit

Provided, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2010, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, to supply water to users which is not held under contract in such reservoirs.

State conservation storage water supply fund..... \$0
 Water marketing fund..... No limit
 Federal grants and receipts fund No limit
 General fees fund..... No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*, That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*, That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Water conservation projects fund..... \$0
 Western water conservation projects fund..... \$0
 Motor pool vehicle replacement fund..... No limit
 Reservoir storage beneficial use fund No limit

Provided, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2010, for the state water plan project or projects specified, the following:

Assessment and evaluation	\$675,000
<i>Provided</i> , That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.	
GIS data base development	\$225,000
<i>Provided</i> , That any unencumbered balance in the GIS data base development account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.	
MOU — storage operations and maintenance	\$274,500
<i>Provided</i> , That any unencumbered balance in the MOU — storage operations and maintenance account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.	
Technical assistance to water users	\$562,427
<i>Provided</i> , That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.	
Water resource education	\$70,116
<i>Provided</i> , That any unencumbered balance in the water resource education account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.	
Wichita aquifer storage and recovery project	\$630,000
<i>Provided</i> , That any unencumbered balance in the Wichita aquifer recovery project account in excess of \$100 as of June 30, 2009, is hereby reappropriated to the Wichita aquifer storage and recovery project account for fiscal year 2010.	
Weather modification program	\$198,000
<i>Provided</i> , That any unencumbered balance in the weather modification program account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.	
Weather stations	\$72,000
<i>Provided</i> , That any unencumbered balance in the weather stations account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.	
Neosho river basin issues.....	\$270,000
<i>Provided</i> , That any unencumbered balance in the Neosho river basin issues account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.	

(d) During the fiscal year ending June 30, 2010, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2010 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2010 from the state water plan fund for the Kansas water office: *Provided, however*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to (1) the director of legislative research, (2) the chairperson of the house of representatives agriculture and natural resources budget committee, and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2010, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the

date of the loan.

(f) During the fiscal year ending June 30, 2010, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(g) During the fiscal year ending June 30, 2010, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2010, from the water marketing fund to the state general fund, in accordance with the provisions of the state water plan storage act, and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

Sec. 97.

DEPARTMENT OF WILDLIFE AND PARKS

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

Operating expenditures \$3,713,496

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,000.

State parks operating expenditures..... \$2,051,169

Provided, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Reimbursement for annual licenses issued to national guard members..... \$36,972

Provided, That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2010 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses: *Provided, however*, That no other hunting or fishing licenses or permits shall be eligible to be paid from this account: *Provided further*, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2009, is hereby reappropriated

for fiscal year 2010.

Reimbursement for annual park permits issued to national guard members..... \$17,664

Provided, That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2010 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: Provided, however, That not more than one annual park vehicle permit per family shall be eligible to be paid from this account: Provided further, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Reimbursement for annual licenses issued to Kansas disabled veterans..... \$74,450

Provided, That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2010 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: Provided, however, That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service connected disability is equal to or greater than 30%: Provided further, That no other hunting or fishing licenses or permits shall be eligible to be paid from this account: And provided further, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(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:

Wildlife fee fund..... \$21,133,611

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2010 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: Provided further, That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2010: And provided further, That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate: And provided further, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Parks fee fund \$5,711,626

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2010 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: Provided further, That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2010: And provided further, That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund \$926,368

Provided, That additional expenditures may be made from the boating

fee fund for fiscal year 2010 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2010: *And provided further*, That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Central aircraft fund No limit
Provided, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies, and for the purchase of state aircraft insurance: *Provided further*, That the secretary of wildlife and parks is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*, That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*, That all fees received for such services shall be credited to the central aircraft fund.

Department access roads fund	\$997,553
Wildlife and parks nonrestricted fund.....	No limit
Prairie spirit rails-to-trails fee fund.....	No limit
Nongame wildlife improvement fund	No limit
Nongame wildlife improvement fund — federal	No limit
Wildlife conservation fund	No limit
Federally licensed wildlife areas fund.....	No limit
State agricultural production fund.....	No limit
Land and water conservation fund — state	No limit
Land and water conservation fund — local	No limit
Development and promotions fund.....	No limit
Department of wildlife and parks private gifts and donations fund.....	No limit
Fish and wildlife restitution fund.....	No limit
Parks restitution fund.....	No limit
Nonfederal grants fund	No limit
Other federal grants fund	No limit

Provided, That the above agency is authorized to make expenditures from the other federal grants fund of any moneys credited to this fund from any individual grant if the grant: (1) Is less than or equal to \$750,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2010 other than moneys appropriated by this or other appropriation act of the 2009 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$750,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year: *Provided further*, That, subject to the provisions of the other provisos prescribing guidelines for authority to make expenditures from the other federal grants fund, expenditures may be made from the other federal grants fund for capital improvements.

Suspense fund	No limit
Employee maintenance deduction clearing fund	No limit
Cabin revenue fund.....	No limit
Boating fund — federal.....	No limit
Wildlife fund — federal	No limit
Wildlife conservation fund — federal	No limit
Feed the hungry fund	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2010, the following:

Stream monitoring.....	\$28,800
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Sec. 98.
 DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2010, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund	No limit
<i>Provided</i> , That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.	
Special city and county highway fund	No limit
County equalization and adjustment fund	\$2,500,000
Highway special permits fund	No limit
Highway bond debt service fund	No limit
Rail service improvement fund.....	No limit
Transportation revolving fund	No limit
Rail service assistance program loan guarantee fund.....	No limit
Railroad rehabilitation loan guarantee fund	No limit

Provided, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount which the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2010, in satisfaction of liabilities arising from the unconditional guarantee of payment which was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor vehicle fuel sales fund	No limit
<i>Provided</i> , That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas highway patrol: <i>Provided further</i> , That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to the Kansas highway patrol: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: <i>And provided further</i> , That all fees received for such sales of motor vehicle fuel shall be credited to the interagency motor vehicle fuel sales fund.	

Coordinated public transportation assistance fund.....	No limit
Public use general aviation airport development fund.....	No limit
Highway bond proceeds fund.....	No limit
Communication system revolving fund	No limit
Traffic records enhancement fund	No limit
Other federal grants fund	No limit

Provided, That no moneys received by the department of transportation that are highway trust funds or moneys that are received by the department of transportation under federal grants received on an ongoing basis shall be credited to the other federal grants fund: *Provided, however*, That the secretary of transportation may transfer moneys between the other federal grants fund and the state highway fund.

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2010, from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2010 other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Agency operations	\$278,102,428
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Provided, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: *Provided further*, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto.

Conference fees	No limit
<i>Provided</i> , That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: <i>Provided further</i> , That such fees shall be deposited in the state treasury and credited to the conference fees account of the state highway fund: <i>And provided further</i> , That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.	

Substantial maintenance	No limit
Claims	No limit
Payments for city connecting links	\$3,360,000

Federal local aid programs.....	No limit
Bond services fees	No limit
Construction, remodeling and special maintenance projects for buildings	\$0

Provided, That expenditures may be made from the construction, remodeling and special maintenance projects for buildings account of the state highway fund of amounts in unexpended balances as of June 30, 2009, in capital improvement project accounts of projects approved for prior fiscal years: *Provided further*, That expenditures from this account of amounts in such unexpended balances shall be in addition to any expenditure limitation imposed on this account for fiscal year 2010.

Other capital improvements..... No limit
Provided, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings — rehabilitation and repair	\$3,356,381
Buildings — reroofing.....	\$212,402
Buildings — equipment storage sheds	\$239,778
Buildings — other construction, renovation and repair	\$1,833,878

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2010, expenditures may be made by the above agency from the state highway fund for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2010 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2009, subject to the provisions of section (d): *Provided further*, That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2010.

(d) During the fiscal year ending June 30, 2010, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2010 from the state highway fund for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2010 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2010, the director of accounts and reports shall transfer from the motor pool service fund of the department of administration to the state highway fund of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2010, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund, the director of accounts and reports shall transfer from the state highway fund to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2010, from the state highway fund to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for the fiscal year ending June 30, 2010.

(h) For the fiscal year ending June 30, 2010, the department of transportation shall prepare and submit along with the documents required

under K.S.A. 75-3717, and amendments thereto, additional documents that present the revenues, transfers, and expenditures that are considered to be in support of the comprehensive transportation program authorized by K.S.A. 68-2314a et seq., and amendments thereto: *Provided*, That documents shall include both reportable as well as nonreportable and off-budget items that reflect the revenues, transfers and expenditures associated with the comprehensive transportation program.

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Sec. 99. *Position limitations.* (a) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2010, made in this or other appropriation act of the 2009 regular session of the legislature for the following agencies shall not exceed the following, except upon approval of the state finance council or pursuant to subsection (b):

Attorney General.....	108.00
Secretary of State	55.00
State Treasurer	55.50
Insurance Department	138.36
<i>Provided</i> , That any attorney positions established in the insurance department for the purpose of defense of the workers compensation fund shall be in addition to any limitation imposed on the full-time and regular part-time equivalent number of positions, excluding seasonal and temporary positions, paid from appropriations made for fiscal year 2010 for the department of insurance.	
Department of Commerce.....	314.75
Health Care Stabilization Fund Board of Governors.....	17.00
Judicial Council.....	7.00
Kansas Human Rights Commission.....	34.00
State Corporation Commission.....	214.00
Citizens' Utility Ratepayer Board.....	6.00
Department of Administration	746.95
Office of Administrative Hearings.....	13.50
State Court of Tax Appeals	26.00
Department of Revenue.....	1,096.00
Kansas Health Policy Authority	272.70
Kansas Lottery	99.00
Kansas Racing and Gaming Commission — state racing operations and expanded lottery act regulation division	49.53
Kansas Racing and Gaming Commission — state gaming agency	24.00
Department of Labor.....	552.00
Kansas Commission on Veterans Affairs.....	513.00
Department of Health and Environment — Division of Health	369.15
Department of Health and Environment — Division of Environment	473.85
Department on Aging	214.00
Department of Social and Rehabilitation Services	3,669.13
Kansas Neurological Institute.....	570.20
Larned State Hospital.....	976.20
Osawatomie State Hospital	441.40
Parsons State Hospital and Training Center	497.20
Rainbow Mental Health Facility.....	122.20
Kansas, Inc.	4.50
Kansas Guardianship Program.....	12.00
State Library	26.00
Kansas Arts Commission	8.00
Kansas State School for the Blind	93.50
Kansas State School for the Deaf.....	173.50
State Historical Society	134.00
State Board of Regents	63.50
Department of Corrections.....	3,047.70
Juvenile Justice Authority	558.50
Adjutant General.....	219.00
State Fire Marshal.....	53.00

Kansas Parole Board	3.00
Attorney General — Kansas Bureau of Investigation	221.00
Emergency Medical Services Board	14.00
Kansas Sentencing Commission	10.00
Kansas Commission on Peace Officers' Standards and Training	7.00
Kansas Department of Agriculture	344.50
Kansas Animal Health Department	33.00
State Fair Board	24.00
State Conservation Commission	14.00
Kansas Water Office	23.50
Department of Wildlife and Parks	416.50
Department of Transportation	3,113.50

(b) During the fiscal year ending June 30, 2010, the secretary of social and rehabilitation services may increase the position limitation for the department of social and rehabilitation services or for any institution or facility under the general supervision and management of the secretary of social and rehabilitation services by making a corresponding decrease in the position limitation for either the department of social and rehabilitation services or any institution or facility under the general supervision and management of the secretary of social and rehabilitation services. The secretary of social and rehabilitation services shall certify each such increase and corresponding decrease to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the legislative research department and the division of the budget.

(c) During the fiscal year ending June 30, 2010, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions, for the Kansas bureau of investigation that are paid from appropriations for the attorney general — Kansas bureau of investigation for fiscal year 2010 made in this or other appropriation act of the 2009 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2010 for the attorney general — Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the legislative research department and the division of the budget.

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Sec. 101. (a) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2009 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 to provide a military pay differential for officers or employees of the state agency who are called or have been called to active military duty on or after September 11, 2001: *Provided, however,* That all such expenditures shall be made in accordance with and subject to the procedures, guidelines, limitations and restrictions, including the eligibility conditions, prescribed in executive directive no. 05-356.

(b) As used in this section, “state agency” means any state agency in the executive branch, legislative branch or judicial branch of state government.

Sec. 102. (a) In addition to the other purposes for which expenditures may be made by the governor’s department from the governor’s department account of the state general fund for the fiscal year ending June 30, 2010, expenditures shall be made by the governor’s department from the governor’s department account of the state general fund for fiscal year 2010 for an additional amount of biweekly compensation for the governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$4,300.55 per biweekly pay period for each biweekly pay

period which is chargeable to fiscal year 2010: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the governor for the biweekly pay periods which are chargeable to fiscal year 2010.

(b) (1) In addition to the other purposes for which expenditures may be made by the lieutenant governor from the operations account of the state general fund for the fiscal year ending June 30, 2010, expenditures shall be made by the lieutenant governor from the operations account of the state general fund for fiscal year 2010 for an additional amount of biweekly compensation for the lieutenant governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$1,216.39 per biweekly pay period for each biweekly pay period which is chargeable to fiscal year 2010: *Provided*, That all expenditures under this subsection (b) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the lieutenant governor for the biweekly pay periods which are chargeable to fiscal year 2010.

(2) In addition to the other purposes for which expenditures may be made by the lieutenant governor from the operations account of the state general fund for the fiscal year ending June 30, 2010, expenditures shall be made by the lieutenant governor from the operations account of the state general fund for fiscal year 2010 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the lieutenant governor to the lieutenant governor at the rate prescribed by subsection (a)(1) of K.S.A. 75-3103, and amendments thereto, an aggregate amount of allowance of \$77.68 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2010 and for each of the 25 ensuing two-week periods thereafter as reimbursement for expenses which are chargeable to fiscal year 2010, notwithstanding the provisions of subsection (a)(1) of K.S.A. 75-3103, and amendments thereto: *Provided*, That all expenditures under this subsection (b)(2) for such purposes shall be made in the same manner that such allowance is payable to the lieutenant governor for such two-week periods for which such allowance is payable in accordance with subsection (a)(1) of K.S.A. 75-3103, and amendments thereto, and which are chargeable to fiscal year 2010.

(c) In addition to the other purposes for which expenditures may be made by the secretary of state from one or more special revenue funds for the fiscal year ending June 30, 2010, expenditures shall be made by the secretary of state from one or more special revenue funds for fiscal year 2010 for an additional amount of biweekly compensation for the secretary of state equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,340.89 per biweekly pay period for each biweekly pay period which is chargeable to fiscal year 2010: *Provided*, That all expenditures under this subsection (c) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the secretary of state for the biweekly pay periods which are chargeable to fiscal year 2010.

(d) In addition to the other purposes for which expenditures may be made by the attorney general from the operating expenditures account of the state general fund for the fiscal year ending June 30, 2010, expenditures shall be made by the attorney general from the operating expenditures account of the state general fund for fiscal year 2010 for an additional amount of biweekly compensation for the attorney general equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,841.93 per biweekly pay period for each biweekly pay period which is chargeable to fiscal year 2010: *Provided*, That all expenditures under this subsection (d) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the attorney general for the biweekly pay periods which are chargeable to fiscal year 2010.

(e) In addition to the other purposes for which expenditures may be made by the state treasurer from one or more special revenue funds for the fiscal year ending June 30, 2010, expenditures shall be made by the state treasurer from one or more special revenue funds for fiscal year

2010 for an additional amount of biweekly compensation for the state treasurer equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,340.89 per biweekly pay period for each biweekly pay period which is chargeable to fiscal year 2010: *Provided*, That all expenditures under this subsection (e) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the state treasurer for the biweekly pay periods which are chargeable to fiscal year 2010.

(f) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance department service regulation fund for the fiscal year ending June 30, 2010, expenditures shall be made by the insurance department from the insurance department service regulation fund for fiscal year 2010 for an additional amount of biweekly compensation for the commissioner of insurance equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,340.89 per biweekly pay period for each biweekly pay period which is chargeable to fiscal year 2010: *Provided*, That all expenditures under this subsection (f) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the commissioner of insurance for the biweekly pay periods which are chargeable to fiscal year 2010.

(g) (1) In addition to the other purposes for which expenditures may be made by each state agency from appropriations made for the fiscal year ending June 30, 2010, expenditures shall be made by each state agency from the appropriations made for fiscal year 2010 for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$89.55 per calendar day for each member of a board for any calendar day for which per diem compensation is payable to such member of a board under K.S.A. 75-3212 or 75-3223, and amendments thereto, at the rate prescribed by subsection (a) of K.S.A. 46-137a, and amendments thereto, and is chargeable to fiscal year 2010: *Provided*, That all expenditures under this subsection (g) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such member of a board for the biweekly pay periods for which such per diem compensation for calendar days which are chargeable to fiscal year 2010.

(2) As used in this subsection (g), (A) “state agency” means any state agency of the executive branch of state government (i) which has appropriations made for the fiscal year ending June 30, 2010, by this act or any other appropriation act of the 2009 regular session of the legislature, and (ii) which is, or which makes expenditures for, any board; and

(B) “board” means any board, commission, committee, task force, panel or other body in the executive branch of state government, including any advisory body, having one or more members who are entitled to receive per diem compensation for attendance at meetings of such body, or attendance at meetings authorized by such body of a subcommittee or other subsidiary group of such body, as provided in K.S.A. 75-3212 or 75-3223, and amendments thereto, at the rate prescribed by subsection (a) of K.S.A. 46-137a, and amendments thereto.

(h) In addition to the other purposes for which expenditures may be made by the Kansas turnpike authority for the period commencing July 1, 2009, and ending June 30, 2010, expenditures shall be made by the Kansas turnpike authority for such period for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$89.55 per calendar day for each member of the Kansas turnpike authority for any calendar day occurring on or after July 1, 2009, for which per diem compensation is payable to such member of the Kansas turnpike authority under K.S.A. 68-2003, and amendments thereto, who is entitled, in accordance with K.S.A. 75-3223, and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212, and amendments thereto, at the rate prescribed by subsection (a) of K.S.A. 46-137a, and amendments thereto, and is chargeable to fiscal year 2010: *Provided*, That all expenditures under this subsection (h) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such member of the

Kansas turnpike authority for the appropriate pay periods for which such per diem compensation for calendar days occurring on or after July 1, 2009, and prior to July 1, 2010, is payable by the Kansas turnpike authority.

(i) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2010, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2010:

(1) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$89.55 per calendar day for each member of the legislature for service at the regular session or any special session of the legislature for any calendar day which is chargeable to fiscal year 2010; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$89.55 per calendar day for each member of the legislature and for any other public officer or person for any calendar day for which per diem compensation is payable from appropriations for the legislature to such member of the legislature, public officer or person under K.S.A. 75-3212 or 75-3223, and amendments thereto, at the rate prescribed by subsection (a) of K.S.A. 46-137a, and amendments thereto, and is chargeable to fiscal year 2010: *Provided*, That all expenditures under this subsection (i) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislature, public officials and persons for the biweekly pay periods for which such per diem compensation for calendar days is payable and which are chargeable to fiscal year 2010.

(j) (1) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2010, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2010 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a, and amendments thereto, an aggregate amount of allowance (A) of \$357.69 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2010 and for each of the 14 ensuing two-week periods thereafter, and (B) of \$357.69 for the two-week period which coincides with the biweekly payroll period which includes April 4, 2010, which is chargeable to fiscal year 2010 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2010, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (j)(1) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (j)(1) and which are chargeable to fiscal year 2010.

(2) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2011, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2011 for an additional amount of allowance equal to the amount required to provide, along with (A) the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a, and amendments thereto, an aggregate amount of allowance of \$357.69, except as otherwise provided in this subsection (j)(2), for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2011 and for each of the 14 ensuing two-week periods there-

after, and (B) for the two-week period which coincides with the biweekly payroll period which includes April 3, 2011, which is chargeable to fiscal year 2011 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2011, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That, if the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for the payroll periods chargeable to the fiscal year ending June 30, 2011, then the aggregate amount of allowance payable under this subsection (j)(2) for the two-week period which coincides with the first biweekly pay period that such increase is effective and each of the two-week periods thereafter, which are chargeable to fiscal year 2011 and for which such allowance is payable under this subsection (j)(2), shall be increased by an amount computed by multiplying the average of the percentage increases in all steps of such pay plan by the aggregate amount of allowance otherwise payable under this subsection (j)(2): *Provided further*, That all expenditures under this subsection (j)(2) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (j)(2) and which are chargeable to fiscal year 2011.

(k) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2010, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2010 for an additional amount of biweekly compensation for the following legislative officers equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation per biweekly pay period for such legislative officers as follows:

(1) For the president of the senate and the speaker of the house of representatives equal to the amount required to provide an aggregate amount of \$545.37 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period which is chargeable to fiscal year 2010;

(2) for the speaker pro tem of the house of representatives, the vice president of the senate, the assistant majority leaders of the senate and house of representatives, and the assistant minority leaders of the senate and house of representatives equal to the amount required to provide an aggregate amount of \$278.35 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period which is chargeable to fiscal year 2010;

(3) for the chairperson of the senate committee on ways and means and the chairperson of the house of representatives committee on appropriations equal to the amount required to provide an aggregate amount of \$438.57 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period which is chargeable to fiscal year 2010;

(4) for the majority leaders of the senate and house of representatives equal to the amount required to provide an aggregate amount of \$492.01 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period which is chargeable to fiscal year 2010; and

(5) for the minority leaders of the senate and house of representatives equal to the amount required to provide an aggregate amount of \$492.01 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period which is chargeable to fiscal year 2010: *Provided*, That all expenditures under this subsection (k) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to such legislative officers under K.S.A. 46-137b, and amendments thereto, for the biweekly pay periods which are chargeable to fiscal year 2010.

(l) In addition to the other purposes for which expenditures may be made by the legislative coordinating council from the legislative coordi-

nating council — operations account of the state general fund for the fiscal year ending June 30, 2010, expenditures shall be made by the legislative coordinating council from the legislative coordinating council — operations account of the state general fund for fiscal year 2010 for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$89.55 per calendar day for each member of the legislative coordinating council for any calendar day for which per diem compensation is payable from appropriations for the legislative coordinating council under K.S.A. 46-1209, and amendments thereto, to such member as provided in K.S.A. 75-3212, and amendments thereto, at the rate prescribed by subsection (a) of K.S.A. 46-137a, and amendments thereto, and which is chargeable to fiscal year 2010: *Provided*, That all expenditures under this subsection (l) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislative coordinating council for the biweekly pay periods for which such per diem compensation is payable for calendar days which are chargeable to fiscal year 2010.

(m) In addition to the other purposes for which expenditures may be made by the division of post audit from the operations (including legislative post audit committee) account of the state general fund for the fiscal year ending June 30, 2010, expenditures shall be made by the division of post audit from the operations (including legislative post audit committee) account of the state general fund for fiscal year 2010:

(1) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$89.55 per calendar day for each member of the legislative post audit committee for any calendar day for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1104, and amendments thereto, to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a, and amendments thereto, and which is chargeable to fiscal year 2010; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$89.55 per calendar day for each member of the contract audit committee for any calendar day for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1120, and amendments thereto, to such member as provided in K.S.A. 75-3223, and amendments thereto, at the rate prescribed by subsection (a) of K.S.A. 46-137a, and amendments thereto, and which is chargeable to fiscal year 2010: *Provided*, That all expenditures under this subsection (m) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislative post audit committee or contract audit committee for the biweekly pay periods for which such per diem compensation is payable for calendar days which are chargeable to fiscal year 2010.

(n) In addition to the other purposes for which expenditures may be made by the judicial branch from the judiciary operations account of the state general fund for the fiscal year ending June 30, 2010, expenditures shall be made by the judicial branch from the judiciary operations account of the state general fund for fiscal year 2010:

(1) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$89.55 per calendar day for each member of the advisory council on dispute resolution for any calendar day for which per diem compensation is payable to such member of the advisory council on dispute resolution under K.S.A. 5-505, and amendments thereto, who is entitled, in accordance with subsection (e) of K.S.A. 75-3223, and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212, and amendments thereto, at the rate prescribed by subsection (a) of K.S.A. 46-137a, and amendments thereto, and which is chargeable to fiscal year 2010; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem com-

pensation otherwise payable, an aggregate amount of compensation of \$89.55 per calendar day for each retired justice or judge who performs judicial service or duties under K.S.A. 20-2616, and amendments thereto, for each calendar day for which per diem compensation is payable to such retired justice or judge under K.S.A. 20-2616, and amendments thereto, and is chargeable to fiscal year 2010: *Provided*, That all expenditures under this subsection (n) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the advisory council on dispute resolution or to such retired justices or judges for the biweekly pay periods for which such per diem compensation is payable and which are chargeable to fiscal year 2010.

(o) In addition to the other purposes for which expenditures may be made by the judicial council from the operating expenditures account of the state general fund and one or more special revenue funds for the fiscal year ending June 30, 2010, expenditures shall be made by the judicial council from the operating expenditures account of the state general fund for fiscal year 2010 for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$89.55 per calendar day for each member of the judicial council and for each regularly appointed member of a special committee of the judicial council who is not a member of the judicial council for any calendar day for which per diem compensation is payable to such member of the judicial council or a special committee thereof under K.S.A. 20-2206, and amendments thereto, at the rate of compensation in accordance with K.S.A. 75-3212, and amendments thereto, at the rate prescribed by subsection (a) of K.S.A. 46-137a, and amendments thereto, and is chargeable to fiscal year 2010: *Provided*, That all expenditures under this subsection (o) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the judicial council or special committees thereof for the biweekly pay periods for which such per diem compensation is payable and which are chargeable to fiscal year 2010.

(p) In addition to the other purposes for which expenditures may be made by state agencies from one or more accounts of the state general fund and one or more special revenue funds in accordance with appropriations for the fiscal year ending June 30, 2010, made by this or other appropriation act of the 2009 regular session of the legislature for additional amounts of compensation for state officers and employees in accordance with the following:

(1) The governor is hereby authorized to modify the pay plan for the classified service under the Kansas civil service act for fiscal year 2010 in accordance with this subsection (p)(1) and to adopt such pay plan as so modified; the existing pay plan for fiscal year 2010 shall be modified to provide for (A) a base pay rate increase of 1.0% in the pay rates of such pay plan, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2010, (B) additional modifications to implement the recommendations of the state employee compensation oversight commission, including (i) the design, development and implementation of the five recommended pay plans, (ii) development and implementation of a new statewide employee performance management system for classified executive branch employees, and (iii) performing market salary surveys on one-third of the executive branch classified workforce annually, and (C) market adjustments to the job classes determined to be significantly below market salary rates, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2010, for positions in such job classifications; the pay plan adopted by the governor under this subsection (p)(1) shall be the pay plan for the classified service under the Kansas civil service act and shall be effective on the first day of the first biweekly payroll period which is specified therefor in this subsection (p)(1) and which is chargeable to the fiscal year ending June 30, 2010; the pay plan adopted by the governor under this subsection (p)(1) for fiscal year 2010 shall be subject to modification and approval as provided under K.S.A. 75-2938, and amendments thereto, and to any enactment of the legislature applicable thereto;

(2) The governor is hereby authorized to modify or authorize the modification of the salaries of state officers and employees who are in the

unclassified service under the Kansas civil service act and whose salaries are subject to approval by the governor under K.S.A. 75-2935b or 75-2935c, and amendments thereto, to provide for base salary increases, to be effective on the first day of the first payroll period which is chargeable to the fiscal year ending on June 30, 2010, for which the base salary increase is authorized in accordance with this subsection (p)(2), and to be distributed from a salary increase pool: *Provided*, That for each bi-weekly payroll period which is chargeable to fiscal year 2010, the average of such increases shall not exceed an additional 1.0% of the base salaries of such officers and employees; and

(3) each elected state official of the executive branch of state government, including the state board of education, the state board of regents and the board of trustees of the Kansas public employees retirement system, in each such official, corporation or board's discretion, are hereby authorized to modify or to authorize the modification of the salaries of the state officers and employees of such official, corporation or board, who are in the unclassified service under the Kansas civil service act and whose salaries are not subject to approval by the governor under K.S.A. 75-2935b, and amendments thereto, to provide for base salary increases to be effective on the first day of the first payroll period which is chargeable to the fiscal year ending June 30, 2010, for which the base salary increase is authorized in accordance with this subsection (p)(3), and to be distributed from a salary increase pool: *Provided*, That for each bi-weekly payroll period which is chargeable to fiscal year 2010, the average of such increases shall not exceed an additional 1.0% of the base salaries of such officers and employees of such official, corporation or board. The provisions of this subsection (p)(3) shall not authorize or provide any salary increase for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance, or attorney general, or for any member of any state board, commission, council or committee receiving per diem compensation as provided by statute.

(q) (1) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2009 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 to provide each employee, who is eligible for a longevity bonus payment pursuant to K.S.A. 75-5541, and amendments thereto, an additional amount of longevity bonus payment during fiscal year 2010 equal to the amount required to provide, along with the amount of the longevity bonus payment otherwise payable pursuant to K.S.A. 75-5541, and amendments thereto, an aggregate amount of longevity bonus that would be payable if the amount of the longevity bonus payment pursuant to K.S.A. 75-5541, and amendments thereto, were determined by multiplying the number of full years of state service, not to exceed 25 years, rendered by such employee by \$50: *Provided*, That all expenditures under this subsection (q) for such purposes shall be made in the same manner and at the same time that the longevity bonus payment determined under K.S.A. 75-5541, and amendments thereto, is payable during fiscal year 2010 to such employee: *Provided further*, That each such additional amount of longevity bonus payment to any such employee shall be deemed to have the same characteristics, be subject to the same withholding, deduction or contribution requirements, and is intended to be a bonus as defined in 29 C.F.R. §778.208, to the same extent and effect as longevity bonus payments that are payable pursuant to K.S.A. 75-5541, and amendments thereto.

(2) As used in this subsection (q), "state agency" means any state agency in the executive branch, legislative branch or judicial branch of state government and "employee" means any officer or employee of a state agency.

(r) On July 1, 2009, of the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2010, by this or other appropriation act of the 2009 regular session of the legislature and that is budgeted for fiscal year 2010 for payment of longevity bonus payments pursuant to K.S.A. 75-5541 and amendments thereto, and including the additional amount of longevity bonus payment as provided in subsection (q), the amount equal the

amount budgeted for fiscal year 2010 in each such account of the state general fund for such longevity bonus payments, as certified by the director of the budget to the director of accounts and reports, is hereby lapsed: *Provided*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of legislative research.

Sec. 103.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2010, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities..... \$185,488

Provided, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Energy conservation improvements — debt service..... \$3,780

Judicial center rehabilitation and repair \$92,830

Provided, That any unencumbered balance in the judicial center rehabilitation and repair account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Replace Docking chillers \$483,885

Kansas department of transportation — CTP — debt service \$8,848,975

Statehouse improvements — debt service \$7,265,264

Capitol complex repair and rehabilitation..... \$2,784,900

Judicial center improvements — debt service \$28,260

Debt service — revenue bonds issued for state agencies.. \$39,030,000

Provided, That, in accordance with K.S.A. 2008 Supp. 74-8905, and amendments thereto, the secretary of administration is hereby authorized to request that the Kansas development finance authority issue bonds during the fiscal year ending June 30, 2010, in order to refund bonds, the debt service payments for which are detailed in this section: *Provided, however*, That all moneys in the debt service — revenue bonds issued for state agencies account shall be for bonded debt service for state agencies in accordance with this proviso: *Provided further*, That no moneys appropriated in the debt service — revenue bonds issued for state agencies account for fiscal year 2010 shall be accounted for in the state accounting system or upon the books of the state treasurer as budgeted, authorized or otherwise available for expenditure or encumbrance by the above agency from the state general fund for fiscal year 2010 and no expenditures shall be made from the debt service — revenue bonds issued for state agencies account except upon a specific certification by the director of the budget to the director of accounts and reports and to the state treasurer that the amount specified in such certification is required to be expended from such account for debt service as specified in such certification: *And provided further*, That, until such a certification by the director of the budget, the moneys in the debt service — revenue bonds issued for state agencies account shall be accounted for in the state accounting system and upon the books of the state treasurer as part of the unencumbered balance in the state general fund for all purposes under state law: *And provided further*, That, upon such a certification by the director of the budget, the moneys in the debt service — revenue bonds issued for state agencies account may be expended during fiscal year 2010 only for payment of bonded debt service for the following state agencies, subject to the aggregate limitations specified therefor:

Department of administration \$24,050,000

Kansas public employees retirement system \$2,575,000

State board of regents \$6,380,000

Pittsburg state university \$165,000

University of Kansas \$720,000

Wichita state university \$1,340,000

Department of corrections..... \$835,000

Kansas bureau of investigation — attorney general..... \$300,000

Adjutant general..... \$1,455,000

State fair board \$1,210,000

Provided, That, at the same time as the director of the budget transmits each certification to the director of accounts and reports and the state

treasurer pursuant to this subsection, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(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 shall not exceed the following:

Veterans memorial fund	No limit
State facilities gift fund.....	No limit
Master lease program fund	No limit
State buildings depreciation fund.....	\$0
Executive mansion gifts fund	No limit
Topeka state hospital cemetery memorial gift fund.....	No limit
Landon state office building repair expense fund	No limit
MacVicar avenue assessment expense fund	No limit
Capitol area plaza authority planning fund	No limit

Provided, That, the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol plaza area authority planning fund.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Motor pool shop — debt service.....	No limit
Paint and grounds shop — debt service	No limit
Parking improvements and repair	No limit

(d) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2010, expenditures may be made by the above agency from the building and ground fund for fiscal year 2010 from any unencumbered balance as of June 30, 2009, in each of the following capital improvement accounts of the building and ground fund: Parking improvements and repair: *Provided*, That the expenditures for fiscal year 2010 from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided further*, That all expenditures from the building and ground fund for the fiscal year 2010 from the unencumbered balance in any such account shall be in addition to any expenditure limitation imposed on the building and ground fund for the fiscal year 2010.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas facilities projects — debt service	No limit
Rehabilitation and repair	\$400,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 2010.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2010, expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each capital improvement account of the state buildings depreciation fund for one or more projects approved for prior fiscal years: *Provided*, That expenditures from the unencumbered balance in any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided*

further, That all expenditures from any such account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 2010.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Memorial hall — debt service	No limit
Docking cooling towers replacement — debt service	No limit
Eisenhower building purchase and renovation — debt service	No limit

(h) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Printing plant — debt service.....	No limit
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(i) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service depreciation reserve fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service depreciation reserve fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair	\$75,000
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Sec. 104.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2010, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service — 1430 Topeka facilities.....	\$135,068
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(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser — federal fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser — federal fund during the fiscal year 2010, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair	\$80,000
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Sec. 105.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2010, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Insurance department rehabilitation and repair fund	No limit
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Sec. 106.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2010, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects	\$4,062,950
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Provided, That the secretary of social and rehabilitation services is hereby authorized to transfer moneys during fiscal year 2010 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01 or 76-12a18, and amendments thereto, for projects approved by the secretary of social and rehabilitation services: Provided further, That expenditures also may be

made from this account during fiscal year 2010 for the purposes of rehabilitation and repair for facilities of the department of social and rehabilitation services other than any institution, as defined by K.S.A. 76-12a01 or 76-12a18, and amendments thereto.

Debt service — new state security hospital	\$3,907,225
Debt service — state hospitals rehabilitation and repair...	\$2,587,050

(b) In addition to the purposes for which expenditures may be made by the above agency from the other state fees fund for fiscal year 2010, expenditures may be made by the above agency from the other state fees fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Area office rehabilitation and repair	\$200,000
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Provided, That expenditures from the area office rehabilitation and repair account shall be in addition to any expenditure limitation imposed on the other state fees fund for fiscal year 2010.

Sec. 107.

DEPARTMENT OF LABOR

(a) In addition to the other purposes for which expenditures may be made by the above agency from the employment security administration fund for fiscal year 2010, expenditures may be made by the above agency from the employment security administration fund for fiscal year 2010 from moneys made available to the state under section 903(d) of the federal social security act, as amended: *Provided*, That expenditures from this fund during fiscal year 2010 of moneys made available to the state under section 903(d) of the federal social security act, as amended, may be made for the following capital improvement projects: (1) For rehabilitation and repair of existing buildings used by the department of labor for employment security purposes; (2) for paving, landscaping and acquiring fixed equipment as may be required for the use and operation of such buildings; or (3) for any combination of these purposes: *Provided further*, That expenditures from this fund for fiscal year 2010 of moneys made available to the state under section 903(d) of the federal social security act, as amended, for such capital improvement purposes shall not exceed \$40,000 plus the amounts of unencumbered balances as of June 30, 2009, for capital improvement projects approved for fiscal years prior to fiscal year 2010: *And provided further*, That all expenditures from this fund for any such capital improvement purposes or projects shall be in addition to any expenditure limitation imposed on the employment security administration fund for fiscal year 2010.

(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 shall not exceed the following:

Employment security administration property sale fund...	No limit
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Provided, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund for the unemployment insurance program: *Provided, however*, That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(c) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund for fiscal year 2010 as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2010 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and

amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*, That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*, That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury to the credit of the employment security administration property sale fund of the department of labor: *Provided, however*, That expenditures from such fund shall not exceed the limitation established for fiscal year 2010 by this or other appropriation act of the 2009 regular session of the legislature except upon approval of the state finance council.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2010, expenditures may be made by the above agency from the special employment security fund for fiscal year 2010 for the following capital improvement projects: Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the special employment security fund for fiscal year 2010 for such capital improvement purposes shall not exceed \$278,158: *Provided further*, That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitation imposed on the special employment security fund for fiscal year 2010.

Sec. 108.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2010, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and repair projects.....	\$280,000
Veterans' home rehabilitation and repair projects.....	\$85,000

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

Veterans' cemeteries federal construction grant fund.....	No limit
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Sec. 109.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2010, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects	\$152,936
Replace roof for Vogel building	\$206,584

Sec. 110.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2010, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects	\$200,000
Foundation repair.....	\$100,000

Sec. 111.

STATE HISTORICAL SOCIETY

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

Rehabilitation and repair projects	\$214,595
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Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

(b) There is hereby 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 shall not exceed the following:

Other federal grants fund	No limit
Private gifts, grants and bequests	No limit

(c) In addition to other purposes for which expenditures may be made by the above agency from the state historical society facilities fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the state historical society facilities fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects \$25,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the state historical society facilities fund for fiscal year 2010.

(d) In addition to other purposes for which expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the historic properties fee fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects \$25,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the historic properties fee fund for fiscal year 2010.

Sec. 112.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2010, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union refurbishing fund..... No limit
Twin towers project revenue fund No limit
Twin towers bond and interest sinking fund..... No limit
Twin towers maintenance and equipment reserve fund.... No limit
Deferred maintenance support fund No limit
Infrastructure maintenance fund No limit

(b) During the fiscal year ending June 30, 2010, the above agency may make expenditures from the rehabilitation and repair projects — EBF account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 155(a) of chapter 131 of the 2008 Session Laws of Kansas or to any provision of this or other appropriation act of the 2009 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2008.

(c) In addition to the other purposes for which expenditures may be made by Emporia state university from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or fiscal year 2011 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, expenditures shall be made by Emporia state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010 or fiscal year 2011, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to redevelop, renovate and equip the memorial student union: *Provided*, That such capital improvement project is hereby approved for Emporia state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Emporia state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$25,030,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from

the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds of Emporia state university.

Sec. 113.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2010, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation — bond and interest sinking fund	No limit
Lewis field renovation — revenue fund	No limit
Memorial union renovation debt service fund.....	No limit
Deferred maintenance support fund	No limit
Infrastructure maintenance fund	No limit
Soccer facility fund	No limit
Wind power generation facility fund	No limit

(b) During the fiscal year ending June 30, 2010, the above agency may make expenditures from the rehabilitation and repair projects — EBF account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 155(a) of chapter 131 of the 2008 Session Laws of Kansas or to any provision of this or other appropriation act of the 2009 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2008.

(c) In addition to the other purposes for which expenditures may be made by Fort Hays state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Fort Hays state university for fiscal year 2010, as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by Fort Hays state university from moneys appropriated from the state general fund or from any special revenue fund or funds for Fort Hays state university for fiscal year 2010 to raze wing “A” of Wiest hall.

(d) In addition to the other purposes for which expenditures may be made by Fort Hays state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Fort Hays state university for fiscal year 2010, as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by Fort Hays state university from moneys appropriated from the state general fund or from any special revenue fund or funds for Fort Hays state university for fiscal year 2010 to raze residential property at 610 Park Street, Hays, Kansas.

(e) In addition to the other purposes for which expenditures may be made by Fort Hays state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Fort Hays state university for fiscal year 2010, as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by Fort Hays state university from moneys appropriated from the state general fund or from any special revenue fund or funds for Fort Hays state university for fiscal year 2010 to raze residential property at 507 W. 6th Street, Hays, Kansas.

Sec. 114.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2010, for the capital improvement project or projects specified as follows:

Lease payment — Salina aeronautical center (including aeronautical laboratory center)	\$189,446
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2010, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Engineering complex phase II private gift fund	No limit
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Ackert hall addition — gifts and grants fund	No limit
Salina runway improvements fund	No limit
Student life center — Salina construction debt service fund	No limit
Deferred maintenance support fund	No limit
Infrastructure maintenance fund	No limit
Sheep and goat facility fund.....	No limit

(c) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010 as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010 to raze portions of building no. 025 (Seaton hall).

(d) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or fiscal year 2011 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, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010 or fiscal year 2011, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to redevelop, renovate and equip the Jardine apartments: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$102,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the housing system operations fund or any other appropriate special revenue fund or funds of Kansas state university.

(e) In addition to the other purposes for which expenditures may be made by Kansas state university for the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or fiscal year 2011 as authorized by this or other appropriation act of the 2009 regular session of the legislature or by any appropriation act of the 2009 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or for fiscal year 2011 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to expand and renovate the Bramlage coliseum and Bill Snyder family stadium: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$45,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such

project and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any special revenue fund or funds or any other appropriate fund.

(f) In addition to the other purposes for which expenditures may be made by Kansas state university for the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or fiscal year 2011 as authorized by this or other appropriation act of the 2009 regular session of the legislature or by any appropriation act of the 2009 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or for fiscal year 2011 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to expand and renovate the Peters student recreation center: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$24,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the restricted fees fund or any other appropriate special revenue fund or funds.

(g) During the fiscal year ending June 30, 2010, the above agency may make expenditures from the rehabilitation and repair projects — EBF account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 155(a) of chapter 131 of the 2008 Session Laws of Kansas or to any provision of this or other appropriation act of the 2009 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2008.

(h) During the fiscal year ending June 30, 2010, the director of accounts and reports shall transfer an amount or amounts specified by the president of Kansas state university from the deferred maintenance support fund of Kansas state university veterinary medical center or the deferred maintenance support fund of Kansas state university extension systems and agriculture research programs to the deferred maintenance support fund of Kansas state university. The president of Kansas state university shall certify each such transfer to the director of accounts and reports.

(i) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or fiscal year 2011 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, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or for fiscal year 2011 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct a child care facility at Kansas state university: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the au-

thorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$6,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the restricted fees fund or any other appropriate special revenue fund or funds of Kansas state university.

Sec. 115.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 2010, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2010 for the following capital improvement project or projects:

Validation/fresh meats processing laboratory.....	No limit
Equine education and research center.....	No limit
Grain science center	No limit
Construct east Kansas horticulture research center.....	No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the sponsored research overhead fund for fiscal year 2010, expenditures may be made by the above agency from the sponsored research overhead fund for the fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Southeast agriculture research center buildings	No limit
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(c) There is appropriated for the above agency from the 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 shall not exceed the following:

Greenhouse laboratory construction fund.....	No limit
Horticulture research/education center construction fund	No limit
Deferred maintenance support fund	No limit
Infrastructure maintenance fund	No limit

(d) In addition to the other purposes for which expenditures may be made by Kansas state university extension systems and agriculture research programs from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or fiscal year 2011 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, expenditures shall be made by Kansas state university extension systems and agriculture research programs from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or fiscal year 2011 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for greenhouse laboratory construction: *Provided*, That such capital improvement project is hereby approved for Kansas state university extension systems and agriculture research programs for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university extension systems and agriculture research programs may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall

not exceed \$1,700,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the Kansas educational building fund or any other appropriate special revenue fund or funds.

(e) In addition to the other purposes for which expenditures may be made by Kansas state university extension systems and agriculture research programs from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or fiscal year 2011 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, expenditures shall be made by Kansas state university extension systems and agriculture research programs from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or fiscal year 2011 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for horticulture research/education center construction: *Provided*, That such capital improvement project is hereby approved for Kansas state university extension systems and agriculture research programs for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university extension systems and agriculture research programs may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$1,500,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the Kansas educational building fund or any other appropriate special revenue fund or funds.

Sec. 116.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2010, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Deferred maintenance support fund	No limit
Infrastructure maintenance fund	No limit

(b) During the fiscal year ending June 30, 2010, the above agency may make expenditures from the rehabilitation and repair projects — EBF account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 155(a) of chapter 131 of the 2008 Session Laws of Kansas or to any provision of this or other appropriation act of the 2009 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2008.

Sec. 117.

PITTSBURG STATE UNIVERSITY

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

Armory/classroom/recreation center debt service	\$160,599
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2010, all

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

Horace Mann renovation revenue fund	No limit
Overman renovation revenue fund.....	No limit
Deferred maintenance support fund	No limit
Infrastructure maintenance fund	No limit
Student health center — private gifts fund.....	No limit

(c) During the fiscal year ending June 30, 2010, the above agency may make expenditures from the rehabilitation and repair projects — EBF account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 155(a) of chapter 131 of the 2008 Session Laws of Kansas or to any provision of this or other appropriation act of the 2009 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2008.

(d) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from any special revenue fund for Pittsburg state university for fiscal year 2010 by this or other appropriation act of the 2009 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from any special revenue fund for Pittsburg state university for fiscal year 2010 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for parking improvements: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$4,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

(e) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from any special revenue fund for Pittsburg state university for fiscal year 2010 by this or other appropriation act of the 2009 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from any special revenue fund for Pittsburg state university for fiscal year 2010 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for student housing improvements and construction: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$22,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That

debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

(f) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from any special revenue fund for Pittsburg state university for fiscal year 2010 by this or other appropriation act of the 2009 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from any special revenue fund for Pittsburg state university for fiscal year 2010 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for student health center construction: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$3,750,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That no bonds shall be approved by the Kansas development finance authority until the conditions of K.S.A. 76-742, and amendments thereto, have been met.

(g) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010 as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by Pittsburg state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010 to raze the student health center.

Sec. 118.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2010, for the capital improvement project or projects specified as follows:

School of pharmacy debt service..... \$914,468

(b) In addition to the other purposes for which expenditures may be made by the university of Kansas for the moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2010 or fiscal year 2011 as authorized by this or other appropriation act of the 2010 regular session of the legislature, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2010 or for fiscal year 2011 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct and remodel the school of pharmacy: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$30,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required

reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the state general fund or any special revenue fund or funds, except that any debt service for fiscal year 2010 and fiscal year 2011 shall be paid from capitalized interest.

(c) 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 shall not exceed the following:

Student union renovation revenue fund.....	No limit
Student health facility maintenance, repair, and equipment fee fund.....	No limit
Regents center revenue fund — K DFA D bonds, 1990 ...	No limit
Parking facilities surplus fund — K DFA G bonds, 1993...	No limit

Provided, That the university of Kansas may make expenditures from the parking facilities surplus fund — K DFA G bonds, 1993 for capital improvements to parking lots in addition to the expenditure of other moneys appropriated therefor.

Deferred maintenance support fund	No limit
Infrastructure maintenance fund	No limit
Multicultural resource center — construction fund	No limit

Provided, That all gifts received for the capital improvement project to construct and equip a multicultural resource center shall be deposited in the state treasury to the credit of the multicultural resource center — construction fund: *Provided further*, That the above agency may transfer moneys during fiscal year 2010 from the appropriate accounts of the restricted fees fund to the multicultural resource center — construction fund for such capital improvement project.

Athletic facilities enhancements special revenue fund	
K DFA A university proceeds	No limit
Child care facility operations account fund.....	No limit
Child care facility student fee account fund.....	No limit
Student recreation & fitness center revenue fund	No limit
Child care facility addition fund.....	No limit

Provided, That the university of Kansas may transfer moneys during fiscal year 2010 from the restricted fees fund or the general fees fund to the child care facility addition fund for the capital improvement project to construct an addition to the child care facility: *Provided further*, That upon completion of the construction project, the university of Kansas may transfer unused moneys from the child care facility addition fund to the general fees fund or the restricted fees fund.

Wescoe hall infill construction fund	No limit
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Provided, That the university of Kansas may transfer moneys during fiscal year 2010 from the general fees fund to the Wescoe hall infill construction fund for the capital improvement project to infill Wescoe hall: *Provided further*, That upon completion of the construction project, the university of Kansas may transfer unused moneys from the Wescoe hall infill construction fund to the general fees fund.

West campus architecture classroom/shop fund	No limit
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Provided, That the university of Kansas may transfer moneys during fiscal year 2010 from the restricted fees fund and general fees fund to the West campus architecture classroom/shop fund for the renovation project for the West campus architecture classroom/shop: *Provided further*, That upon completion of the renovation project, the university of Kansas may transfer unused moneys received from the restricted fees fund in the West campus architecture classroom/shop fund to the restricted fees fund: *And provided further*, That upon completion of the renovation project, the university of Kansas may transfer unused moneys received from the general fees fund in the West campus architecture classroom/shop fund to the general fees fund.

Smisssman hall renovation fund.....	No limit
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Provided, That the university of Kansas may transfer moneys during fiscal year 2010 from the restricted fees fund and general fees fund to the Smisssman hall renovation fund for the renovation project for Smisssman

hall: *Provided further*, That upon completion of the renovation project, the university of Kansas may transfer unused moneys received from the restricted fees fund in the Smissman hall renovation fund to the restricted fees fund: *And provided further*, That upon completion of the renovation project, the university of Kansas may transfer unused moneys received from the general fees fund in the Smissman hall renovation fund to the general fees fund.

(d) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010 as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010 to raze portions of building no. 341 (at sunflower research farm in Johnson county).

(e) In addition to the other purposes for which expenditures may be made by the university of Kansas for the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or fiscal year 2011 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, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or for fiscal year 2011 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct and remodel jayhawk towers — phase 1: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$6,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the state general fund and any appropriate special revenue fund or funds.

(f) In addition to the other purposes for which expenditures may be made by the university of Kansas for the moneys appropriated from any special revenue fund for fiscal year 2010 or fiscal year 2011 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, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or for fiscal year 2011 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct and remodel jayhawk towers — phase 2: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$6,950,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys

received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds.

(g) During the fiscal year ending June 30, 2010, the above agency may make expenditures from the rehabilitation and repair projects — EBF account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 155(a) of chapter 131 of the 2008 Session Laws of Kansas or to any provision of this or other appropriation act of the 2009 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2008.

(h) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from any special revenue fund for the university of Kansas for fiscal year 2010 by this or other appropriation act of the 2009 regular session of the legislature, expenditures shall be made by the university of Kansas from moneys appropriated from any special revenue fund for the university of Kansas for fiscal year 2010 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for the renovation of Gertrude Sellards Pearson hall: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$13,075,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

(i) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010, as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010 to raze portions of building no. 47 (the old multicultural resource center).

(j) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010 as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010: (1) To raze the garage at the sunflower research farm in Johnson county; and (2) to raze building no. 342.

(k) In addition to the other purposes for which expenditures may be made by the university of Kansas for the moneys appropriated from any special revenue fund for fiscal year 2010 or fiscal year 2011 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, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or for fiscal year 2011 to provide for the issuance of bonds by the Kansas development finance authority in

accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct building number four, Edwards campus: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$24,950,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds, including, but not limited to, money deposited in such fund or funds from amounts derived pursuant to K.S.A. 19-5001 et seq., and amendments thereto.

(l) On July 1, 2009, the expenditure limitation established for the fiscal year ending June 30, 2010, by section 36(e) of chapter 184 of the 2008 Session Laws of Kansas on the school of pharmacy expansion project fund is hereby decreased from \$15,000,000 to \$0.

(m) On July 1, 2010, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 36(f) of chapter 184 of the 2008 Session Laws of Kansas on the school of pharmacy expansion project fund is hereby decreased from \$15,000,000 to \$0.

(n) The director of accounts and reports shall not make the transfer of \$15,000,000 from the expanded lottery act revenues fund to the school of pharmacy expansion project fund of the university of Kansas which was directed to be made on July 1, 2009, by section 36(d)(1) of chapter 184 of the 2008 Session Laws of Kansas and, on July 1, 2009, the provisions of section 36(d)(1) are hereby declared to be null and void and shall have no force and effect.

(o) The director of accounts and reports shall not make the transfer of \$15,000,000 from the expanded lottery act revenues fund to the school of pharmacy expansion project fund of the university of Kansas which was directed to be made on July 1, 2010, by section 36(d)(2) of chapter 184 of the 2008 Session Laws of Kansas and, on July 1, 2010, the provisions of section 36(d)(2) are hereby declared to be null and void and shall have no force and effect.

Sec. 119.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2010, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fund — K.C. campus.....	No limit
Construct and equip center for health in aging bond revenue fund.....	No limit
Construct and equip center for health in aging bond reserve fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit
Construct parking facility #3 fund.....	No limit
Construct parking facility #4 fund.....	No limit

Provided, That the university of Kansas medical center may transfer moneys during fiscal year 2010 from appropriate accounts of the parking fees fund to the construct parking facility #4 fund for such capital improvement project.

Lied biomedical research building renovation — gift and grant fund.....	No limit
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(b) During the fiscal year ending June 30, 2010, the director of accounts and reports shall transfer amounts certified by the chancellor of the university of Kansas from the sponsored research overhead fund to the con-

struct and equip center for health in aging bond revenue fund.

(c) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or fiscal year 2011 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, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or fiscal year 2011 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct parking facility #4: *Provided*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas medical center may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$9,100,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the parking fees fund or any other appropriate special revenue fund or funds.

(d) During the fiscal year ending June 30, 2010, the above agency may make expenditures from the rehabilitation and repair projects — EBF account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 155(a) of chapter 131 of the 2008 Session Laws of Kansas or to any provision of this or other appropriation act of the 2009 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2008.

(e) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center for the moneys appropriated from any special revenue fund for fiscal year 2010 or fiscal year 2011 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, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or for fiscal year 2011 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to remodel the KU clinical research center: *Provided*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$25,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be

financed by appropriations from any appropriate special revenue fund or funds, including, but not limited to, money deposited in such fund or funds from amounts derived pursuant to K.S.A. 19-5001 et seq., and amendments thereto.

(f) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from any special revenue fund for fiscal year 2010 or fiscal year 2011 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, expenditures shall be made by the university of Kansas medical center of the moneys appropriated from any special revenue fund for fiscal year 2010 or for fiscal year 2011 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to renovate the Hixon/Wahl east/Wahl west laboratory complex: *Provided*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas medical center may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$34,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds, including, but not limited to, money deposited in such fund or funds from amounts derived pursuant to K.S.A. 19-5001 et seq., and amendments thereto.

Sec. 120.

WICHITA STATE UNIVERSITY

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

Aviation research debt service \$306,268

(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 shall not exceed the following:

On campus parking reserve account fund — KDFA B bonds	No limit
Parking system project — maintenance fund, KDFA revenue bonds.....	No limit
On campus parking principal and interest fund — KDFA B bonds	No limit
Parking system project revenue fund — KDFA bonds.....	No limit
WSU housing system surplus fund.....	No limit
Deferred maintenance support fund	No limit
Infrastructure maintenance fund	No limit

(c) During the fiscal year ending June 30, 2010, the above agency may make expenditures from the rehabilitation and repair projects — EBF account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 155(a) of chapter 131 of the 2008 Session Laws of Kansas or to any provision of this or other appropriation act of the 2009 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2008.

Sec. 121.

STATE BOARD OF REGENTS

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

fund for the fiscal year ending June 30, 2010, the following:

PEI infrastructure — debt service \$6,356,250

(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:

Postsecondary educational infrastructure finance KDFA
2008A revenue fund No limit

(c) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2010, for the capital improvement project or projects specified as follows:

Debt service — revenue bonds issued for major remodeling and new construction projects at state educational institutions \$15,000,000

Rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education..... \$28,700,000

Provided, That the state board of regents is hereby authorized to transfer moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects approved by the state board of regents: *Provided, however*, That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

(d) 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:

Research bond debt service fund..... No limit
Sec. 122.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2010, for the capital improvement project or projects specified, the following:

Debt service payment for the revenue refunding bond issues..... \$574,303

Debt service payment for the infrastructure projects bond issue \$897,000

Debt service payment for the reception and diagnostic unit relocation bond issue \$1,358,000

Debt service payment for the Labette correctional conservation camp bond issue \$4,000

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2010, for the capital improvement project or projects specified, the following:

Debt service payment for the revenue refunding bond issues..... \$1,689,697

Capital improvements — rehabilitation and repair of correctional institutions..... \$3,231,303

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2010 from the capital improvements — rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the cor-

rectional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2010 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

Debt service payment for the prison capacity expansion projects bond issue \$130,461

(c) 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 shall not exceed the following:

Correctional facilities infrastructure projects fund No limit

Provided, That the department of corrections may make expenditures from the correctional facilities infrastructure projects fund for a capital improvement project or projects to improve agency facilities: *Provided, however*, That expenditures from this fund for such capital improvement project or projects, including necessary furniture and equipment, shall not exceed the amount transferred to the correctional facilities infrastructure projects fund: *Provided further*, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2010 from the correctional facilities infrastructure projects fund to an account or subaccount of the correctional facilities infrastructure projects fund of any institution or facility under the jurisdiction of the secretary of corrections.

(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: (1) 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 (2) 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 for any actual construction work for any such capital improvement project to expand prison capacity bonds shall be expended prior to July 1, 2010.

Sec. 123.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2010, for the capital improvement project or projects specified, the following:

Capital improvements — rehabilitation and repair of juvenile correctional facilities.....	\$797,198
Debt service — Topeka complex and Larned juvenile correctional facility.....	\$3,999,013
Debt service — Kansas juvenile correctional complex burner replacement	\$62,688

Provided, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the debt service — Kansas juvenile correctional complex burner replacement account of the state institutions building fund to make the final payment for the burner replacement.

Debt service — Beloit juvenile correctional facility boiler replacement.....	\$206,095
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Provided, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the debt service — Beloit juvenile correctional facility boiler replacement account of the state institutions building fund to make the final payment for the boiler replacement.

(b) In addition to the other purposes for which expenditures may be made by the juvenile justice authority from the moneys appropriated from the state institutions building fund or from any other special revenue fund or funds for fiscal year 2010 as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the juvenile justice authority from moneys appropriated from the state institutions building fund or from any other special revenue fund or funds for fiscal year 2010 to raze the maintenance building no. 15, at the Atchison juvenile correctional facility.

(c) During the fiscal year ending June 30, 2010, the commissioner of juvenile justice, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2010, from the state institutions building fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to another item of appropriation for fiscal year 2010 from the state institutions building fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice. The commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 124.

ATTORNEY GENERAL — KANSAS BUREAU OF INVESTIGATION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2010, for the capital improvement project or projects specified, the following:

Debt service — headquarters building	\$9,293
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(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.

Sec. 125.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2010, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Rehabilitation and repair — training center — Salina.....	\$50,800
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Provided, That all expenditures from each such capital improvement ac-

count shall be in addition to any expenditure limitation imposed on the highway patrol training center fund for fiscal year 2010.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2010, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service — vehicle inspection facility — Olathe \$62,056

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the vehicle identification number fee fund for fiscal year 2010.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2010, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service — Topeka fleet service \$370,575
Scale replacement and rehabilitation and repair of buildings \$217,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the Kansas highway patrol operations fund for fiscal year 2010.

(d) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$587,575 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2010 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2010 for support and maintenance of the Kansas highway patrol.

Sec. 126.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2010, for the capital improvement project or projects specified, the following:

Debt service — training center \$719,331
Debt service — armory/classroom/recreation center at PSU \$57,988
Debt service — rehabilitation and repair of the statewide armories..... \$1,084,739
Rehabilitation and repair projects \$462,279

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Sec. 127.

STATE FAIR BOARD

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

State fair capital improvements fund No limit
Road maintenance fund \$40,000

(b) On or before the 10th of each month during the fiscal year ending June 30, 2010, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$40,000 from the state highway fund of the department of transportation to the road maintenance fund of the state fair board.

DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2010, for the capital improvement project or projects specified, the following:

Parks ongoing rehabilitation..... \$474,122

Provided, That any unencumbered balance in the parks ongoing rehabilitation account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

Special assessment for Kaw river state park..... \$187,314

Any unencumbered balance in excess of \$100 as of June 30, 2009, in each of the following capital improvement accounts of the state general fund is hereby reappropriated for fiscal year 2010: State parks capital improvement projects; state parks repair and maintenance projects.

(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 shall not exceed the following:

Department access road fund..... No limit

Provided, That, except in cases of emergencies or other unanticipated projects, all expenditures from the department access road fund for fiscal year 2010 shall be for projects at the state parks.

Bridge maintenance fund No limit

(c) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,617,470 from the state highway fund of the department of transportation to the department access road fund of the department of wildlife and parks.

(d) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the department of wildlife and parks.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Pratt storage building..... \$11,200

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the parks fee fund for fiscal year 2010.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2010, expenditures may be made by the above agency from the parks fee fund for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each existing capital improvement account of the parks fee fund: Provided, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: Provided further, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the parks fee fund for fiscal year 2010 and shall be in addition to any other expenditure limitation imposed on any such account of the parks fee fund for fiscal year 2010.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Pratt storage building..... \$1,200

River access..... \$70,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 2010.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2010,

expenditures may be made by the above agency from the boating fee fund for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each existing capital improvement account of the boating fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 2010 and shall be in addition to any other expenditure limitation imposed on any such account of the boating fee fund for fiscal year 2010.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the boating fund — federal for fiscal year 2010, expenditures may be made by the above agency from the boating fund - federal for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each existing capital improvement account of the boating fund — federal: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the boating fund — federal for fiscal year 2010 and shall be in addition to any other expenditure limitation imposed on any such account of the boating fund — federal for fiscal year 2010.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Federally mandated boating access	\$750,000
Land acquisition.....	\$950,000
Rehabilitation and repair	\$150,000
Pratt storage building.....	\$27,600

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 2010.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2010, expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each existing capital improvement account of the wildlife fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 2010 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife fee fund for fiscal year 2010.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife conservation fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land acquisition.....	\$201,732
Capital improvements	\$200,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife conservation fund for fiscal year 2010.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2010, expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each existing capital improvement account of the wildlife conservation fund: *Provided*, That expenditures from the

unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife conservation fund for fiscal year 2010 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife conservation fund for fiscal year 2010.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation..... \$250,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the cabin revenue fund for fiscal year 2010.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2010, expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each existing capital improvement account of the cabin revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the cabin revenue fund for fiscal year 2010 and shall be in addition to any other expenditure limitation imposed on any such account of the cabin revenue fund for fiscal year 2010.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund — federal for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife conservation fund — federal for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Federally mandated boating access \$350,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife conservation fund — federal for fiscal year 2010.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund — federal for fiscal year 2010, expenditures may be made by the above agency from the wildlife conservation fund — federal for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each existing capital improvement account of the wildlife conservation fund — federal: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife conservation fund — federal for fiscal year 2010 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife conservation fund — federal for fiscal year 2010.

(r) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fund — federal for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fund — federal for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Dam repair — Scott state fishing lake \$650,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife fund — federal for fiscal year 2010.

(s) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fund — federal for fiscal year

2010, expenditures may be made by the above agency from the wildlife fund — federal for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each existing capital improvement account of the wildlife fund — federal: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife fund — federal for fiscal year 2010 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife fund — federal for fiscal year 2010.

(t) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition \$266,800

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2010.

(u) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2010, expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each existing capital improvement account of the migratory waterfowl propagation and protection fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2010 and shall be in addition to any other expenditure limitation imposed on any such account of the migratory waterfowl propagation and protection fund for fiscal year 2010.

(v) In addition to the other purposes for which expenditures may be made by the above agency from the land and water conservation fund — local for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the land and water conservation fund — local for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks, rehabilitation and repair \$385,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the land and water conservation fund — local for fiscal year 2010.

(w) In addition to the other purposes for which expenditures may be made by the above agency from the land and water conservation fund — local for fiscal year 2010, expenditures may be made by the above agency from the land and water conservation fund — local for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each existing capital improvement account of the land and water conservation fund — local: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the land and water conservation fund — local for fiscal year 2010 and shall be in addition to any other expenditure limitation imposed on any such account of the land and water conservation fund — local for fiscal year 2010.

(x) In addition to the other purposes for which expenditures may be made by the above agency from the land and water conservation fund — state for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the land and water conservation fund — state for fiscal year 2010 for the following

capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair \$210,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the land and water conservation fund — state for fiscal year 2010.

(y) In addition to the other purposes for which expenditures may be made by the above agency from the land and water conservation fund — state for fiscal year 2010, expenditures may be made by the above agency from the land and water conservation fund — state for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each existing capital improvement account of the land and water conservation fund — state: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the land and water conservation fund — state for fiscal year 2010 and shall be in addition to any other expenditure limitation imposed on any such account of the land and water conservation fund — state for fiscal year 2010.

(z) In addition to the other purposes for which expenditures may be made by the above agency from the other federal grants fund for fiscal year 2010, expenditures may be made by the above agency from the following capital improvement account or accounts of the other federal grants fund for fiscal year 2010 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Trail development \$421,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the other federal grants fund for fiscal year 2010.

(aa) In addition to the other purposes for which expenditures may be made by the above agency from the other federal grants fund for fiscal year 2010, expenditures may be made by the above agency from the other federal grants fund for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each existing capital improvement account of the other federal grants fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the other federal grants fund for fiscal year 2010 and shall be in addition to any other expenditure limitation imposed on any such account of the other federal grants fund for fiscal year 2010.

(bb) In addition to the other purposes for which expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2010, expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each existing capital improvement account of the department of wildlife and parks gifts and donations fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the department of wildlife and parks gifts and donations fund for fiscal year 2010 and shall be in addition to any other expenditure limitation imposed on any such account of the department of wildlife and parks gifts and donations fund for fiscal year 2010.

(cc) In addition to the other purposes for which expenditures may be made by the above agency from the Tuttle Creek state park mitigation project fund for fiscal year 2010, expenditures may be made by the above agency from the Tuttle Creek state park mitigation project fund for fiscal year 2010 from the unencumbered balance as of June 30, 2009, in each existing capital improvement account of the Tuttle Creek state park mit-

igation project fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2009: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the Tuttle Creek state park mitigation project fund for fiscal year 2010 and shall be in addition to any other expenditure limitation imposed on any such account of the Tuttle Creek state park mitigation project fund for fiscal year 2010.

(dd) In addition to the other purposes for which expenditures may be made by the department of wildlife and parks from the 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, expenditures shall be made by the department of wildlife and parks from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, to provide additional financing for the capital improvement project to purchase new office space to house the Kansas City district office building: *Provided*, That such capital improvement project is hereby approved for the department of wildlife and parks for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the department of wildlife and parks may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$1,664,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds: *And provided further*, That no such bonds shall be issued by the Kansas development finance authority unless the director of the budget has certified to the department of wildlife and parks and to the Kansas development finance authority that sufficient moneys will be available to make debt service payments for such bonds.

Sec. 129. (a) On and after the effective date of this act, notwithstanding the provisions of K.S.A. 74-4927, and amendments thereto, or any other statute, no state agency shall pay to the Kansas public employees retirement system any amounts to the group insurance reserve fund attributable to the period commencing on July 1, 2009, and ending on November 30, 2009, that constitute such state agency's portion of the state's contribution to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto.

(b) On April 1, 2010, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount in each account of each special revenue fund of each state agency that is equal to the aggregate of all amounts that would have been paid from such account to the Kansas public employees retirement system as a contribution for the period commencing on July 1, 2009, and ending on November 30, 2009, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, subject to any applicable federal limitations or restrictions, as certified by the director of the budget to the director of accounts and reports for fiscal year 2010, from such special revenue fund, or account thereof, to the state general fund: *Provided*, That the amounts transferred from special revenue funds to the state general fund pursuant to this subsection (b) are to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 130. (a) Notwithstanding the provisions of K.S.A. 2008 Supp. 75-

2319, and amendments thereto, or any other statute, all transfers made from the state general fund to the school district capital improvements fund in accordance with the provisions of K.S.A. 2008 Supp. 75-2319, and amendments thereto, during the fiscal years ending June 30, 2010, and June 30, 2011, shall be considered to be revenue transfers from the state general fund.

(b) Notwithstanding the provisions of K.S.A. 2008 Supp. 72-8814, and amendments thereto, or any other statute, all transfers made from the state general fund to the school district capital outlay state aid fund in accordance with the provisions of K.S.A. 2008 Supp. 72-8814, and amendments thereto, during the fiscal years ending June 30, 2010, and June 30, 2011, shall be considered to be revenue transfers from the state general fund.

(c) Notwithstanding the provisions of K.S.A. 2008 Supp. 76-775, and amendments thereto, or any other statute, all transfers made from the state general fund to either: (1) The endowed professorship account of the faculty of distinction matching fund of an eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution, or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution, in accordance with the provisions of subsection (a) of K.S.A. 2008 Supp. 76-775, and amendments thereto, during the fiscal years ending June 30, 2010, and June 30, 2011, shall be considered to be revenue transfers from the state general fund.

(d) Notwithstanding the provisions of K.S.A. 2008 Supp. 76-783, and amendments thereto, or any other statute, all transfers made from the state general fund to the regents research corporation fund of the state board of regents, in accordance with the provisions of subsection (a) of K.S.A. 2008 Supp. 76-783, and amendments thereto, during the fiscal years ending June 30, 2010, and June 30, 2011, shall be considered to be revenue transfers from the state general fund.

Sec. 131. (a) The director of accounts and reports shall not make the transfers of the amounts prescribed to be transferred from the state general fund to special revenue funds by section 12(d)(5) of chapter 3 of the 2003 Session Laws of Kansas, which were directed to be made on or before June 30, 2010, on a date certified by the director of the budget, which are equal to 25% of the amount transferred from each such special revenue fund pursuant to section 12(d)(1) of chapter 3 of the 2003 Session Laws of Kansas and, in the aggregate from all such special revenue funds, are equal to \$214,500. On the effective date of this act, the provisions of section 12(d)(5) of chapter 3 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(b) (1) The director of accounts and reports shall not make the transfer of \$1,000,000 prescribed to be transferred from the state general fund to the workers compensation fund of the insurance department by section 10(a)(5) of chapter 3 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2010, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the workers compensation fund to the state general fund pursuant to section 10(a)(1) of chapter 3 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 10(a)(5) of chapter 3 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(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.

(c) The director of accounts and reports shall not make the transfer of \$250,000 prescribed to be transferred from the state general fund to the waste tire management fund of the department of health and environment — division of environment by section 13(a)(5) of chapter 3 of the 2003 Session Laws of Kansas, which was directed to be made on or before

June 30, 2010, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the waste tire management fund to the state general fund pursuant to section 13(a)(1) of chapter 3 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 13(a)(5) of chapter 3 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(d) The director of accounts and reports shall not make the transfer of \$2,500,000 prescribed to be transferred from the state general fund to the underground petroleum storage tank release trust fund of the department of health and environment — division of environment by section 13(b)(5) of chapter 3 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2010, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the underground petroleum storage tank release trust fund to the state general fund pursuant to section 13(b)(1) of chapter 3 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 13(b)(5) of chapter 3 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(e) The director of accounts and reports shall not make the transfer of \$23,652,162 prescribed to be transferred from the state general fund to the state highway fund of the department of transportation by section 19(b)(4) of chapter 3 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2010, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the state highway fund to the state general fund pursuant to section 40(a) of chapter 205 of the 2002 Session Laws of Kansas. On the effective date of this act, the provisions of section 19(b)(4) of chapter 3 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(f) The director of accounts and reports shall not make the transfer of \$7,220,145 prescribed to be transferred from the state general fund to the state highway fund of the department of transportation by section 73(k)(4) of chapter 138 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2010, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the state highway fund to the state general fund pursuant to section 73(j) of chapter 138 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 73(k)(4) of chapter 138 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(g) The director of accounts and reports shall not make the transfer of \$23,901.75 prescribed to be transferred from the state general fund to the state highway fund of the department of transportation by section 19(c)(5) of chapter 160 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2010, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the state highway fund to the state general fund pursuant to section 19(c)(1) of chapter 160 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 19(c)(5) of chapter 160 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 132. On the effective date of this act, notwithstanding the provisions of subsection (j) of K.S.A. 40-3403, and amendments thereto, or any other statute, the aggregate amount of moneys transferred pursuant to the provisions of subsection (j) of K.S.A. 40-3403, and amendments thereto, or any other statute, from the state general fund to the health care stabilization fund for the fiscal year ending June 30, 2010, shall not exceed \$2,805,000.

Sec. 133. On and after July 1, 2009, notwithstanding the provisions of K.S.A. 2008 Supp. 79-34,171, and amendments thereto, or any other statute, the director of accounts and reports shall not make any transfers pursuant to the provisions of K.S.A. 2008 Supp. 79-34,171, and amendments thereto, or any other statute, from the state general fund to the Kansas retail dealers incentive fund during the fiscal year ending June 30, 2010.

Sec. 134. On and after July 1, 2009, notwithstanding the provisions of K.S.A. 2008 Supp 74-99b34, and amendments thereto, or any other statute,

ute, the aggregate amount equal to (a) the annual amount equal to 95% of withholding above the base, as certified or estimated and reconciled by the secretary of revenue, plus (b) annual interest earnings based on the average daily balance of moneys in the bioscience development and investment fund and the net earnings rate of the pooled money investment portfolio, that is directed to be transferred during the fiscal year ending June 30, 2010, from the state general fund to the bioscience development and investment fund by K.S.A. 2008 Supp 74-99b34, and amendments thereto, is hereby decreased from such aggregate amount, which would otherwise be transferred pursuant to K.S.A. 2008 Supp. 74-99b34, and amendments thereto, to the aggregate annual amount of \$40,000,000: *Provided*, That not more than \$40,000,000 shall be transferred from the state general fund to the bioscience development and investment fund during the fiscal year ending June 30, 2010, pursuant to K.S.A. 2008 Supp. 74-99b34, and amendments thereto: *Provided further*, That the state treasurer shall certify to the director of the budget and the director of legislative research when \$40,000,000 has been transferred from the state general fund to the bioscience development and investment fund during the fiscal year ending June 30, 2010, pursuant to K.S.A. 2008 Supp. 74-99b34, and amendments thereto.

Sec. 135. On July 1, 2009, K.S.A. 2008 Supp. 2-223 is hereby amended to read as follows: 2-223. (a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) On each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities. Upon receipt of such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

(c) On each July 1, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund, an amount equal to the amount certified by the state fair board pursuant to subsection (b), except that: (1) No transfer from the state general fund under this subsection shall exceed \$300,000 in any fiscal year; ~~and~~ (2) all transfers made in accordance with the provisions of this section during the fiscal years ending June 30, ~~2009~~ 2010, and June 30, ~~2010~~ 2011, shall be considered to be revenue transfers from the state general fund; *and* (3) *no moneys shall be transferred pursuant to this section from the state general fund to the state fair capital improvements fund during the fiscal year ending June 30, 2010.*

Sec. 136. On July 1, 2009, K.S.A. 2008 Supp. 12-5256 is hereby amended to read as follows: 12-5256. (a) All expenditures from the state housing trust fund made for the purposes of K.S.A. 2008 Supp. 12-5253 through 12-5255, and amendments thereto, shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the Kansas housing resources corporation.

(b) On the effective date of this act and on July 1, 2008, ~~July 1, 2009,~~ ~~July 1, 2010,~~ July 1, 2011, July 1, 2012, July 1, 2013, and July 1, 2014, the director of accounts and reports shall transfer \$4,000,000 from the state general fund to the state housing trust fund established by K.S.A. 2008 Supp. 74-8959, and amendments thereto. *On July 1, 2009, and July 1, 2010, the director of accounts and reports shall transfer \$2,000,000 from the state general fund to the state housing trust fund established by K.S.A. 2008 Supp. 74-8959, and amendments thereto.*

Sec. 137. On July 1, 2009, K.S.A. 2008 Supp. 55-193, as amended by section 87 of 2009 House Substitute for Substitute for Senate Bill No. 23, is hereby amended to read as follows: 55-193. On July 15, 1996, and on the 15th day of each calendar quarter thereafter before July 1, 2016,

the director of accounts and reports shall transfer \$100,000 from the state general fund, \$100,000 from the state water plan fund established by K.S.A. 82a-951 and amendments thereto and \$100,000 from the conservation fee fund established by K.S.A. 55-143 and amendments thereto to the abandoned oil and gas well fund established by K.S.A. 55-192 and amendments thereto, except that: (a) No transfers shall be made pursuant to this section from the state general fund to the abandoned oil and gas well fund during state fiscal year 2009 or state fiscal year 2010; ~~and~~ (b) the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2009 shall not exceed \$320,000; and (c) *the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2010 shall not exceed \$288,000.*

Sec. 138. On July 1, 2009, K.S.A. 2008 Supp. 75-6702 is hereby amended to read as follows: 75-6702. (a) The last appropriation bill passed in any regular session of the legislature shall be the omnibus reconciliation spending limit bill. Each bill which is passed during a regular session of the legislature and which appropriates or transfers money from the state general fund for the ensuing fiscal year shall contain a provision that such bill shall take effect and be in force from and after the effective date of the omnibus reconciliation spending limit bill for that regular session of the legislature or from and after such effective date and a subsequent date or an event occurring after such effective date.

(b) Except as provided in subsection (c), the maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the 2004 regular session of the legislature and each regular session of the legislature thereafter, is hereby fixed so that there will be an ending balance in the state general fund for the ensuing fiscal year that is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year.

(c) The provisions of subsection (b) are hereby suspended for the fiscal year ending June 30, ~~2009~~ 2010, and shall not prescribe a maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the ~~2008~~ 2009 regular session of the legislature.

Sec. 139. On July 1, 2009, K.S.A. 2008 Supp. 76-7,107 is hereby amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon thereafter as sufficient moneys are available, \$7,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2008 Supp. 76-7,104, and amendments thereto.

(2) On July 1, 2009, or as soon thereafter as sufficient moneys are available, \$15,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2008 Supp. 76-7,104, and amendments thereto.

~~(3) On July 1, 2010, or as soon thereafter as sufficient moneys are available, \$15,000,000~~ No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2008 Supp. 76-7,104, and amendments thereto, *during the fiscal year ending June 30, 2010, pursuant to this section.*

(4) On July 1, 2011, or as soon thereafter as sufficient moneys are available, \$10,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2008 Supp. 76-7,104, and amendments thereto.

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

(c) All moneys credited to the infrastructure maintenance fund shall be expended or transferred only for the purpose of paying the cost of projects approved by the state board pursuant to the state educational institution long-term infrastructure maintenance program.

Sec. 140. On July 1, 2009, K.S.A. 2008 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned

and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts which in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of Kansas Statutes Annotated and acts amendatory thereof and supplemental thereto during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: (1) No moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund during state fiscal years ~~2008~~ 2009, 2010 and ~~2009~~ 2011, and (2) the amount of the transfer on each such date shall be ~~\$6,750,000 during the fiscal year 2010~~, \$13,500,000 during fiscal year ~~2011~~ 2012, \$20,250,000 during fiscal year ~~2012~~ 2013, and \$27,000,000 during fiscal year ~~2013~~ 2014 and all fiscal years thereafter. All such transfers are subject to reduction under K.S.A. 75-6704 and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund, except that all such transfers during fiscal year ~~2010~~ 2012 shall be considered to be revenue transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) Sixty-five percent of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201 and amendments thereto on July 1 of the preceding year; and (2) thirty-five percent of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 141. On July 1, 2009, K.S.A. 2008 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts which in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated and acts amendatory thereof and supplemental thereto during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal years ~~2009~~ 2010 and ~~2010~~ 2011. All such transfers are subject to reduction under K.S.A. 75-6704 and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 142. On July 1, 2009, K.S.A. 2008 Supp. 79-2978, as amended by section 88 of 2009 House Substitute for Substitute for Senate Bill No. 23, is hereby amended to read as follows: 79-2978. (a) There is hereby established in the state treasury the business machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the business machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying ad valorem taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2007 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2008, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal

to 90% of such difference for distribution as provided in subsection (e).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2008 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On March 2, 2009, and on June 1, 2009, subject to the provisions of subsection (d) *and* subsection (g), the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (e).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2009 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference for distribution as provided in subsection (e).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2010 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (e).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2011 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2012, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (e).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) The calculations required by subsection (b) shall be based upon a certification made by the county clerk on or before November 15 of the tax year and submitted to the director of property valuation. Such certification shall be in a format devised and prescribed by the director of property valuation. Such certification shall report the total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment. The county clerk shall provide a copy of such certification to the county treasurer for the purpose of determining the distribution of moneys pursuant to the provisions of subsection (e)(2) paid to the county pursuant to subsection (b) by the state treasurer.

(d) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing

in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(e) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the business machinery and equipment tax reduction assistance fund, except that (A) the aggregate amount of moneys transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2009, pursuant to this section shall not exceed the maximum amount determined pursuant to subsection (g), ~~and~~ (B) an amount equal to 50% of the maximum amount determined pursuant to subsection (g) shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund on March 2, 2009, and an amount equal to 50% of the maximum amount determined pursuant to subsection (g) shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund on June 1, 2009, *and (C) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2010, pursuant to this section.*

(2) The state treasurer shall apportion and distribute the moneys credited to the business machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the ad valorem taxing subdivisions imposing ad valorem taxes on commercial and industrial machinery and equipment in an amount equal to the difference between the total ad valorem taxes on commercial and industrial machinery and equipment levied by each such ad valorem taxing subdivision for the tax year 2005 and the total ad valorem taxes on commercial and industrial machinery and equipment levied by each such ad valorem taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(f) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of ad valorem taxes on commercial and industrial machinery and equipment not included in the total ad valorem taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and such abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

(g) (1) The maximum amount that may be transferred during the fiscal year ending June 30, 2009, from the state general fund to the business machinery and equipment tax reduction assistance fund pursuant to this section shall be equal to (A) the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2008 Supp. 79-2979, and amendments thereto, multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2008 Supp. 79-2979, and amendments thereto.

(2) If a maximum amount is imposed under this subsection and the

aggregate amount transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during state fiscal year 2009 pursuant to this section is reduced, then the amount allocated to each county by the state treasurer under subsection (b)(2) shall be reduced proportionately with respect to aggregate reduction in the amount of such transfer from the state general fund to the business machinery and equipment tax reduction assistance fund during state fiscal year 2009.

Sec. 143. On July 1, 2009, K.S.A. 2008 Supp. 79-2979, as amended by section 89 of 2009 House Substitute for Substitute for Senate Bill No. 23, is hereby amended to read as follows: 79-2979. (a) There is hereby established in the state treasury the telecommunications and railroad machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the telecommunications and railroad machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying ad valorem taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2007 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2008, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (d).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2008 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On March 2, 2009, and on June 1, 2009, subject to the provisions of subsection (c) and subsection (f), the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (d).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2009 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference for distribution as provided in subsection (d).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the

total of such ad valorem taxes levied for tax year 2010 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (d).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2011 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2012, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (d).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(d) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund, except that (A) the aggregate amount of moneys transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2009, pursuant to this section shall not exceed the maximum amount determined pursuant to subsection (f), ~~and~~ (B) an amount equal to 50% of the maximum amount determined pursuant to subsection (f) shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund on March 2, 2009, and an amount equal to 50% of the maximum amount determined pursuant to subsection (f) shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund on June 1, 2009, *and (C) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2010, pursuant to this section.*

(2) The state treasurer shall apportion and distribute the moneys credited to the telecommunications and railroad machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the ad valorem taxing subdivisions imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment in an amount equal to the difference between the total ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such ad valorem taxing subdivision for the tax year 2005 and the total ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such ad valorem taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as

their regular operating tax rate mill levy is paid to them.

(e) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment not included in the total of ad valorem taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and the abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

(f) (1) The maximum amount that may be transferred during the fiscal year ending June 30, 2009, from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund pursuant to this section shall be equal to (A) the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2008 Supp. 79-2978, and amendments thereto, multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2008 Supp. 79-2978, and amendments thereto.

(2) If a maximum amount is imposed under this subsection and the aggregate amount transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during state fiscal year 2009 pursuant to this section is reduced, then the amount allocated to each county by the state treasurer under subsection (b)(2) shall be reduced proportionately with respect to aggregate reduction in the amount of such transfer from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during state fiscal year 2009.

Sec. 144. On July 1, 2009, K.S.A. 2008 Supp. 79-3425i, as amended by section 90 of 2009 House Substitute for Substitute for Senate Bill No. 23, is hereby amended to read as follows: 79-3425i. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; (2) the amount of moneys transferred from the state general fund to the special city and county highway fund during state fiscal year 2009 on each such date shall not exceed \$3,330,543.50; and (3) the amount of moneys transferred from the state general fund to the special city and county highway fund during state fiscal year 2010 on each such date shall not exceed ~~\$5,031,832~~ \$2,515,916; and (4) notwithstanding the provisions of K.S.A. 79-3425c and ~~75-3425i~~ 79-3425i, and amendments thereto, or any other statute, the aggregate amount of \$6,661,087 of the moneys credited to the special city and county highway fund shall be paid on or before April 14, 2009, by the state treasurer in accordance with the following to the following counties in the amounts specified respectively therefor with the requirement that the moneys received by each such county shall be deposited and administered in accordance with K.S.A. 79-3425c, and amendments thereto, including any redistributions provided for by that statute: Barton county, \$174,544.98; Butler county, \$890,898.90; Chautauqua county, \$7,293.76; Clay county, \$15,533.75; Comanche county, \$15,525.56; Cowley county, \$151,493.36; Douglas county, \$1,152,561.96; Finney county, \$38,376.16; Geary county, \$41,101.83; Grant county, \$11,827.23; Lane county, \$6,986.21; Leavenworth county, \$655,874.14; Ness county, \$13,000.51; Rice county,

\$9,780.91; Russell county, \$18,610.55; Shawnee county, \$3,299,659.69; Sherman county, \$29,689.72; Stevens county, \$7,532.41; Trego county, \$4,257.37; and Wyandotte county, \$116,537.47, which shall be for the purpose of providing such counties, cities and other local governmental entities the amounts that were not paid as directed by statute during state fiscal years 2006, 2007 and 2008. All transfers under this section shall be considered to be demand transfers from the state general fund except that all such transfers during the fiscal years ending June 30, ~~2009~~ 2010, and June 30, ~~2010~~ 2011, shall be considered to be revenue transfers from the state general fund. Any transfers of moneys from the state general fund to the special city and county highway fund during the state fiscal year ending June 30, 2009, pursuant to the provisions of K.S.A. 79-3425i, and amendments thereto, or any other statute, that have been made prior to the effective date of this act shall be reversed by the director of accounts and reports and reversing entries shall be entered upon the accounting records of the state treasurer therefor.

Sec. 145. On July 1, 2009, K.S.A. 2008 Supp. 79-4801, as amended by section 92 of 2009 House Substitute for Substitute for Senate Bill No. 23, is hereby amended to read as follows: 79-4801. There is hereby created the state gaming revenues fund in the state treasury. All moneys credited to such fund shall be expended or transferred only for the purposes and in the manner provided by this act and all expenditures from the state gaming revenues fund shall be made in accordance with appropriation acts. All moneys credited to such fund shall be allocated and credited monthly to the funds and in the amounts specified by this act except that the total of the amounts credited to such funds in any one fiscal year pursuant to this act shall not exceed \$50,000,000, except that the total of the amounts credited to such funds for fiscal year 2009, pursuant to this act shall not exceed \$48,059,846. All amounts credited to such fund in any one fiscal year which are in excess of \$50,000,000 shall be transferred and credited to the state general fund on July 15, 1996, and June 25, 1997, and each year thereafter on June 25, except that: (a) All amounts credited to the state gaming revenues fund in fiscal year 2009 which are in excess of \$48,059,846 shall be transferred and credited to the state general fund on July 15, 2009, and shall be recorded and accounted for as receipts to the state general fund for fiscal year 2009; ~~and~~ (b) all amounts credited to the state gaming revenues fund in fiscal year 2010 which are in excess of \$50,000,000 shall be transferred and credited to the state general fund on July 15, 2010, and shall be recorded and accounted for as receipts to the state general fund for fiscal year 2010; *and (c) all amounts credited to the state gaming revenues fund in fiscal year 2011 which are in excess of \$50,000,000 shall be transferred and credited to the state general fund on July 15, 2011, and shall be recorded and accounted for as receipts to the state general fund for fiscal year 2011.*

Sec. 146. On July 1, 2009, K.S.A. 2008 Supp. 82a-953a, as amended by section 93 of 2009 House Substitute for Substitute for Senate Bill No. 23, is hereby amended to read as follows: 82a-953a. During each fiscal year, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, one-half of such amount to be transferred on July 15 and one-half to be transferred on January 15, except that (1) such transfers during each fiscal year commencing after June 30, 2008, are subject to reduction under K.S.A. 75-6704, and amendments thereto, ~~and~~ (2) the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2009, shall not exceed \$2,000,000, *and (3) 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 \$3,295,432.* On the effective date of this act, the director of accounts and reports shall transfer the amount in excess of \$2,000,000 which was transferred from the state general fund to the state water plan fund prior to the effective date of this act during the fiscal year ending June 30, 2009, as certified by the director of the budget to the director of accounts and reports to the state general fund. All transfers under this section shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, 2008, and June 30, 2009, shall be considered revenue transfers from the state general fund.

Sec. 147. On July 1, 2009, K.S.A. 2008 Supp. 79-2978, as amended by section 88 of 2009 House Substitute for Substitute for Senate Bill No.

23, and 79-2979, as amended by section 89 of 2009 House Substitute for Substitute for Senate Bill No. 23, are hereby repealed.

Sec. 148. On July 1, 2009, K.S.A. 2008 Supp. 2-223, 12-5256, 55-193, as amended by section 87 of 2009 House Substitute for Substitute for Senate Bill No. 23, 75-6702, 76-7,107, 79-2959, 79-2964, 79-3425i, as amended by section 90 of 2009 House Substitute for Substitute for Senate Bill No. 23, 79-4801, as amended by section 92 of 2009 House Substitute for Substitute for Senate Bill No. 23, and 82a-953a, as amended by section 93 of 2009 House Substitute for Substitute for Senate Bill No. 23, are hereby repealed.

Sec. 149. On the effective date of this act, section 95 of 2009 House Substitute for Substitute for Senate Bill No. 23 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. 150. On the effective date of this act, section 95 of 2009 House Substitute for Substitute for Senate Bill No. 23 is hereby repealed.

Sec. 151. *Severability*. If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 152. *Appeals to exceed position limitations*. (a) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal years ending June 30, 2009, or ending June 30, 2010, made in chapter 5, chapter 131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session Laws of Kansas or in this act or in any other appropriation act of the 2009 regular session of the legislature may be exceeded upon approval of the state finance council.

(b) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2011, made in this act or in any other appropriation act of the

2009 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 153. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any of such funds.

Sec. 154. *Savings.* (a) Any unencumbered balance as of June 30, 2009, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2009 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2010, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2010, in any special revenue fund, or account thereof, of any state agency named in section 29 of this act which is not otherwise specifically appropriated or limited for fiscal year 2011 by chapter 5, chapter 131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session Laws of Kansas or by this or other appropriation act of the 2009 regular session of the legislature, is hereby appropriated for fiscal year 2011 for the same use and purpose as the same was heretofore appropriated.

(c) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund, or the correctional institutions building fund, or to any account of any of such funds.

Sec. 155. During the fiscal year ending June 30, 2010, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by this or other appropriation act of the 2009 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2010, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority, for the payment of debt service for bonds issued by the Kansas development finance authority, or for any related purpose in accordance with applicable bond covenants.

Sec. 156. *Federal grants.* (a) During the fiscal year ending June 30, 2010, each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated to that state agency by this or other appropriation act of the 2009 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2010, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(b) During the fiscal year ending June 30, 2011, each federal grant or other federal receipt which is received by a state agency named in section 29 of this act and which is not otherwise appropriated to that state agency for fiscal year 2011 by this or other appropriation act of the 2009 regular session of the legislature, is hereby appropriated for fiscal year 2011 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, for fiscal year 2011, until the governor has authorized the state agency to make expenditures from such federal grant or other federal receipt for fiscal year 2011.

(c) In addition to the other purposes for which expenditures may be made by any state agency which is named in this act and which is not

otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2010 by chapter 5, chapter 131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session Laws of Kansas or by this or other appropriation act of the 2009 regular session of the legislature to apply for and receive federal grants during fiscal year 2010, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 157. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2009 regular session of the legislature, and having an unencumbered balance as of June 30, 2009, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2010, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2008.

Sec. 158. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2009 regular session of the legislature and having an unencumbered balance as of June 30, 2009, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2010, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2008.

Sec. 159. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2009 regular session of the legislature and having an unencumbered balance as of June 30, 2009, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2010, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2008.

Sec. 160. Any transfers of money during the fiscal year ending June 30, 2010, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2010.

Sec. 161. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved April 13, 2009.

Published in the *Kansas Register* May 21, 2009.

† Section 30 was line-item vetoed.

† Section 56 was line-item vetoed.

† A portion of section 72(b) was line-item vetoed.

† A portion of section 73(b) was line-item vetoed.

† A portion of section 74(b) was line-item vetoed.

† A portion of section 75(b) was line-item vetoed.

† A portion of section 76(b) was line-item vetoed.

† A portion of section 77(b) was line-item vetoed.

† A portion of section 78(b) was line-item vetoed.

† A portion of section 79(b) was line-item vetoed.

† A portion of section 80(b) was line-item vetoed.

† A portion of section 81(b) was line-item vetoed.

† A portion of section 81(b) was line-item vetoed.

† A portion of section 81(b) was line-item vetoed.

† A portion of section 81(b) was line-item vetoed.

† Section 93(f) was line-item vetoed.

† Section 98(i) was line-item vetoed.

† Section 100 was line-item vetoed.

(See Messages from the Governor)
