

CHAPTER 144

SENATE Substitute for HOUSE BILL No. 2373
(Amends Chapters 2 and 124)

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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 and acts incidental to the foregoing; amending K.S.A. 2008 Supp. 12-5256, as amended by section 136 of 2009 Senate Substitute for House Bill No. 2354, 76-7,107, as amended by section 139 of 2009 Senate Substitute for House Bill No. 2354, 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, 79-34251, as amended by section 144 of 2009 Senate Substitute for House Bill No. 2354, 79-34,156, as amended by section 91 of 2009 House Substitute for Substitute for Senate Bill No. 23, and 79-4801, as amended by section 145 of 2009 Senate Substitute for House Bill No. 2354, and repealing the existing sections; also repealing section 102 of 2009 Senate Substitute for House Bill No. 2354, 79-2978, as amended by section 142 of 2009 Senate Substitute for House Bill No. 2354, and 79-2979, as amended by section 143 of 2009 Senate Substitute for House Bill No. 2354.

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 be known and may be cited as the omnibus appropriation act of 2009 and shall constitute the omnibus reconciliation spending limit bill for the 2009 regular session of the legislature for purposes 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.

(a) (1) On July 1, 2009, of the \$613,625 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 31(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the legislative coordinating council — operations account, the sum of \$19,442 is hereby lapsed.

(2) On July 1, 2009, of the \$3,643,401 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 31(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the legislative research department — operations account, the sum of \$91,740 is hereby lapsed.

(3) On July 1, 2009, of the \$3,324,250 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 31(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the office of revisor of statutes — operations account, the sum of \$86,556 is hereby lapsed.

Sec. 3.

LEGISLATURE

(a) On July 1, 2009, of the \$17,031,301 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 32(a) of 2009 Senate Substitute for House Bill No. 2354, from the state general fund in the operations (including official hospitality) account, the sum of \$425,783 is hereby lapsed.

Sec. 4.

DIVISION OF POST AUDIT

(a) On July 1, 2009, of the \$2,732,354 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 33(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operations (including legislative post audit committee) account, the sum of \$68,533 is hereby lapsed.

Sec. 5.

GOVERNOR'S DEPARTMENT

(a)(1) On July 1, 2009, of the \$2,424,333 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 34(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the governor's department account, the sum of \$61,515 is hereby lapsed.

(2) On July 1, 2009, of the \$4,153,111 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 34(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the domestic violence prevention grants account, the sum of \$105,381 is hereby lapsed.

(3) On July 1, 2009, of the \$975,076 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 34(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the child advocacy centers account, the sum of \$24,742 is hereby lapsed.

Sec. 6.

LIEUTENANT GOVERNOR

(a) On July 1, 2009, of the \$169,440 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 35(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operations account, the sum of \$4,425 is hereby lapsed.

Sec. 7.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(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, 2009.....	\$624,808
Capital defense operations	
For the fiscal year ending June 30, 2009.....	\$421,767

(b) On the effective date of this act, of the \$9,600,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 79(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the assigned counsel expenditures account, the sum of \$448,750 is hereby lapsed.

(c) On July 1, 2009, of the \$9,265,000 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 42(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the assigned counsel expenditures account, the sum of \$165,000 is hereby lapsed.

(d) On July 1, 2009, of the \$11,993,011 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 42(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$587,207 is hereby lapsed.

Sec. 8.

DEPARTMENT OF ADMINISTRATION

(a) On July 1, 2009, of the \$1,049,126 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 48(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the general administration account, the sum of \$26,228 is hereby lapsed.

(b) On July 1, 2009, of the \$909,138 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 48(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the financial management system account, the sum of \$22,728 is hereby lapsed.

(c) On July 1, 2009, of the \$2,399,625 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 48(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the department of administration systems account, the sum of \$59,991 is hereby lapsed.

(d) On July 1, 2009, of the \$1,995,579 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 48(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the personnel services account, the sum of \$48,889 is hereby lapsed.

(e) On July 1, 2009, of the \$519,718 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 48(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the purchasing account, the sum of \$12,993 is hereby lapsed.

(f) On July 1, 2009, of the \$1,392,720 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 48(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the budget analysis account, the sum of \$34,818 is hereby lapsed.

(g) On July 1, 2009, of the \$60,788 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 48(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the facilities management account, the sum of \$1,520 is hereby lapsed.

(h) On July 1, 2009, of the \$1,969,607 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 48(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the accounts and reports account, the sum of \$49,240 is hereby lapsed.

(i) On July 1, 2009, of the \$2,007,926 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 48(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the public broadcasting council grants account, the sum of \$50,198 is hereby lapsed.

(j) On July 1, 2009, of the \$172,435 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 48(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the policy analysis initiatives account, the sum of \$4,311 is hereby lapsed.

(k) On July 1, 2009, of the \$282,488 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 48(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the long-term care ombudsman account, the sum of \$7,062 is hereby lapsed.

(l) On July 1, 2009, of the \$185,488 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 103(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the rehabilitation and repair for state facilities account, the sum of \$4,637 is hereby lapsed.

(m) On July 1, 2009, of the \$92,830 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 103(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the judicial center rehabilitation and repair account, the sum of \$2,321 is hereby lapsed.

(n) On July 1, 2009, of the \$2,784,900 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 103(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the capitol complex repair and rehabilitation account, the sum of \$69,623 is hereby lapsed.

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

made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010 or fiscal year 2011 as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures shall be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund 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, to provide additional financing for the capital improvement project to construct, equip, furnish, renovate, reconstruct and repair the state capitol: *Provided*, That such capital improvement project is hereby approved for the department of administration for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the department of administration may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$38,000,000, 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.

Sec. 9.

KANSAS LOTTERY

(a) On the effective date of this act, the amount authorized by section 40(a) of 2009 House Substitute for Substitute for Senate Bill No. 23 to be transferred from the lottery operating fund to the state gaming revenues fund during the fiscal year ending June 30, 2009, is hereby decreased from \$72,540,000 to \$66,540,000.

(b) On July 1, 2009, the amount authorized by section 52(b) of 2009 Senate Substitute for House Bill No. 2354 to be transferred from the lottery operating fund to the state gaming revenues fund during the fiscal year ending June 30, 2010, is hereby decreased from \$73,540,000 to \$70,540,000.

(c) 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, that are received for privilege fees and 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, however*, That the aggregate of all moneys transferred under this subsection shall not exceed \$50,000,000.

Sec. 10.

KANSAS STATE SCHOOL FOR THE BLIND

(a) On July 1, 2009, of the \$5,759,064 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 69(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$146,765 is hereby lapsed.

Sec. 11.

KANSAS STATE SCHOOL FOR THE DEAF

(a) On July 1, 2009, of the \$9,467,923 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 70(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$235,166 is hereby lapsed.

Sec. 12. On the effective date of this act, the director of accounts and reports shall transfer all moneys credited in each Kansas savings incentive program account of any special revenue fund of each state agency to the state general fund. On the effective date of this act, all liabilities of each such Kansas savings incentive program account of any special revenue fund of a state agency are hereby transferred to and imposed on the state general fund and such Kansas savings incentive program account of any

special revenue fund of each state agency is hereby abolished. The transfer of such moneys in each such Kansas savings incentive program account of a special revenue fund of a state agency to the state general fund shall be in addition to any other transfer from such Kansas savings incentive program account of a special revenue fund to the state general fund as prescribed by law. The amount transferred from each such Kansas savings incentive program account of a special revenue fund of a state agency to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency by other state agencies which receive appropriations from the state general fund to provide such services. The director of accounts and reports shall certify each transfer and shall transmit a copy of each such transfer to the director of legislative research and to the director of the budget.

Sec. 13.

JUVENILE JUSTICE AUTHORITY

(a) On July 1, 2009, of the \$3,641,968 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 83(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$91,049 is hereby lapsed.

(b) On July 1, 2009, of the \$1,151,673 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 83(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the management information systems account, the sum of \$28,792 is hereby lapsed.

(c) On July 1, 2009, of the \$16,512,786 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 83(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the intervention and graduated sanctions community grants account, the sum of \$412,820 is hereby lapsed.

(d) On July 1, 2009, of the \$687,500 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 83(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the incentive funding account, the sum of \$17,188 is hereby lapsed.

(e) On July 1, 2009, of the \$15,969,602 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 83(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Kansas juvenile correctional complex facility operations account, the sum of \$399,240 is hereby lapsed.

(f) On July 1, 2009, of the \$380,922 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 83(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Atchison youth residential center operations account, the sum of \$9,523 is hereby lapsed.

(g) On July 1, 2009, of the \$3,878,689 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 83(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Beloit juvenile correctional facility operations account, the sum of \$96,967 is hereby lapsed.

(h) On July 1, 2009, of the \$8,879,689 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 83(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Larned juvenile correctional facility operations account, the sum of \$222,084 is hereby lapsed.

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

Purchase of services

For the fiscal year ending June 30, 2009.....	\$3,255,718
For the fiscal year ending June 30, 2010.....	\$3,769,578

Sec. 14.

ABSTRACTERS' BOARD OF EXAMINERS

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-3903, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$654 from the abstracters' fee fund of the abstracters' board of examiners to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the abstracters' fee fund to the state general fund as prescribed by law:

Provided further, That the amount transferred from the abstracters' 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 abstracters' board of examiners by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-3903, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$656 from the abstracters' fee fund of the abstracters' board of examiners to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the abstracters' fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the abstracters' 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 abstracters' board of examiners by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 15.

REAL ESTATE APPRAISAL BOARD

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 58-4107, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$9,804 from the appraiser fee fund of the real estate appraisal board to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the appraiser fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the appraiser 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 real estate appraisal board by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 58-4107, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$13,072 from the appraiser fee fund of the real estate appraisal board to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the appraiser fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the appraiser 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 real estate appraisal board by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 16.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-7009, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$17,325 from the technical professions fee fund of the state board of technical professions to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the technical professions fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the technical professions 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 board of technical professions by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-7009, and amendments

thereto, or any other statute, the director of accounts and reports shall transfer \$24,400 from the technical professions fee fund of the state board of technical professions to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the technical professions fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the technical professions 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 board of technical professions by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 17.

STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2010, by section 26(a) of 2009 Senate Substitute for House Bill No. 2354 for the veterinary examiners fee fund is hereby decreased from \$283,863 to \$266,706.

Sec. 18.

ADJUTANT GENERAL

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

Disaster relief

For the fiscal year ending June 30, 2009.....	\$1,500,000
For the fiscal year ending June 30, 2010.....	\$18,500,000

(b) On July 1, 2009, of the \$4,893,433 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 84 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$122,336 is hereby lapsed.

(c) On July 1, 2009, of the \$7,567,665 appropriated for the above agency for the fiscal year ending June 30, 2010 by section 84 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the disaster relief account, the sum of \$189,192 is hereby lapsed.

(d) On July 1, 2009, of the \$17,224 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 84 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the incident management team account, the sum of \$431 is hereby lapsed.

(e) On July 1, 2009, of the \$31,488 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 84 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the civil air patrol - operating expenditures account, the sum of \$787 is hereby lapsed.

(f) On July 1, 2009, of the \$24,137 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 84 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the military activation payments account, the sum of \$603 is hereby lapsed.

(g) On July 1, 2009, of the \$48,375 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 84 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Kansas military emergency relief account, the sum of \$1,209 is hereby lapsed.

(h) On July 1, 2009, of the \$462,279 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 126 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the rehabilitation and repair projects account, the sum of \$11,557 is hereby lapsed.

Sec. 19.

STATE FIRE MARSHAL

(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:

Fire safety standard and firefighter protection act enforcement fund	
For the fiscal year ending June 30, 2010.....	No limit
Cigarette fire safety standard and firefighter protection act fund	
For the fiscal year ending June 30, 2010.....	No limit

(b) On the effective date of this act, or as soon thereafter as moneys

are available, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$129,627 from the fire marshal fee fund of the state fire marshal to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the fire marshal fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the fire marshal 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 fire marshal by other state agencies which receive appropriations from the state general fund to provide such services.

(c) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$168,692 from the fire marshal fee fund of the state fire marshal to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the fire marshal fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the fire marshal 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 fire marshal by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 20.

KANSAS HIGHWAY PATROL

(a) On July 1, 2009, of the \$34,603,615 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 87 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$865,090 is hereby lapsed.

(b) On July 1, 2009, the amount authorized by section 87 (i) of Senate Substitute for House Bill No. 2354 to be transferred on July 1, 2009, October 1, 2009, January 1, 2010, and April 1, 2010, by the director of accounts and reports from the state highway fund of the department of transportation to the state general fund is hereby increased from \$8,650,903.75 to \$9,008,848.75.

(c) On July 1, 2009, the amount authorized by section 87 (e) of Senate Substitute for House Bill No. 2354 to be transferred on July 1, 2009, October 1, 2009, January 1, 2010, and April 1, 2010, by the director of accounts and reports from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol is hereby decreased from \$4,957,042.00 to \$4,882,941.50.

(d) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$300,000 from the general fees 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 general fees fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the general 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 the Kansas highway patrol by other state agencies which receive appropriations from the state general fund to provide such services.

(e) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-2134, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$150,000 from the highway patrol training center 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 training center fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the highway patrol training center 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. 21.

ATTORNEY GENERAL — KANSAS BUREAU OF INVESTIGATION

(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..... \$255,327

(b) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 75-7b23, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$100,000 from the private detective fee fund of the attorney general—Kansas bureau of investigation to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the private detective fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the private detective 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 attorney general — Kansas bureau of investigation by other state agencies which receive appropriations from the state general fund to provide such services.

On July 1, 2009, all of the encumbered 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. 22.

KANSAS COMMISSION ON PEACE OFFICERS’ STANDARDS AND TRAINING

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-5619, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the Kansas commission on peace officers’ standards and training fund of the Kansas commission on peace officers’ standards and training to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the Kansas commission on peace officers’ standards and training fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the Kansas commission on peace officers’ standards and training 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 commission on peace officers’ standards and training by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 23.

DEPARTMENT OF TRANSPORTATION

(a) On July 1, 2009, the expenditure limitation established for the fiscal year ending June 30, 2010, by section 98 (b) of 2009 Senate Substitute for House Bill No. 2354 on the agency operations account is hereby increased from \$278,102,428 to \$278,129,468.

(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:

Kansas intermodal transportation revolving fund

For the fiscal year ending June 30, 2009..... No limit
For the fiscal year ending June 30, 2010..... No limit

(c) On July 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,011,572 from the state highway fund of the department of transportation to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state highway fund of the department of transportation to the state general fund as prescribed by law: *Provided*,

That, if 2009 House Bill No. 2130 is not passed by the legislature during the 2009 regular session and enacted into law, then, (1) the director of accounts and reports shall not transfer \$3,011,572 from the state highway fund of the department of transportation to the state general fund, pursuant to this subsection, and (2) on July 1, 2009, the provisions of this subsection are hereby declared to be null and void and shall have no force and effect.

(d) On September 1, 2009, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$25,287,150 from the state highway fund of the department of transportation to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state highway fund of the department of transportation to the state general fund as prescribed by law: *Provided further*, That all moneys transferred shall be from revenue generated by moneys credited to the state highway fund pursuant to K.S.A. 79-3620 and 79-3710, and amendments thereto.

Sec. 24. (a) (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 \$354.15 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 \$354.15 for the two-week period which coincides with the biweekly payroll 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 (a) 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 (a) and which are chargeable to fiscal year 2010.

(b)(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 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 (b) 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 (b), “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.

Sec. 25.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-7506, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$19,717 from the behavioral sciences regulatory board fee fund of the behavioral sciences regulatory board to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the behavioral sciences regulatory board fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the behavioral sciences regulatory board 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 behavioral sciences regulatory board by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-7506, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$18,458 from the behavioral sciences regulatory board fee fund of the behavioral sciences regulatory board to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the behavioral sciences regulatory board fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the behavioral sciences regulatory board 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 behavioral sciences regulatory board by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 26.

STATE BOARD OF HEALING ARTS

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 65-2855, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$67,618 from the healing arts fee fund of the state board of healing arts to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the healing arts fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the healing arts 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 board of healing arts by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 65-2855, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$70,432 from the healing arts fee fund of the state board of healing arts to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the healing arts fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the healing arts 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 board of healing arts by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 27.

BOARD OF NURSING

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-1108, and

amendments thereto, or any other statute, the director of accounts and reports shall transfer \$55,647 from the board of nursing fee fund of the board of nursing to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the board of nursing fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the board of nursing 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 board of nursing by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-1108, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$72,693 from the board of nursing fee fund of the board of nursing to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the board of nursing fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the board of nursing 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 board of nursing by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 28.

STATE TREASURER

(a) On July 1, 2009, the expenditure limitation established for the fiscal year ending June 30, 2010, by section 38 (a) of 2009 Senate Substitute for House Bill No. 2354 on the Kansas postsecondary education savings program trust fund is hereby increased from \$0 to no limit.

(b) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$55,419 from the state treasurer operating fund of the state treasurer to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state treasurer operating fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state treasurer 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 state treasurer by other state agencies which receive appropriations from the state general fund to provide such services.

(c) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$108,265 from the state treasurer operating fund of the state treasurer to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state treasurer operating fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state treasurer 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 state treasurer by other state agencies which receive appropriations from the state general fund to provide such services.

(d) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 10-108, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$280,000 from the bond services fee fund of the state treasurer to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the bond services fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the bond services 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 treasurer 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 K.S.A. 10-108, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$30,000 from the bond services fee fund of the state treasurer to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the bond services fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the bond services 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 treasurer by other state agencies which receive appropriations from the state general fund to provide such services.

(f) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 75-648, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,651 from the Kansas postsecondary education savings program expense fund of the state treasurer to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the Kansas postsecondary education savings program expense fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the Kansas postsecondary education savings program expense 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 treasurer by other state agencies which receive appropriations from the state general fund to provide such services.

(g) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 75-648, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$38,000 from the Kansas postsecondary education savings program expense fund of the state treasurer to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the Kansas postsecondary education savings program expense fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the Kansas postsecondary education savings expense 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 treasurer by other state agencies which receive appropriations from the state general fund to provide such services.

(h) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 58-3978, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$17,349 from the unclaimed property expense fund of the state treasurer to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the unclaimed property expense fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the unclaimed property expense 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 treasurer 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. 58-3978, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$17,349 from the unclaimed property expense fund of the state treasurer

to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the unclaimed property expense fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the unclaimed property expense 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 treasurer by other state agencies which receive appropriations from the state general fund to provide such services.

(j) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 75-4235, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$25,716 from the pooled money investment portfolio fee fund of the state treasurer to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the pooled money investment portfolio fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the pooled money investment portfolio 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 treasurer 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. 75-4235, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$30,710 from the pooled money investment portfolio fee fund of the state treasurer to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the pooled money investment portfolio fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the pooled money investment portfolio 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 treasurer by other state agencies which receive appropriations from the state general fund to provide such services.

(l) 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:

Community improvement district sales tax fund..... No limit
Sec. 29.

STATE LIBRARY

(a) On July 1, 2009, of the \$3,192,912 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 67(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the grants to libraries and library systems account, the sum of \$122,986 is hereby lapsed: *Provided*, That, on July 1, 2009, the amounts directed to be distributed from the grants to libraries and library systems account of the state general fund for fiscal year 2010 by the second proviso to such account in section 67(a) of 2009 Senate Substitute for House Bill No. 2354, for the following purposes, are hereby decreased to the following amounts, \$2,081,197 shall be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555, and amendments thereto, \$545,936 shall be distributed for interlibrary loan development grants, and \$442,793 shall be paid according to contracts with the subregional libraries of the Kansas talking book services.

(b) On and after July 1, 2009, during the fiscal year ending June 30, 2010, no moneys appropriated from the state general fund or in any special revenue fund to the above agency shall be expended to provide for the establishment or maintenance of a statewide courier system.

Sec. 30.

KANSAS ARTS COMMISSION

(a) On July 1, 2009, of the \$1,090,562 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 68 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in

the arts programming grants and challenge grants account, the sum of \$33,736 is hereby lapsed.

Sec. 31.

STATE HISTORICAL SOCIETY

(a) On July 1, 2009, of the \$5,573,466 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 71 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$144,702 is hereby lapsed.

(b) On July 1, 2009, of the \$72,374 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 71 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Kansas humanities council account, the sum of \$1,809 is hereby lapsed.

Sec. 32.

EMERGENCY MEDICAL SERVICES BOARD

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 65-6151, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$53,077 from the emergency medical services operating fund of the emergency medical services board to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the emergency medical services operating fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the emergency medical services 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 emergency medical services board by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 65-6151, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$68,993 from the emergency medical services operating fund of the emergency medical services board to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the emergency medical services operating fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the emergency medical services 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 emergency medical services board by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 33.

ATTORNEY GENERAL

(a) On July 1, 2009, of the \$4,403,577 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 36(a) of Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$121,769 is hereby lapsed.

(b) On July 1, 2009, the position limitation established for the fiscal year ending June 30, 2010, by section 99(a) of 2009 Senate Substitute for House Bill No. 2354 for the attorney general is hereby increased from 108.00 to 110.00: *Provided*, That, for the fiscal year ending June 30, 2010, the two positions increased by this subsection shall be funded by federal funds: *Provided further*, That, if federal funding for such positions ceases during fiscal year 2010, the position limitation established for fiscal year 2010 by this subsection for the attorney general is hereby decreased from 110.00 to 108.00.

(c) The director of accounts and reports shall not make the transfer of \$1,500,000 from the medicaid fraud reimbursement fund of the attorney general to the state general fund which was directed to be made by section 29 (b) of 2009 House Substitute for Substitute for Senate Bill No. 23 and, on the effective date of this act, the provisions of section 29 (b) of 2009 House Substitute for Substitute for Senate Bill No. 23 are hereby declared to be null and void and shall have no force and effect.

(d) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 21-3851, and amendments thereto, or any other statute, the director of accounts and reports shall

transfer \$1,500,000 from the medicaid fraud prosecution revolving fund of the attorney general to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the medicaid fraud reimbursement fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the medicaid fraud reimbursement 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 attorney general by other state agencies which receive appropriations from the state general fund to provide such services.

(e) 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:

False claims litigation revolving fund

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

Provided, That expenditures may be made by the above agency from the false claims litigation revolving fund for costs associated with litigation of the Kansas false claims act, 2009 Senate Bill No. 44.

Sec. 34.

JUDICIAL BRANCH

(a) On July 1, 2009, of the \$111,473,614 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 43(a) of Senate Substitute for House Bill No. 2354 from the state general fund in the judiciary operations account, the sum of \$13,612,681 is hereby lapsed.

Sec. 35.

SECRETARY OF STATE

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 75-438, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$186,500 from the information and services fee fund of the secretary of state to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the information and services fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the information and services 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 secretary of state by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 75-438, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$35,000 from the information and services fee fund of the secretary of state to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the information and services fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the information and services 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 secretary of state by other state agencies which receive appropriations from the state general fund to provide such services.

(c) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 84-9-801, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$180,000 from the uniform commercial code fee fund of the secretary of state to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the uniform commercial code fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the uniform commercial code 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

secretary of state 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 K.S.A. 75-444, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$26,600 from the technology communication fee fund of the secretary of state to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the technology communication fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the technology communication 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 secretary of state by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 36.

DEPARTMENT OF EDUCATION

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

KPERS — employer contributions
For the fiscal year ending June 30, 2009..... \$2,950,000

[†]

General state aid

For the fiscal year ending June 30, 2009..... \$3,400,000

(b) On July 1, 2009, of the \$2,001,654,934 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 66(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the general state aid account, the sum of \$69,230,282 is hereby lapsed.

(c) On July 1, 2009, of the \$369,788,630 appropriated for the above agency for the fiscal year ending June 30, 2010 by section 66(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the special education services aid account, the sum of \$2,248,000 is hereby lapsed.

Sec. 37.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

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

Operations, assistance and grants (including official
hospitality) \$7,000,000

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

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

MAMTC federal fund..... No limit
KTEC special revenue fund..... No limit

(c) No moneys appropriated for the fiscal year ending June 30, 2010, by this or other appropriation act of the 2009 regular session of the legislature for the Kansas technology enterprise corporation shall be expended for any bonus or other payment of additional compensation for any officer or employee of the Kansas technology enterprise corporation, or any subsidiary corporation, agency or instrumentality thereof, except longevity bonus payments pursuant to K.S.A. 75-5541, and amendments thereto, or as otherwise specifically authorized by statute or other bonus payments that are in conformance with the governor's executive order no. 08-09, which was filed with the secretary of state and was effective on June 15, 2008.

(d) In addition to the other purposes for which expenditures may be made by the Kansas technology enterprise corporation from moneys ap-

propriated from the state general fund or any special revenue fund for fiscal year 2010 for the Kansas technology enterprise corporation as authorized by this or other appropriation act of the 2009 regular session of the legislature, expenditures shall be made by the Kansas technology enterprise corporation from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2010, notwithstanding the provisions of any other statute, to adopt, implement and administer policies limiting bonus payments that are applicable to all officers and employees of the Kansas technology enterprise corporation for fiscal year 2010, that are equivalent to the provisions of the governor's executive order no. 08-09, or a succeeding executive order of the governor for fiscal year 2010, and that, in addition, include a prohibition on payment of any employee bonuses from any moneys of KTEC Holding, Inc., and to take all administrative and other actions as may be required, including adopting additional policies and entering into such new agreements, or modifications of existing agreements as may be required for the implementation and administration of such policies limiting bonus payments to officers and employees of Kansas technology enterprise corporation for fiscal year 2010.

Sec. 38.

DEPARTMENT OF REVENUE

(a) On the effective date of this act, of the \$19,244,024 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 51(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$481,101 is hereby lapsed.

(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:

Community improvement district sales tax administration fund	No limit
Community improvement district sales tax refund fund ...	No limit

(c) The director of accounts and reports shall not make the transfer of \$1,088,006 from the division of vehicles operating fund of the department of revenue to the state general fund which was directed to be made on July 1, 2009 by section 51(g) of 2009 Senate Substitute for House Bill No. 2354 and, on the effective date of this act, the provisions of section 51(g) of 2009 Senate Substitute for House Bill No. 2354 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 \$49,791 from the division of vehicles modernization fund of the department of revenue to the state general fund which was directed to be made on July 1, 2009 by section 51(h) of 2009 Senate Substitute for House Bill No. 2354 and, on the effective date of this act, the provisions of section 51(h) of 2009 Senate Substitute for House Bill No. 2354 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 \$2,924 from the state bingo regulation fund of the department of revenue to the state general fund which was directed to be made on July 1, 2009 by section 51(i) of 2009 Senate Substitute for House Bill No. 2354 and, on the effective date of this act, the provisions of section 51(i) of 2009 Senate Substitute for House Bill No. 2354 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 \$4,991 from the cigarette and tobacco products regulation fund of the department of revenue to the state general fund which was directed to be made on July 1, 2009 by section 51(j) of 2009 Senate Substitute for House Bill No. 2354 and, on the effective date of this act, the provisions of section 51(j) of 2009 Senate Substitute for House Bill No. 2354 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 \$1,684 from the sand royalty fund of the department of revenue to the state general fund which was directed to be made on July 1, 2009 by section 51(k) of 2009 Senate Substitute for House Bill No. 2354 and, on the effective date of this act, the provisions of section 51(k) of 2009 Senate Substitute for House Bill No. 2354 are hereby declared to be null and void and shall have no force and effect.

(h) The director of accounts and reports shall not make the transfer of \$111,577 from the electronic databases fee fund of the department of revenue to the state general fund which was directed to be made on July 1, 2009 by section 51(l) of 2009 Senate Substitute for House Bill No. 2354 and, on the effective date of this act, the provisions of section 51(l) of 2009 Senate Substitute for House Bill No. 2354 are hereby declared to be null and void and shall have no force and effect.

(i) The director of accounts and reports shall not make the transfer of \$2,787 from the setoff services revenue fund of the department of revenue to the state general fund which was directed to be made on July 1, 2009 by section 51(m) of 2009 Senate Substitute for House Bill No. 2354 and, on the effective date of this act, the provisions of section 51(m) of 2009 Senate Substitute for House Bill No. 2354 are hereby declared to be null and void and shall have no force and effect.

(j) The director of accounts and reports shall not make the transfer of \$2,175 from the child support enforcement contractual agreement fund of the department of revenue to the state general fund which was directed to be made on July 1, 2009 by section 51(n) of 2009 Senate Substitute for House Bill No. 2354 and, on the effective date of this act, the provisions of section 51(n) of 2009 Senate Substitute for House Bill No. 2354 are hereby declared to be null and void and shall have no force and effect.

(k) The director of accounts and reports shall not make the transfer of \$46,072 from the VIPS/CAMA technology hardware fund of the department of revenue to the state general fund which was directed to be made on July 1, 2009 by section 51(o) of 2009 Senate Substitute for House Bill No. 2354 and, on the effective date of this act, the provisions of section 51(o) of 2009 Senate Substitute for House Bill No. 2354 are hereby declared to be null and void and shall have no force and effect.

(l) The director of accounts and reports shall not make the transfer of \$1,801 from the repossessed certificates of title fee fund of the department of revenue to the state general fund which was directed to be made on July 1, 2009 by section 51(p) of 2009 Senate Substitute for House Bill No. 2354 and, on the effective date of this act, the provisions of section 51(p) of 2009 Senate Substitute for House Bill No. 2354 are hereby declared to be null and void and shall have no force and effect.

(m) The director of accounts and reports shall not make the transfer of \$27,159 from the photo fee fund of the department of revenue to the state general fund which was directed to be made on July 1, 2009 by section 51(q) of 2009 Senate Substitute for House Bill No. 2354 and, on the effective date of this act, the provisions of section 51(q) of 2009 Senate Substitute for House Bill No. 2354 are hereby declared to be null and void and shall have no force and effect.

(n) The director of accounts and reports shall not make the transfer of \$4,690 from the vehicle dealers and manufacturers fee fund of the department of revenue to the state general fund which was directed to be made on July 1, 2009 by section 51(r) of 2009 Senate Substitute for House Bill No. 2354 and, on the effective date of this act, the provisions of section 51(r) of 2009 Senate Substitute for House Bill No. 2354 are hereby declared to be null and void and shall have no force and effect.

(o) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4227, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,000,000 from the special county mineral production tax 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 special county mineral production tax fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the special county mineral production tax 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 the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$400,000 from the county drug tax 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 county drug tax fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the county drug tax 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 the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-3387 or 79-3391, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$380,000 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.

Sec. 39.

STATE COURT OF TAX APPEALS

(a) On July 1, 2009, of the \$1,604,271 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 50(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$149,866 is hereby lapsed.

(b) The director of accounts and reports shall not make the transfer of \$1,191 from the COTA filing fee fund of the state court of tax appeals to the state general fund which was directed to be made on July 1, 2009 by section 50(c) of 2009 Senate Substitute for House Bill No. 2354 and, on the effective date of this act, the provisions of section 50(c) of 2009 Senate Substitute for House Bill No. 2354 are hereby declared to be null and void and shall have no force and effect.

Sec. 40.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

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

13th retirement check — debt service \$639,134

(b) 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 \$3,250,000 from the Kansas endowment for youth fund to the state general fund.

Sec. 41.

DEPARTMENT OF COMMERCE

(a) On July 1, 2009, the amount of \$1,625,000 authorized by section 54(f) of 2009 Senate Substitute for House Bill No. 2354 to be transferred by the director of accounts and reports from the state economic development initiatives fund to the Kansas economic opportunity initiatives fund of the department of commerce on August 15, 2009, and December 15, 2009, or as soon thereafter as moneys are available, is hereby decreased to \$1,025,000.

Sec. 42.

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) \$6,288

Sec. 43.

GOVERNMENTAL ETHICS COMMISSION

(a) On July 1, 2009, of the \$434,968 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 27(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$4,282 is hereby lapsed.

(b) On July 1, 2009, the expenditure limitation established for the fiscal

year ending June 30, 2010, by section 27(b) of 2009 Senate Substitute for House Bill No. 2354 on the governmental ethics commission fee fund is hereby decreased from \$252,088 to \$238,394.

Sec. 44.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 65-1817a, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$4,676 from the board of barbering fee fund of the Kansas board of barbering to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the board of barbering fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the board of barbering 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 board of barbering by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 65-1817a, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$6,002 from the board of barbering fee fund of the Kansas board of barbering to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the board of barbering fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the board of barbering 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 board of barbering by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 45.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-2704, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$24,191 from the cosmetology fee fund of the Kansas state board of cosmetology to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the cosmetology fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the cosmetology 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 state board of cosmetology by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-2704, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$31,932 from the cosmetology fee fund of the Kansas state board of cosmetology to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the cosmetology fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the cosmetology 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 state board of cosmetology by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 46.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 74-5805, and amendments thereto, or any other statute, the director of ac-

counts and reports shall transfer \$885 from the hearing instrument board fee fund of the Kansas board of examiners in fitting and dispensing of hearing instruments to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the hearing instrument board fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the hearing instrument board 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 board of examiners in fitting and dispensing of hearing instruments by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 74-5805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,246 from the hearing instrument board fee fund of the Kansas board of examiners in fitting and dispensing of hearing instruments to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the hearing instrument board fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the hearing instrument board 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 board of examiners in fitting and dispensing of hearing instruments by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 47.

STATE BOARD OF MORTUARY ARTS

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 65-1718, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$8,298 from the mortuary arts fee fund of the state board of mortuary arts to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the mortuary arts fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the mortuary arts 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 board of mortuary arts by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 65-1718, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$11,302 from the mortuary arts fee fund of the state board of mortuary arts to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the mortuary arts fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the mortuary arts 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 board of mortuary arts by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 48.

STATE CORPORATION COMMISSION

(a)(1) On the effective date of this act, the authorization for expenditures from the public service regulation fund for fiscal year 2011 for expenses incurred by the Kansas electric transmission authority for fiscal year 2011, that were authorized to be made in addition to any expenditure limitation imposed on the public service regulation fund for fiscal year 2011, as provided by subsection (g)(2) of section 46 of 2009 Senate Substitute for House Bill No. 2354, is hereby revoked and the appropriation for such purpose for fiscal year 2011, as provided by subsection (g)(2) of

section 46 of 2009 Senate Substitute for House Bill No. 2354, is hereby lapsed and the provisions of subsection (g)(2) of section 46 of 2009 Senate Substitute for House Bill No. 2354 are hereby declared to be null and void and shall have no force and effect.

(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 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, if the total expenditures for such purpose authorized by the expenditure limitation prescribed by subsection (g)(1) of section 46 of 2009 Senate Substitute for House Bill No. 2354 for fiscal year 2009 are not expended or encumbered for fiscal year 2009, then the amount equal to the amount of such unexpended or encumbered expenditure authority for fiscal year 2009 remaining may be expended by the state corporation commission from the public service regulation fund for fiscal year 2010 for expenses incurred by the Kansas electric transmission authority and any such expenditures for fiscal year 2010 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 2010.

(b) On the effective date of this act, or as soon thereafter as moneys are available, the state corporation commission shall certify to the director of the budget and director of accounts and reports an amount or amounts to be transferred on the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 55-143, 55-167, 55-168, 55-180, 55-1,116, 66-1,142, or 66-1a01, and amendments thereto, or any other statute, from the public service regulation fund, the motor carrier license fees fund, the conservation fee fund, the natural gas underground storage fee fund, and the facility conservation improvement program fund of the state corporation commission to the state general fund during fiscal year 2009: *Provided*, That the aggregate of the amounts specified in such certification to be transferred from such funds during fiscal year 2009 shall be \$634,875: *Provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount or amounts specified to be transferred from the public service regulation fund, the motor carrier license fees fund, the conservation fee fund, the natural gas underground storage fee fund, and the facility conservation improvement program fund to the state general fund on the date or dates specified in such certification therefor, or as soon thereafter as moneys are available: *Provided, however*, That the aggregate of the amounts transferred in accordance with this subsection to the state general fund from the public service regulation fund, the motor carrier license fees fund, the conservation fee fund, the natural gas underground storage fee fund, and the facility conservation improvement program fund during fiscal year 2009 shall not exceed \$634,875: *And provided further*, That the transfer of each such amount from the public service regulation fund, the motor carrier license fees fund, the conservation fee fund, the natural gas underground storage fee fund, or the facility conservation improvement program fund to the state general fund pursuant to this subsection shall be in addition to any other transfer from the public service regulation fund, the motor carrier license fees fund, the conservation fee fund, the natural gas underground storage fee fund, or the facility conservation improvement program fund to the state general fund as prescribed by law: *And provided further*, That the transfer of each such amount from the public service regulation fund, the motor carrier license fees fund, the conservation fee fund, the natural gas underground storage fee fund, and the facility conservation improvement program 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 corporation commission by other state agencies which receive appropriations from the state general fund to provide such services.

(c) On July 1, 2009, or as soon thereafter as moneys are available, the state corporation commission shall certify to the director of the budget and director of accounts and reports an amount or amounts to be trans-

ferred July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 55-143, 55-167, 55-168, 55-180, 55-1,116, 66-1,142, or 66-1a01, and amendments thereto, or any other statute, from the public service regulation fund, the motor carrier license fees fund, the conservation fee fund, the natural gas underground storage fee fund, and the facility conservation improvement program fund of the state corporation commission to the state general fund during fiscal year 2010: *Provided*, That the aggregate of the amounts specified in such certification to be transferred from such funds during fiscal year 2010 shall be \$864,000: *Provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount or amounts specified to be transferred from the public service regulation fund, the motor carrier license fees fund, the conservation fee fund, the natural gas underground storage fee fund, and the facility conservation improvement program fund to the state general fund on the date or dates specified in such certification therefor, or as soon thereafter as moneys are available: *Provided, however*, That the aggregate of the amounts transferred in accordance with this subsection to the state general fund from the public service regulation fund, the motor carrier license fees fund, the conservation fee fund, the natural gas underground storage fee fund, and the facility conservation improvement program fund during fiscal year 2010 shall not exceed \$864,000: *And provided further*, That the transfer of each such amount from the public service regulation fund, the motor carrier license fees fund, the conservation fee fund, the natural gas underground storage fee fund, or the facility conservation improvement program fund to the state general fund pursuant to this subsection shall be in addition to any other transfer from the public service regulation fund, the motor carrier license fees fund, the conservation fee fund, the natural gas underground storage fee fund, or the facility conservation improvement program fund to the state general fund as prescribed by law: *And provided further*, That the transfer of each such amount from the public service regulation fund, the motor carrier license fees fund, the conservation fee fund, the natural gas underground storage fee fund, and the facility conservation improvement program 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 corporation commission by other state agencies which receive appropriations from the state general fund to provide such services.

(d) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 55-143, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,500,000 from the conservation fee fund of the state corporation commission to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the conservation fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the conservation 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 corporation commission by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 49.

CITIZENS' UTILITY RATEPAYER BOARD

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$24,100 from the utility regulatory fee fund of the citizens' utility ratepayer board to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the utility regulatory fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the utility regulatory 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 citizens' utility ratepayer board by other state agencies which receive appropriations from the state general fund to provide such services.

(b) 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 \$32,565 from the utility regulatory fee fund of the citizens' utility ratepayer board to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the utility regulatory fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the utility regulatory 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 citizens' utility ratepayer board by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 50.

KANSAS ANIMAL HEALTH DEPARTMENT

(a) On July 1, 2009, of the \$927,357 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 93(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$23,184 is hereby lapsed.

Sec. 51.

DEPARTMENT OF WILDLIFE AND PARKS

(a) On July 1, 2009, of the \$2,051,169 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 97(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the state parks operating expenditures account, the sum of \$581,940 is hereby lapsed.

(b) On July 1, 2009, of the \$474,122 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 128(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the parks ongoing rehabilitation account, the sum of \$81,940 is hereby lapsed.

Sec. 52.

DEPARTMENT OF HEALTH AND ENVIRONMENT — DIVISION OF ENVIRONMENT

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 65-34,131, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,250,000 from the Kansas essential fuels supply trust fund of the department of health and environment - division of environment to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the Kansas essential fuels supply trust fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the Kansas essential fuels supply trust 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 department of health and environment - division of environment by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 48-1625, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the radiation control operations fee fund of the department of health and environment - division of environment to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the radiation control operations fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the radiation control operations 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 department of health and environment - division of environment by other state agencies which receive appropriations from the state general fund to provide such services.

(c) On July 1, 2009, of the \$4,844,760 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 61(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures (including official hospitality) account, the

sum of \$219,838 is hereby lapsed.

Sec. 53.

KANSAS DEPARTMENT OF AGRICULTURE

(a) On July 1, 2009, the amount of \$101,788 authorized by section 92(e) of 2009 Senate Substitute for House Bill No. 2354 to be transferred by the director of accounts and reports from the state highway fund of the department of transportation to the water structures — state highway fund of the Kansas department of agriculture is hereby increased to \$102,032.

(b) On July 1, 2009, of the \$10,714,669 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 92(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$267,867 is hereby lapsed.

Sec. 54.

STATE CONSERVATION COMMISSION

(a) On July 1, 2009, of the \$796,425 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 95(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$19,911 is hereby lapsed.

Sec. 55.

KANSAS WATER OFFICE

(a) On July 1, 2009, of the \$2,029,866 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 96(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the water resources operating expenditures account, the sum of \$50,747 is hereby lapsed.

Sec. 56.

DEPARTMENT OF HEALTH AND ENVIRONMENT — DIVISION OF HEALTH

(a) On July 1, 2009, of the \$3,766,857 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$94,171 is hereby lapsed.

(b) On July 1, 2009, of the \$4,361,462 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures (including official hospitality) — health account, the sum of \$109,037 is hereby lapsed.

(c) On July 1, 2009, of the \$839,120 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the vaccine purchases account, the sum of \$20,978 is hereby lapsed.

(d) On July 1, 2009, of the \$178,529 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the infant and toddler program account, the sum of \$4,463 is hereby lapsed.

(e) On July 1, 2009, of the \$5,000,000 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the aid to local units account, the sum of \$125,000 is hereby lapsed.

(f) On July 1, 2009, of the \$6,932,948 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the aid to local units - primary health projects account, the sum of \$173,324 is hereby lapsed.

(g) On July 1, 2009, of the \$291,916 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the teen pregnancy prevention activities account, the sum of \$7,298 is hereby lapsed.

(h) On July 1, 2009, of the \$97,644 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the aid to local units - family planning account, the sum of \$2,441 is hereby lapsed.

(i) On July 1, 2009, of the \$532,125 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the

immunization programs account, the sum of \$13,303 is hereby lapsed.

(j) On July 1, 2009, of the \$740,625 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the prescription support for community based primary care clinics account, the sum of \$18,516 is hereby lapsed.

(k) On July 1, 2009, of the \$227,125 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the breast cancer screening program account, the sum of \$5,678 is hereby lapsed.

(l) On July 1, 2009, of the \$49,375 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Ryan White matching funds account, the sum of \$1,234 is hereby lapsed.

(m) On July 1, 2009, of the \$95,017 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the youth mentoring program account, the sum of \$2,375 is hereby lapsed.

(n) On July 1, 2009, of the \$531,752 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the coordinated school health program account, the sum of \$13,294 is hereby lapsed.

(o) On July 1, 2009, of the \$108,625 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the cerebral palsy posture seating account, the sum of \$2,716 is hereby lapsed.

(p) On July 1, 2009, of the \$355,000 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the pregnancy maintenance initiative account, the sum of \$8,875 is hereby lapsed.

(q) On July 1, 2009, of the \$208,000 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 60(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the PKU treatment account, the sum of \$5,200 is hereby lapsed.

(r) (1) The director of the budget shall calculate the following:

(A) The total amount of moneys appropriated for the department of health and environment — division of health from the state general fund for the fiscal year ending June 30, 2009, as authorized by chapter 131 or chapter 184 of the 2008 Session Laws of Kansas, 2009 House Substitute for Substitute for Senate Bill No. 23 or by this or any other appropriation act of the 2009 regular session of the legislature;

(B) the total amount of moneys appropriated for the department of health and environment — division of health from the state general fund for the fiscal year ending June 30, 2010, by 2009 Senate Substitute for House Bill No. 2354 or by this or any other appropriation act of the 2009 regular session of the legislature; and

(C) the agency percentage change by calculating the difference of the approved amount for the fiscal year ending June 30, 2010, as determined in subsection (r)(1)(B) from the total amount of moneys appropriated from the state general fund for the fiscal year ending June 30, 2009, as determined in subsection (r)(1)(A); then dividing the difference by the total amount of moneys appropriated from the state general fund for the fiscal year ending June 30, 2009, as determined in subsection (r)(1)(A).

(2) The director of the budget shall calculate the following:

(A) The total amount of moneys appropriated from the state general fund for the department of health and environment — division of health for cerebral palsy posture seating program for the fiscal year ending June 30, 2009, as authorized by chapter 131 or chapter 184 of the 2008 Session Laws of Kansas, 2009 House Substitute for Substitute for Senate Bill No. 23 or by this or any other appropriation act of the 2009 regular session of the legislature;

(B) the total amount of moneys appropriated from the state general fund for the department of health and environment — division of health for cerebral palsy posture seating program for the fiscal year ending June 30, 2010, by 2009 Senate Substitute for House Bill No. 2354 or by this or any other appropriation act of the 2009 regular session of the legisla-

ture; and

(C) the percentage change for cerebral palsy posture seating program by calculating the difference of the approved amount for the fiscal year ending June 30, 2010, as determined in subsection (r)(2)(B) from the total amount of moneys appropriated from the state general fund for the fiscal year ending June 30, 2009, as determined in subsection (r)(2)(A); then dividing the difference by the total amount of moneys appropriated from the state general fund for the fiscal year ending June 30, 2009, as determined in subsection (r)(2)(A).

(3) If the percentage change for cerebral palsy posture seating program as calculated in subsection (r)(2)(C) is greater than the agency percentage change calculated in (r)(1)(C) then the secretary of health and environment shall not transfer funding from any state general fund account for cerebral palsy posture seating program to any other account of the state general fund for purposes other than cerebral palsy posture seating program: *Provided*, That, if the percentage change for cerebral palsy posture seating program as calculated in subsection (r)(2)(C) is less than the agency percentage change calculated in subsection (r)(1)(C), then the secretary of health and environment shall not apply any reduction to cerebral palsy posture seating program funding that would cause the percentage change for cerebral palsy posture seating program to exceed the percentage change for the department of health and environment — division of health programs.

Sec. 57.

DEPARTMENT ON AGING

(a) 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 \$2,482,741 is hereby lapsed.

(b) On July 1, 2009, of the \$114,937,676 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 62(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the LTC — medicaid assistance — NF account, the sum of \$820,876 is hereby lapsed.

(c) 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 \$298,719 is hereby lapsed.

(d) On July 1, 2009, of the \$1,844,067 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 62(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the LTC — medicaid assistance — TCM/FE account, the sum of \$231,547 is hereby lapsed.

(e) 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 \$456,496 is hereby lapsed.

(f) On July 1, 2009, of the \$22,283,858 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 62(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the LTC — medicaid assistance — HCBS/FE account, the sum of \$378,378 is hereby lapsed.

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

LTC—medicaid assistance—PACE	
For the fiscal year ending June 30, 2009.....	\$23,839
For the fiscal year ending June 30, 2010.....	\$11,139

(h) On July 1, 2009, of the \$3,498,366 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 62(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the program grants — nutrition — state match account, the sum of \$878,930 is hereby lapsed.

Sec. 58.

KANSAS HEALTH POLICY AUTHORITY

(a) On the effective date of this act, of the \$14,037,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section

41(a) of chapter 184 of the 2008 Session Laws of Kansas from the state general fund in the other medical assistance account, the sum of \$14,050,055 is hereby lapsed.

(b) On July 1, 2009, of the \$369,220,105 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 63(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the other medical assistance account, the sum of \$15,720,105 is hereby lapsed: *Provided*, That the Kansas health policy authority shall not require an individual, who is currently prescribed medications for mental health purposes in the MediKan program, to change prescriptions under a preferred drug formulary during the fiscal year ending June 30, 2010: *Provided further*, That all prescriptions paid for by the MediKan program shall be filled pursuant to subsection (a) of K.S.A. 65-1637, and amendments thereto: *And provided further*, That the Kansas health policy authority shall follow the existing prior authorization protocol for reimbursement of prescriptions for the MediKan program for the fiscal year ending June 30, 2010: *And provided further*, That, the Kansas health policy authority shall not expend any moneys appropriated for fiscal year 2009 or fiscal year 2010 for such agency as authorized by chapter 131 or 184 of the 2008 Session Laws of Kansas, House Substitute for Substitute for Senate Bill No. 23, Senate Substitute for House Bill No. 2354, or by this or other appropriation act of the 2009 regular session of the legislature, to implement or maintain a preferred drug formulary for medications prescribed for mental health purposes to individuals in the MediKan program during the fiscal years ending June 30, 2009, or June 30, 2010.

(c) On July 1, 2009, of the \$20,392,623 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 63(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$1,008,564 is hereby lapsed.

(d) On July 1, 2009, of the \$104,955 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 63(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the office of the inspector general account, the sum of \$5,191 is hereby lapsed.

(e) During the fiscal year ending June 30, 2010, on or after the effective date of the changes to and implementation of the children's health insurance program to provide for expansion of eligibility for the children's health insurance program to 250% of the 2008 federal poverty guidelines and the expenditure of funds to enroll eligible participants and to provide services under such expanded program for such participants, the executive director of the Kansas health policy authority shall certify to the director of accounts and reports that the eligibility for the children's health insurance program has been expanded to 250% of the 2008 federal poverty guidelines and that expenditures have been made to enroll eligible participants into such expanded program and to provide services under such expanded program for such participants, and, at the same time, the executive director shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided*, That, if the executive director of the Kansas health policy authority does not certify to the director of accounts and reports that the eligibility for the children's health insurance program has been expanded to 250% of the 2008 federal poverty guidelines and that expenditures have been made to enroll eligible participants into such expanded program and to provide services under such expanded program for such participants, before June 30, 2010, then, on June 30, 2010, of the \$19,514,609 appropriated for the Kansas health policy authority for the fiscal year ending June 30, 2010, by section 63(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the children's health insurance program account, the sum of \$1,200,000 is hereby lapsed: *Provided further*, That the legislature strongly supports the expansion of eligibility for the children's health insurance program to 250% of the 2008 federal poverty guidelines during the fiscal year ending June 30, 2010, and hereby states that the legislature would consider any effort by the Kansas health policy authority to delay implementation of such authorized and appropriated expansion of eligibility for the children's health insurance program to be contrary to legislative intent and would be viewed in a less than favorable manner by the legislature: *And provided further*, That, notwithstanding the provisions of section 63(c) of Senate Substitute for

House Bill No. 2354, during the fiscal year ending June 30, 2010, no moneys shall be transferred from the children's health insurance program account of the state general fund.

Sec. 59.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) On the effective date of this act, of the \$68,326,730 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 cash assistance account, the sum of \$339,000 is hereby lapsed.

(b) On July 1, 2009, of the \$58,015,398 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the cash assistance account, the sum of \$1,718,199 is hereby lapsed.

(c) 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 \$8,536,713 is hereby lapsed.

(d) On July 1, 2009, of the \$115,673,005 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the youth services aid and assistance account, the sum of \$6,000,162 is hereby lapsed.

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

Community based services

For the fiscal year ending June 30, 2009.....	\$1,278,067
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Other medical assistance

For the fiscal year ending June 30, 2009.....	\$2,951,587
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For the fiscal year ending June 30, 2010.....	\$1,137,129
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(f) On July 1, 2009, of the \$61,215,055 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the community based services account, the sum of \$305,435 is hereby lapsed.

(g) 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 \$3,273,105 is hereby lapsed.

(h) On July 1, 2009, of the \$137,685,037 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the mental health and retardation services aid and assistance account, the sum of \$4,778,719 is hereby lapsed.

(i) On July 1, 2009, of the \$115,470,727 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the state operations account, the sum of \$897,790 is hereby lapsed.

(j) On July 1, 2009, of the \$3,429,615 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the alcohol and drug abuse services grant account, the sum of \$123,152 is hereby lapsed.

(k) On July 1, 2009, of the \$1,481,250 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the children's mental health initiative account, the sum of \$32,106 is hereby lapsed.

(l) On July 1, 2009, of the \$6,445,715 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the vocational rehabilitation aid and assistance account, the sum of \$155,151 is hereby lapsed.

(m) On July 1, 2009, of the \$4,912,500 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the community mental health centers supplemental funding account, the

sum of \$149,830 is hereby lapsed.

(n) (1) The director of the budget shall calculate the following:

(A) The total amount of moneys appropriated for the department of social and rehabilitation services from the state general fund for the fiscal year ending June 30, 2009, as authorized by chapter 131 or chapter 184 of the 2008 Session Laws of Kansas, 2009 House Substitute for Substitute for Senate Bill No. 23 or by this or any other appropriation act of the 2009 regular session of the legislature, but (i) excluding the amount of such moneys required to meet caseload obligations under the state medicaid plan including targeted case management, mental health, community supports and services, or addiction and prevention services or required 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, and (ii) excluding all expenditures for the state hospitals under the direction and control of the secretary of social and rehabilitation services;

(B) the total amount of moneys appropriated for the department of social and rehabilitation services from the state general fund for the fiscal year ending June 30, 2010, by 2009 Senate Substitute for House Bill No. 2354 or by this or any other appropriation act of the 2009 regular session of the legislature, but (i) excluding the amount of such moneys required to meet caseload obligations under the state medicaid plan including targeted case management, mental health, community supports and services, or addiction and prevention services or required 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, and (ii) excluding all expenditures for the state hospitals under the direction and control of the secretary of social and rehabilitation services; and

(C) the agency percentage change by calculating the difference of the approved amount for the fiscal year ending June 30, 2010, as determined in subsection (n)(1)(B) from the total amount of moneys appropriated from the state general fund for the fiscal year ending June 30, 2009, as determined in subsection (n)(1)(A); then dividing the difference by the total amount of moneys appropriated from the state general fund for the fiscal year ending June 30, 2009, as determined in subsection (n)(1)(A).

(2) The director of the budget shall calculate the following:

(A) The total amount of moneys appropriated from the state general fund for the department of social and rehabilitation services for community mental health programs for the fiscal year ending June 30, 2009, as authorized by chapter 131 or chapter 184 of the 2008 Session Laws of Kansas, 2009 House Substitute for Substitute for Senate Bill No. 23 or by this or any other appropriation act of the 2009 regular session of the legislature, but (i) excluding the amount of such moneys required to meet caseload obligations under the state medicaid plan including targeted case management, mental health, community supports and services, or addiction and prevention services or required 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, and (ii) excluding all expenditures for the state hospitals under the direction and control of the secretary of social and rehabilitation services;

(B) the total amount of moneys appropriated from the state general fund for the department of social and rehabilitation services for community mental health programs for the fiscal year ending June 30, 2010, by 2009 Senate Substitute for House Bill No. 2354 or by this or any other appropriation act of the 2009 regular session of the legislature, but (i) excluding the amount required to meet caseload obligations under the state medicaid plan including targeted case management, mental health, community supports and services, or addiction and prevention services or required 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, and (ii) excluding all expenditures for the state hospitals under the direction and control of the secretary of social and rehabilitation services; and

(C) the percentage change for community mental health programs by

calculating the difference of the approved amount for the fiscal year ending June 30, 2010, as determined in subsection (n)(2)(B) from the total amount of moneys appropriated from the state general fund for the fiscal year ending June 30, 2009, as determined in subsection (n)(2)(A); then dividing the difference by the total amount of moneys appropriated from the state general fund for the fiscal year ending June 30, 2009, as determined in subsection (n)(2)(A).

(3) If the percentage change for community mental health programs as calculated in subsection (n)(2)(C) is greater than twice the agency percentage change calculated in (n)(1)(C) then the secretary of social and rehabilitation services shall not transfer funding from any state general fund account for community mental health programs to any other account of the state general fund for purposes other than community mental health programs: *Provided*, That, if the percentage change for community mental health programs as calculated in subsection (n)(2)(C) is less than twice the agency percentage change calculated in subsection (n)(1)(C), then the secretary of social and rehabilitation services shall not apply any reduction to community mental health program funding that would cause the percentage change for community mental health programs to exceed twice the percentage change for the department of social and rehabilitation services programs.

(o) On July 1, 2009, of the \$30,265,271 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Larned state hospital — operating expenditures account, the sum of \$756,632 is hereby lapsed.

(p) On July 1, 2009, of the \$12,293,994 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Larned state hospital — sexual predator treatment program account, the sum of \$307,350 is hereby lapsed.

(q) On July 1, 2009, of the \$5,625,539 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Rainbow mental health facility — operating expenditures account, the sum of \$140,638 is hereby lapsed.

(r) On July 1, 2009, of the \$17,343,956 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Osawatimie state hospital — operating expenditures account, the sum of \$433,599 is hereby lapsed.

(s) On July 1, 2009, of the \$10,747,244 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Parsons state hospital and training center — operating expenditures account, the sum of \$268,681 is hereby lapsed.

(t) On July 1, 2009, of the \$11,665,821 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64 (a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Kansas neurological institute — operating expenditures account, the sum of \$291,646 is hereby lapsed.

(u) In addition to the other purposes for which expenditures may be made by the above agency from the state operations account of the state general fund for fiscal year 2010, as authorized by 2009 Senate Substitute for House Bill No. 2354, expenditures shall be made by the above agency from the state operations account of the state general fund for fiscal year 2010 to make expenditures to contract with Kansas legal services for the purpose of providing legal representation and disability determination case management for adult cash assistance recipients.

(v) On July 1, 2009, or as soon thereafter as moneys are available, of the \$11,099,830 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 64(c) of 2009 Senate Substitute for House Bill 2354 from the children's initiatives fund in the early childhood block grant account or any other account of the children's initiatives fund, expenditures of \$50,000 shall be made during the fiscal year ending June 30, 2010, to provide training for the diagnosis of autism.

Sec. 60.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) On July 1, 2009, the expenditure limitation established for the fiscal

year ending June 30, 2010, by section 24(a) of Senate Substitute for House Bill No. 2354 on the securities act fee fund is hereby decreased from \$2,820,232 to \$2,762,312.

Sec. 61.

INSURANCE DEPARTMENT

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 40-112, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$5,472,357 from the insurance department service regulation fund of the insurance department to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the insurance department service regulation fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the insurance department service 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 insurance department by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2009, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 40-112, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$497,961 from the insurance department service regulation fund of the insurance department to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the insurance department service regulation fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the insurance department service 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 insurance department by other state agencies which receive appropriations from the state general fund to provide such services.

(c) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 44-566a, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$3,000,000 from the workers compensation fund of the insurance department to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the workers compensation fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the workers compensation 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 insurance department by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 62.

DEPARTMENT OF LABOR

(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-715, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$600,000 from the workmen's compensation fee fund of the department of labor to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the workmen's compensation fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the workmen's compensation 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 labor by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 75-5733, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$100,000 from the nonfederal account of the de-

partment of labor special projects fund of the department of labor to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the nonfederal account of the department of labor special projects fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the nonfederal account of the department of labor special projects 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 labor by other state agencies which receive appropriations from the state general fund to provide such services.

(c) On July 1, 2009, of the \$497,169 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 58(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$12,429 is hereby lapsed.

Sec. 63.

KANSAS HUMAN RIGHTS COMMISSION

(a) On July 1, 2009, of the \$1,551,613 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 45(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$38,790 is hereby lapsed.

Sec. 64.

KANSAS GUARDIANSHIP PROGRAM

(a) On July 1, 2009, of the \$1,208,682 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 65(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Kansas guardianship program account, the sum of \$51,259 is hereby lapsed.

Sec. 65.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) On July 1, 2009, of the \$1,144,928 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 59(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures — veterans services account, the sum of \$28,622 is hereby lapsed.

(b) On July 1, 2009, of the \$541,729 appropriated for the above agency for the fiscal year ending June 30, 2010 by section 59(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operations — state veterans cemeteries account, the sum of \$13,543 is hereby lapsed.

(c) On July 1, 2009, of the \$2,703,628 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 59(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures — Kansas soldiers' home account, the sum of \$67,591 is hereby lapsed.

(d) On July 1, 2009, of the \$3,217,601 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 59(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures — Kansas veterans' home account, the sum of \$80,440 is hereby lapsed.

(e) On July 1, 2009, of the \$435,056 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 59(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the additional operating expenditures — veterans home and cemeteries account, the sum of \$10,876 is hereby lapsed.

(f) On July 1, 2009, of the \$497,807 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 59(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures — administration account, the sum of \$12,543 is hereby lapsed.

(g) On July 1, 2009, of the \$516,418 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 59(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the veterans claim assistance program — service grants account, the sum of \$12,910 is hereby lapsed.

(h) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, all money 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:

Vietnam war era veterans' recognition award fund

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

Sec. 66.

DEPARTMENT OF CORRECTIONS

(a) On July 1, 2009, of the \$20,678,699 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 82(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$942,333 is hereby lapsed.

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

Community corrections

For the fiscal year ending June 30, 2010..... \$1,306,487

(c) On July 1, 2009, of the \$6,161,826 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 82(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the day reporting centers and reentry programs account, the sum of \$280,796 is hereby lapsed.

(d) On July 1, 2009, of the \$1,343,987 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 82(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the local jail payments account, the sum of \$61,246 is hereby lapsed.

(e) On July 1, 2009, of the \$12,597,201 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 82(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Topeka correctional facility — facilities operations account, the sum of \$314,930 is hereby lapsed.

(f) On July 1, 2009, of the \$8,370,552 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 82(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Hutchinson correctional facility — facilities operations account, the sum of \$209,264 is hereby lapsed.

(g) On July 1, 2009, of the \$37,338,480 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 82(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Lansing correctional facility — facilities operations account, the sum of \$933,462 is hereby lapsed.

(h) On July 1, 2009, of the \$12,598,561 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 82(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Ellsworth correctional facility — facilities operations account, the sum of \$314,964 is hereby lapsed.

(i) On July 1, 2009, of the \$2,385,842 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 82(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Winfield correctional facility — facilities operations account, the sum of \$59,646 is hereby lapsed.

(j) On July 1, 2009, of the \$2,935,807 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 82(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Norton correctional facility — facilities operations account, the sum of \$73,395 is hereby lapsed.

(k) On July 1, 2009, of the \$23,923,596 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 82(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the El Dorado correctional facility — facilities operations account, the sum of \$598,090 is hereby lapsed.

(l) On July 1, 2009, of the \$9,872,348 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 82(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Larned correctional mental health facility — facilities operations account, the sum of \$246,809 is hereby lapsed.

(m) On July 1, 2009, of the \$13,587,648 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 82(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the facilities operations account, the sum of \$619,192 is hereby lapsed.

(n) In addition to the other purposes for which expenditures may be made by the department of corrections from moneys appropriated to the

above agency for fiscal year 2009 or 2010 as authorized by House Substitute for Substitute for Senate Bill No. 23, Senate Substitute for House Bill No. 2354, or by this or any other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the above agency from the moneys appropriated for fiscal year 2009 or 2010 for the maintenance of all correctional facilities established and maintained by the above agency: *Provided*, That it is the intent of the Kansas legislature that correctional facilities not be eliminated, but such operations and services of the correctional facilities be maintained.

Sec. 67.

KANSAS PAROLE BOARD

(a) On July 1, 2009, of the \$452,402 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 86(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the parole from adult correctional institutions account, the sum of \$11,310 is hereby lapsed.

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

Parole from adult correctional facilities

For the fiscal year ending June 30, 2010..... \$35,000

Provided, That, if legislation which authorizes the above agency to assess and collect fees is passed by the legislature during the 2009 regular session and enacted into law, then, on July 1, 2009, the \$35,000 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2010, by this subsection in the parole from adult correctional facilities account is hereby lapsed.

Sec. 68.

KANSAS SENTENCING COMMISSION

(a) On July 1, 2009, of the \$713,591 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 90(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures account, the sum of \$17,840 is hereby lapsed.

(b) On July 1, 2009, of the \$8,134,151 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 90(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the substance abuse treatment programs account, the sum of \$203,354 is hereby lapsed.

Sec. 69.

STATE BOARD OF REGENTS

(a) On July 1, 2009, of the \$3,475,892 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$89,948 is hereby lapsed.

(b) On July 1, 2009, of the \$1,133,199 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the state scholarship program account, the sum of \$29,398 is hereby lapsed.

(c) On July 1, 2009, of the \$15,689,878 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the comprehensive grant program account, the sum of \$407,043 is hereby lapsed.

(d) On July 1, 2009, of the \$315,213 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the ethnic minority scholarship program account, the sum of \$8,178 is hereby lapsed.

(e) On July 1, 2009, of the \$528,172 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Kansas work-study program account, the sum of \$13,703 is hereby lapsed.

(f) On July 1, 2009, of the \$186,401 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the ROTC service scholarships account, the sum of \$4,836 is hereby lapsed.

(g) On July 1, 2009, of the \$500,000 appropriated for the above agency

for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the military service scholarships account, the sum of \$12,972 is hereby lapsed.

(h) On July 1, 2009, of the \$1,962,859 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the teachers scholarship program account, the sum of \$50,923 is hereby lapsed.

(i) On July 1, 2009, of the \$925,838 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the national guard educational assistance account, the sum of \$24,019 is hereby lapsed.

(j) On July 1, 2009, of the \$121,275 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the vocational scholarships account, the sum of \$3,146 is hereby lapsed.

(k) On July 1, 2009, of the \$443,592 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the nursing student scholarship program account, the sum of \$11,508 is hereby lapsed.

(l) On July 1, 2009, of the \$113,850 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the optometry education program account, the sum of \$2,954 is hereby lapsed.

(m) On July 1, 2009, of the \$11,636,840 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the municipal university operating grant account, the sum of \$301,895 is hereby lapsed.

(n) On July 1, 2009, of the \$32,637,844 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the postsecondary aid for vocational education account, the sum of \$846,723 is hereby lapsed.

(o) On July 1, 2009, of the \$1,548,998 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the adult basic education account, the sum of \$40,186 is hereby lapsed.

(p) On July 1, 2009, of the \$101,976,543 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the community college operating grant account, the sum of \$2,645,578 is hereby lapsed.

(q) On July 1, 2009, of the \$423,241 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the technology equipment at community colleges and Washburn university account, the sum of \$10,980 is hereby lapsed.

(r) On July 1, 2009, of the \$76,035 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the vocational education capital outlay aid account, the sum of \$1,972 is hereby lapsed.

(s) On July 1, 2009, of the \$90,000 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the tuition waivers account, the sum of \$2,335 is hereby lapsed.

(t) On July 1, 2009, of the \$200,000 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the nurse educator grant program account, the sum of \$5,189 is hereby lapsed.

(u) On July 1, 2009, of the \$1,900,000 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the nursing faculty and supplies grant program account, the sum of

\$49,292 is hereby lapsed.

(v) On July 1, 2009, of the \$767,693 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the postsecondary technical education authority account, the sum of \$19,916 is hereby lapsed.

(w) On July 1, 2009, of the \$350,000 appropriated for the above agency for the fiscal year ending June 30, 2010, by Section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Kansas academy of math and science account, the sum of \$9,080 is hereby lapsed.

(x) On July 1, 2009, of the \$424,921 appropriated for the above agency for the fiscal year ending June 30, 2010, by Section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the unified operating grant account, the sum of \$11,024 is hereby lapsed.

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

Midwest higher education commission

For the fiscal year ending June 30, 2010..... \$92,535

(z) On July 1, 2009, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2010, by section 81(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Southwest Kansas access project account, the sum of \$350,375 is hereby lapsed.

(aa) During the fiscal year ending June 30, 2010, no expenditures shall be made by the Kansas board of regents from the postsecondary aid for vocational education account of the state general fund to guarantee 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.

Sec. 70.

KANSAS STATE UNIVERSITY

(a) On July 1, 2009, of the \$109,301,449 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 73(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$2,835,607 is hereby lapsed.

(b) On July 1, 2009, of the \$139,500 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 73(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the midwest institute for comparative stem cell biology account, the sum of \$3,619 is hereby lapsed.

[†]

(d) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010 as authorized by 2009 Senate Substitute for House Bill No. 2354 or by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2010 to raze building no. 457 (elevator and feed mill), 437 (herdsman house), 10002 (art kiln), 145 (vet surgical instruction), 200 (vet research lab greyhound kennels) and 224 (food animal barn and shed).

Sec. 71.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) On July 1, 2009, of the \$19,738,609 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 74(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the cooperative extension service (including official hospitality) account, the sum of \$512,079 is hereby lapsed.

(b) On July 1, 2009, of the \$31,504,132 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 74(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the agricultural experiment stations (including official hospitality) account, the sum of \$817,312 is hereby lapsed.

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year or years specified, the

following:

Agricultural experiment stations

For the fiscal year ending June 30, 2010..... \$4,051

Sec. 72.

KANSAS STATE UNIVERSITY VETERINARY
MEDICAL CENTER

(a) On July 1, 2009, of the \$10,460,071 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 75(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$271,366 is hereby lapsed.

(b) On July 1, 2009, of the \$400,000 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 75(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the veterinary training program for rural Kansas account, the sum of \$10,377 is hereby lapsed.

Sec. 73.

UNIVERSITY OF KANSAS

(a) On July 1, 2009, of the \$136,333,684 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 78(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$3,497,726 is hereby lapsed.

(b) On July 1, 2009, of the \$6,268,088 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 78(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the geological survey account, the sum of \$162,613 is hereby lapsed.

(c) On July 1, 2009, of the \$139,369 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 78(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the umbilical cord matrix project account, the sum of \$3,616 is hereby lapsed.

(d) On July 1, 2009, of the \$34,400 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 78(d) of 2009 Senate Substitute for House Bill No. 2354 from the state water plan fund in the geological survey account, the sum of \$5,600 is hereby lapsed.

Sec. 74.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) On July 1, 2009, of the \$108,184,188 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 79(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$2,782,846 is hereby lapsed.

(b) On July 1, 2009, of the \$2,786,764 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 79(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the medical scholarships and loans account, the sum of \$72,298 is hereby lapsed.

(c) On July 1, 2009, of the \$4,635,650 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 79(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the cancer center account, the sum of \$120,263 is hereby lapsed.

(d) On July 1, 2009, the Johnson county education triangle research fund of the university of Kansas medical center is hereby redesignated as the Johnson county education research triangle fund of the university of Kansas medical center.

Sec. 75.

FORT HAYS STATE UNIVERSITY

(a) On July 1, 2009, of the \$34,386,996 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 72(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$892,102 is hereby lapsed.

(b) On July 1, 2009, of the \$139,257 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 72(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the master's-level nursing capacity account, the sum of \$3,612 is hereby lapsed.

(c) On July 1, 2009, of the \$287,576 appropriated for the above agency

for the fiscal year ending June 30, 2010, by section 72(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Kansas wetlands education center at Cheyenne bottoms account, the sum of \$7,460 is hereby lapsed.

Sec. 76.

EMPORIA STATE UNIVERSITY

(a) On July 1, 2009, of the \$32,633,306 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 76(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$846,606 is hereby lapsed.

(b) On July 1, 2009, of the \$225,887 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 76(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the reading recovery program account, the sum of \$5,861 is hereby lapsed.

(c) On July 1, 2009, of the \$135,562 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 76(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the Nat'l Board Cert/Future Teacher Academy account, the sum of \$3,517 is hereby lapsed.

Sec. 77.

PITTSBURG STATE UNIVERSITY

(a) On July 1, 2009, of the \$35,800,245 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 77(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$921,398 is hereby lapsed.

Sec. 78.

WICHITA STATE UNIVERSITY

(a) On July 1, 2009, of the \$68,930,425 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 80(a) of 2009 Senate Substitute for House Bill No. 2354 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$1,788,262 is hereby lapsed.

Sec. 79. (a) On July 1, 2009, of the amount of each appropriation or reappropriation for a state agency for the fiscal year ending June 30, 2010, made by 2009 Senate Substitute for House Bill No. 2354 from the state general fund, the sum equal to 0.25% 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, and (2) any item of appropriation or reappropriation from the state general fund for the fiscal year ending June 30, 2010, 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 (2): *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 (2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

Sec. 80. (a) On the effective date of this act, the amount directed to be transferred by any subsection of any section of this act by the director of accounts and reports from any special revenue fund for any state agency to the state general fund, for the express purpose 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 by other state agencies which receive appropriations from the state general fund to provide such services, on the effective date of this act, or as soon thereafter as moneys are available, is hereby decreased by the amount equal to 21.5% of the amount directed to be transferred by such subsection of such section of

this act: *Provided*, That the director of the budget shall calculate and certify the amount of each such decrease prescribed by this subsection (a) to the director of accounts and reports: *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 (a), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(b) On July 1, 2009, the amount directed to be transferred by any section of this act by the director of accounts and reports from any special revenue fund for any state agency to the state general fund, for the express purpose 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 by other state agencies which receive appropriations from the state general fund to provide such services, on July 1, 2009, or as soon thereafter as moneys are available, is hereby decreased by the amount equal to 21.5% of the amount directed to be transferred by such section of this act: *Provided*, That the director of the budget shall calculate and certify the amount of each such decrease prescribed by this subsection (b) to the director of accounts and reports: *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), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

Sec. 81. (a) The amount directed to be transferred by any subsection of any section of this act by the director of accounts and reports from any special revenue fund for any state agency to the state general fund, for the express purpose 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 by other state agencies which receive appropriations from the state general fund to provide such services, on the effective date of this act, or as soon thereafter as moneys are available, shall be transferred under such subsection of such section of this act on such date or dates and in such amount or amounts as determined by the director of the budget after considering the state agency's cash flow circumstances, as certified to the director of accounts and reports by the director of the budget: *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 (a), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(b) The amount directed to be transferred by any subsection of any section of this act by the director of accounts and reports from any special revenue fund for any state agency to the state general fund, for the express purpose 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 by other state agencies which receive appropriations from the state general fund to provide such services, on July 1, 2009, or as soon thereafter as moneys are available, shall be transferred under such subsection of such section of this act on such date or dates and in such amount or amounts as determined by the director of the budget after considering the state agency's cash flow circumstances, as certified to the director of accounts and reports by the director of the budget: *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), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(c) The amount directed to be transferred by any subsection of any section of this act by the director of accounts and reports from any special revenue fund for any state agency to the state general fund, for the express purpose 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 by other state agencies which receive appropriations from the state general fund to provide such services, on June 30, 2010, or as soon thereafter as moneys are available, shall be transferred under such subsection of such section of this act on such date or dates and in such amount or amounts as determined by the director of the budget after considering

the state agency's cash flow circumstances, as certified to the director of accounts and reports by the director of the budget: *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 (c), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

Sec. 82. On July 1, 2009, K.S.A. 2008 Supp. 12-5256, as amended by section 136 of 2009 Senate Substitute for House Bill No. 2354, 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, 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~~ *economic development initiatives* fund to the state housing trust fund established by K.S.A. 2008 Supp. 74-8959, and amendments thereto. *On 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. 83. On July 1, 2009, K.S.A. 2008 Supp. 76-7,107, as amended by section 139 of 2009 Senate Substitute for House Bill No. 2354, 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~~ *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.*

~~(3) No moneys~~ *On July 1, 2010, 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, ~~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. 84. On the effective date of this act, 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 va-

lorem 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~~ (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. 85. On the effective date of this act, 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 pro-

visions 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~~ (C) *no moneys shall be 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, 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 equip-

ment 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. 86. On July 1, 2009, K.S.A. 2008 Supp. 79-3425i, as amended by section 144 of 2009 Senate Substitute for House Bill No. 2354, is hereby amended to read as follows: 79-3425i. (a) 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 no moneys shall be 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 \$2,515,916;~~ and (4) notwithstanding the provisions of K.S.A. 79-3425c and 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, 2010, and June 30, 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.

(b) During the state fiscal year ending June 30, 2010, on July 15, 2009, and January 15, 2010, the director of accounts and reports shall transfer \$2,515,916 from the state highway fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto.

Sec. 87. On the effective date of this act, K.S.A. 2008 Supp. 79-34,156, as amended by section 91 of 2009 House Substitute for Substitute for Senate Bill No. 23, is hereby amended to read as follows: 79-34,156. On April 1, 2007, the director of accounts and reports shall transfer \$437,500 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund. If sufficient moneys are not available in the state economic development initiatives fund for such transfer on April 1, 2007, then the director of accounts and reports shall transfer on such date the amount available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund. On July 1, 2007, and quarterly thereafter, the director of accounts and reports shall transfer \$875,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund, except: *(a) That the amount of moneys transferred on July 1, 2008, October 1, 2008, and January 1, 2009, the director of accounts and reports shall transfer \$100,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund, and (b) that on April 1, 2009, shall not exceed \$49,000 the director of accounts and reports shall transfer \$74,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund.* If sufficient moneys are not available in the state economic development initiatives fund for such transfer on July 1, 2007, and on the first day of any calendar quarter thereafter, in any such fiscal year, then the director of accounts and reports shall transfer on such date the amount available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund.

Sec. 88. On July 1, 2009, K.S.A. 2008 Supp. 79-4801, as amended by section 145 of 2009 Senate Substitute for House Bill No. 2354, 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~~ *years 2009 and 2010*, 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; (b) all amounts credited to the state gaming revenues fund in fiscal year 2010 which are in excess of ~~\$50,000,000~~ *\$48,059,846* 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.

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Sec. 90. On the effective date of this act, section 102 of 2009 Senate Substitute for House Bill No. 2354 and K.S.A. 2008 Supp. 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, and 79-34,156, as amended by section 91 of 2009 House Substitute for Substitute for Senate Bill No. 23, are hereby repealed.

Sec. 91. On July 1, 2009, K.S.A. 2008 Supp. 12-5256, as amended by section 136 of 2009 Senate Substitute for House Bill No. 2354, 76-7,107, as amended by section 139 of 2009 Senate Substitute for House Bill No. 2354, 79-2978, as amended by section 142 of 2009 Senate Substitute for House Bill No. 2354, 79-2979, as amended by section 143 of 2009 Senate Substitute for House Bill No. 2354, 79-3425i, as amended by section 144 of 2009 Senate Substitute for House Bill No. 2354, and 79-4801, as amended by section 145 of 2009 Senate Substitute for House Bill No. 2354, are hereby repealed.

Sec. 92. *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. 93. *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 2009 Senate Substitute for House Bill No. 2354, 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.

Sec. 94. *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. 95. *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 2009 Senate Substitute for House Bill No. 2354, or 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 2009 Senate Substitute for House Bill No. 2354, which is not otherwise specifically appropriated or limited for fiscal year 2011 by 2009 Senate Substitute for House Bill No. 2354, 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. 96. 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. 97. *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 2009 Senate Substitute for House Bill No. 2354, 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, by 2009 Senate Substitute for House Bill No. 2354, 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. 98. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in 2009 Senate Substitute for House Bill No. 2354, or 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. 99. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in 2009 Senate Substitute for House Bill No. 2354, or 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. 100. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in 2009 Senate Substitute for House Bill No. 2354, or 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. 101. 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. 102. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved May 22, 2009.

Published in the *Kansas Register* June 11, 2009.

† A portion of section 36(a) was line-item vetoed.

† Section 70(c) was line-item vetoed.

† A portion of section 89 was line-item vetoed.

(See Messages from the Governor)
