

# Journal of the House

FORTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, March 28, 2011, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 122 members present.

Rep. Fund was excused on verified illness.

Reps. Hermanson and Seiwert were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

“Our Father which art in Heaven,  
hallowed be Thy Name.  
Thy Kingdom come, Thy will be done  
on earth as it is in heaven.”  
The words of this prayer are so familiar  
but much harder to accomplish.  
Give wisdom and insight to our leaders  
to do Your will—not our own.  
“Give us this day our daily bread...”  
Lord, there are many who are depending  
upon this body to provide all their needs;  
help us all to remember that our needs come from You.  
“And forgive us our debts, as we forgive our debtors.”  
We all fall short of who and what we are to be.  
Just as You forgive us, may we forgive each other.  
“And lead us not into temptation,  
But deliver us from evil.”  
The temptation might be to give up, give in,  
give away or give over.  
Give us strength to be honest and stand firm  
to the convictions given by You.  
“For thine is the Kingdom, and the power,  
and the glory, forever.”  
Help us to remember that all we do is temporal,  
but all You do for and in us is eternal.  
In Christ’s Name I pray, Amen.  
(Matthew 6:9-13)

The Pledge of Allegiance was led by Rep. Johnson.

Kansas Trivia Question – The annual football game between University of Kansas and University of Missouri has been canceled once. What caused the cancellation?

Answer: The game was scheduled for November 23, 1963, the day after President Kennedy was assassinated.

### **INTRODUCTION OF GUESTS**

Rep. Mast introduced members of the Madison High School Class 1 A state championship football team and their coaches. Rep. Mast also presented them with a framed House certificate.

### **INTRODUCTION OF GUESTS**

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

Blake Phelps is 13 years old. This extraordinary young man has performed a significant act of service and heroism for which we are recognizing him today.

At age 11, this typical fifth grade student was on his way home from Wheat Ridge Middle School in Gardner, Kansas when he boarded his school bus. As the bus began to leave to take the children home, his driver stood up from her seat and lost consciousness. This young man jumped up and ran to her aid.

He put on the emergency brake to stop the bus from rolling, then began to administer first aid by placing his back-pack under her legs, checked her pulse, breathing and heart rate. The other 48 children were panicking and the bus erupted into chaos. Blake managed to tell the kids to sit down and be calm. They responded by complying with his request. He knew that he needed to summon help so he picked up the bus radio and called into base informing them of the dire medical situation that they were experiencing. Next he got out his cell phone and called 911. Another bus driver had heard Blake's call go out over the bus radio and came to help. Blake chose another student to assist him by evacuating the children out of the back of the bus. Paramedics and bus personnel arrived at that time to take over the situation as Blake lined the children up on the sidewalk helping to keep them calm.

You may ask how this young child was able to do this while remaining calm. Blake is a member of Boy Scout Troop 88 in Gardner. The motto of Boy Scouts of America is "Be Prepared." One month before he was put to the test, he had become certified in CPR and First Aid by the Red Cross.

We honor him today with this prestigious recognition for his courageous actions.

Rep. Kiegerl presented Blake with a framed House certificate.

### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Education Budget: **Sub. SB 111.**

Energy and Utilities: **SB 227.**

In accordance with House Rule 1507, Speaker O'Neal announced the following bills are stricken from the calendar:

**Sub. SB 33; SB 65, SB 85.**

#### **MESSAGES FROM THE GOVERNOR**

**HB 2003, HB 2013, HB 2029, HB 2057, HB 2078, HB 2083, HB 2205** approved on March 25, 2011.

#### **MESSAGES FROM THE SENATE**

The Senate nonconcur in House amendments to **SB 10**, requests a conference and has appointed Senators Apple, King and Holland as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H. Sub. for SB 23** requests a conference and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H. Sub. for SB 55**, requests a conference and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 76**, requests a conference and has appointed Senators V. Schmidt, Brungardt and Kelly as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 125**, requests a conference and has appointed Senators Huntington, V. Schmidt and Kultala as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H. Sub. for Sub. SB 127**, requests a conference and has appointed Senators Huntington, V. Schmidt and Kultala as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H. Sub. for SB 129**, requests a conference and has appointed Senators Huntington, V. Schmidt and Kultala as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 134**, requests a conference and has appointed Senators V. Schmidt, Brungardt and Kelly as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 150**, requests a conference and has appointed Senators Brungardt, Reitz and Faust-Goudeau as conferees on the part of the Senate.

Also, announcing passage of **SB 229**.

The Senate concurs in House amendments to **SB 122**.

Also, announcing passage of **HB 2056, HB 2339**.

Announcing passage of **HB 2035**, as amended; **HB 2133**, as amended by Senate **S. Sub. for HB 2133; HB 2139**, as amended; **HB 2218**, as amended.

Also, announcing passage of **SB 142; Sub. SB 159; SB 211**.

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

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

**SB 142; Sub. SB 159; SB 211, SB 229.**

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 10**.

Speaker O'Neal thereupon appointed Reps. Carlson, Kleeb and Dillmore as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H. Sub. for SB 23**.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H. Sub. for SB 55**.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and Mc-Cray-Miller as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 61**.

Speaker O'Neal thereupon appointed Reps. Carlson, Kleeb and Dillmore as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 76**.

Speaker O'Neal thereupon appointed Reps. Landwehr, Donohoe and Flaharty as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 77**.

Speaker O'Neal thereupon appointed Reps. Brown, Suellentrop and Slattery as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 125**.

Speaker O'Neal thereupon appointed Reps. Schwab, Goico and Mah as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H. Sub. for Sub. SB 127**.

Speaker O'Neal thereupon appointed Reps. Schwab, Goico and Mah as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H. Sub. for SB 129**.

Speaker O'Neal thereupon appointed Reps. Schwab, Goico and Mah as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 134**.

Speaker O'Neal thereupon appointed Reps. Landwehr, Donohoe and Flaharty as

conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 150**.

Speaker O'Neal thereupon appointed Reps. Huebert, Seiwert and Mah as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 193**.

Speaker O'Neal thereupon appointed Reps. Carlson, Kleeb and Dillmore as conferees on the part of the House.

Speaker O'Neal announced that, in accordance with House Rule 2107, the Senate amendments to **S. Sub. for HB 2149** do materially change its subject and therefor is not subject to Motions to Concur and Nonconcur.

**S. Sub. for HB 2149** was thereupon introduced and read by title.

Speaker O'Neal thereupon referred the bill to Committee on Appropriations.

Speaker O'Neal announced that, in accordance with House Rule 2107, the Senate amendments to **S. Sub. for HB 2251** do materially change its subject and therefor is not subject to Motions to Concur and Nonconcur.

**S. Sub. for HB 2251** was thereupon introduced and read by title.

Speaker O'Neal thereupon referred the bill to Committee on Education.

#### **MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY**

The motion of Rep. Grant, in accordance with subsection (b) of House Rule 1309, that **HB 2002** be withdrawn from the Committee on Federal and State Affairs and placed on the calendar under the order of business General Orders, was considered.

Roll call was demanded.

On roll call, the vote was: Yeas 51; Nays 71; Present but not voting: 0; Absent or not voting: 3.

Yeas: Ballard, Bethell, Bowers, Burroughs, Calloway, Carlin, Colloton, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Grange, Grant, Henderson, Henry, Hill, Hineman, M. Holmes, Kelly, Kerschen, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Otto, Peterson, Phelps, Proehl, Roth, Ruiz, Schroeder, Shultz, Slattery, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore.

Nays: Alford, Arpke, Aurrand, Billinger, Bollier, Boman, Brookens, Brown, Bruchman, Brunk, Burgess, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Garber, Goico, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hildabrand, Hoffman, C. Holmes, Howell, Huebert, Johnson, Kelley, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, Mosier, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Patton, Pauls, Peck, Pottorff, Powell, Prescott, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Siegfroid, Sloan, Smith, Spalding, Suellentrop, Tyson, Vickrey, Weber, B. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Fund, Hermanson, Seiwert.

The motion did not prevail.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**Sub. HB 2333**, AN ACT concerning retirement and benefits; relating to the Kansas public employees retirement system and systems thereunder; employee contributions; benefits; sale of real estate of state agencies, disposition of certain proceeds to Kansas public employees retirement fund; amending K.S.A. 74-4915 and K.S.A. 2010 Supp. 74-4920, 74-49,205 and 75-6609 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 68; Nays 54; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Boman, Bowers, Brown, Bruchman, Brunk, Carlson, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Goico, Gonzalez, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Montgomery, Mosier, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Smith, Sullentrop, Vickrey, Weber, B. Wolf, Worley.

Nays: Ballard, Bethell, Billinger, Bollier, Brookens, Burgess, Burroughs, Calloway, Carlin, Cassidy, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Gordon, Grant, Henderson, Henry, Hill, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Mesa, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Ruiz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Fund, Hermanson, Seiwert.

The substitute bill passed, as amended.

**EXPLANATION OF VOTE**

MR. SPEAKER: I vote yes on **Sub. HB 2333**. The KPER's under-funded bank account issue has been discussed for years with no decisive action. This bill represents an effort to begin meaningful dialogue and work on both short and long-term solutions. This will not be an easy or painless process.

Should we choose to delay meaningful action, the financial stability will only become worse and put all present and future retirees promised pension in peril.

“The difference between a politician and a statesman is: a politician thinks of the next election and a statesman thinks of the next generation.” (James Freeman Clarke). – JOHN C. GRANGE, STEVEN C. JOHNSON, MITCH HOLMES

**HR 6008**, A RESOLUTION opposing the Environmental Protection Agency's regulatory train wreck, was considered on final action.

On roll call, the vote was: Yeas 100; Nays 22; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes,

Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, Mosier, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Weber, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Ballard, Burroughs, Carlin, Davis, Dillmore, Finney, Flaharty, S. Gatewood, Henderson, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Ruiz, Slattery, Tietze, Victors, Ward, Wetta, Winn.

Present but not voting: None.

Absent or not voting: Fund, Hermanson, Seiwert.

The resolution was adopted, as amended.

### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Colloton, the House nonconcurred in Senate amendments to **S. Sub. for HB 2008** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

On motion of Rep. Kinzer, the House nonconcurred in Senate amendments to **HB 2010** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Aurand, the House nonconcurred in Senate amendments to **HB 2015** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Aurand, Huebert and Ward as conferees on the part of the House.

On motion of Rep. Kinzer, the House nonconcurred in Senate amendments to **S. Sub. for HB 2071** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Shultz, the House nonconcurred in Senate amendments to **HB 2075** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Shultz, Hermanson and Grant as conferees on the part of the House.

On motion of Rep. Colloton, the House nonconcurred in Senate amendments to **HB 2104** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

On motion of Rep. Colloton, the House nonconcurred in Senate amendments to **HB 2118** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as

conferees on the part of the House.

On motion of Rep. C. Holmes, the House nonconcurrred in Senate amendments to **HB 2122** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. C. Holmes, Knox and Kuether as conferees on the part of the House.

On motion of Rep. Bethell, the House nonconcurrred in Senate amendments to **HB 2147** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Bethell, Worley and Flaharty as conferees on the part of the House.

On motion of Rep. Landwehr, the House nonconcurrred in Senate amendments to **HB 2182** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Landwehr, Donohoe and Flaharty as conferees on the part of the House.

On motion of Rep. Aurand, the House nonconcurrred in Senate amendments to **Sub. HB 2191** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Aurand, Huebert and Ward as conferees on the part of the House.

On motion of Rep. Huebert, the House nonconcurrred in Senate amendments to **HB 2195** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Huebert, Seiwert, and Mah as conferees on the part of the House.

On motion of Rep. Huebert, the House nonconcurrred in Senate amendments to **HB 2240** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Huebert, Seiwert and Mah as conferees on the part of the House.

On motion of Rep. Powell, the House nonconcurrred in Senate amendments to **Sub. HB 2271** and asked for a conference.

Speaker O'Neal thereupon appointed Reps Powell, Kerschen and Williams as conferees on the part of the House.

#### **CHANGE OF CONFEREES**

Speaker O'Neal announced the appointment of Rep. Brown as a member of the conference committee on **H. Sub for SB 101** to replace Rep. Seiwert.

#### **REPORTS OF STANDING COMMITTEES**

Committee on **Energy and Utilities** recommends **Substitute for SB 72** be amended on page 13, in line 13, by striking "any additional"; also in line 13, by striking "it deems useful in determining"; by striking all in lines 14 and 15; in line 16, by striking "(6) of this subsection,."; and inserting "on"; also in line 16, after "services" by inserting "provided by all telecommunications carriers or other telecommunications service



providers regardless of the technology used to provide service"; in line 17, by striking "changes in"; also in line 17, after "offerings" by inserting "provided by all telecommunications carriers or other telecommunications service providers regardless of the technology used and"; in line 18, by striking "the change in"; in line 19, after "exchanges" by inserting "including, but not limited to, facilities based carriers, commercial mobile radio service or broadband based service providers"; also in line 19, by striking "If the commission finds that the weighted, average rate of"; by striking all in lines 20 through 31;

On page 16, in line 30, by striking "and"; following line 30 by inserting "(D) price cap regulation for lifeline services; and"; in line 31, by striking "(D)" and inserting "(E)";

On page 17, in line 4, after "thereto," by inserting "or high cost support"; also in line 4, after "exchanges" by inserting ", but would remain eligible for KUSF support for Kansas lifeline service program purposes"; and the bill be passed as amended.

Committee on **Energy and Utilities** recommends **SB 227** be amended on page 1, in line 5, before "Section" by inserting "New";

On page 2, following line 5, by inserting:

"Sec. 2. K.S.A. 58-2272 is hereby amended to read as follows: 58-2272. (a) Every instrument that conveys any estate or interest created by any lease or easement involving wind or solar resources and technologies to produce and generate electricity shall include:

(a) (1) A description of the real property subject to the easement and a description of the real property benefitting from the wind or solar lease or easement;

(b) (2) a description of the vertical and horizontal angles, expressed in degrees, and distances from the site of the wind or solar power system in which an obstruction to the wind or solar system is prohibited or limited;

(c) (3) all terms or conditions under which the lease or easement is granted or may be terminated, except that if the instrument is recorded under K.S.A. 58-2221, and amendments thereto, any compensation received by the owner of the real property may be excluded; and

(d) (4) any other provisions necessary or desirable to execute the instrument.

(b) No person other than the surface owner of a tract of land shall have the right to use such land for the production of wind or solar generated energy unless granted such right by the lawful owner of the surface estate by lease or easement for a definite period.

(c) The provisions of subsection (b) shall not apply to any lease or easement filed of record prior to July 1, 2011, with the register of deeds of the county in which the tract is located.

(d) Nothing in this section shall be construed to affect any otherwise enforceable restriction on the use of any tract of land for the production of wind or solar energy, whether or not such restriction is in the form of an easement for a definite term.

Sec. 3. K.S.A. 58-2272 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "anemometer towers; relating to required markings"; in line 2, by striking "penalties" and inserting "property; relating to renewable energy; amending K.S.A. 58-2272 and repealing the existing section"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 45** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 45," as follows:

"HOUSE Substitute for SENATE BILL NO. 45

By Committee on Federal and State Affairs

"AN ACT concerning abortion; amending K.S.A. 65-445, 65-6701, 65-6703, 65-6705 and 65-6721 and K.S.A. 2010 Supp. 65-6709 and 65-6710 and repealing the existing sections; also repealing K.S.A. 65-6713."; and the substitute bill be passed.

(**H. Sub. for SB 45** was thereupon introduced and read by title.)

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

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

**HB 2398**, AN ACT concerning wildlife; relating to feral swine; amending K.S.A. 2010 Supp. 47-1809 and repealing the existing section, by Committee on Appropriations.

**HB 2399**, AN ACT concerning Cherokee county; relating to purchases of property and relocation expenses by a state public trust; amending K.S.A. 2010 Supp. 49-514 and repealing the existing section, by Committee on Appropriations.

#### HOUSE CONCURRENT RESOLUTION No. **HCR 5026**—

By Representatives Ruiz, Goico, Gonzalez and Mesa

A CONCURRENT RESOLUTION outlining the principles of the State of Kansas regarding immigration reform policy.

WHEREAS, Failure to update our federal immigration system separates and destabilizes Kansas communities, and creates uncertainty, inefficiency and an uneven playing field for Kansas' citizens, businesses and economy; and

WHEREAS, Failure to address the system where it can be fixed – at the federal level – has left all states searching for solutions in ways that have been costly and divisive: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Legislature recommends the following basic principles as a guide for state and federal policy on immigration:

1. Immigration is a federal policy issue between the United States government and other countries – not Kansas and other countries. The Legislature urges the Kansas congressional delegation to take action to create a workable immigration system that upholds our values, our economic needs and moves us forward; and

2. the Legislature respects the rule of law and supports law enforcement's professional judgment and discretion. Local law enforcement resources should focus on criminal activities, not civil violations of federal code; and

3. strong families are the foundation of successful communities. The Legislature opposes policies that unnecessarily separate families. The Legislature champions policies that support families and improve the health, education and well-being of all Kansas children; and

4. the Legislature acknowledges the important economic role immigrant Kansans

play as workers, entrepreneurs and taxpayers. The immigration policies of Kansas must affirm its reputation as a welcoming and business-friendly state; and

5. immigration is an important part of our past and our future. As in the past, immigrants are totally integrated into communities across Kansas. We must adopt a humane approach to this reality, reflecting our values, history and spirit of inclusion and cooperation. The way we treat immigrants says a lot about our society being fair and just. Kansas should always be a place that welcomes people of goodwill. Our communities and our future will be best served by doing so; and

*Be it further resolved:* That the Legislature urgently calls upon the Kansas congressional delegation and the United States Congress to enact thorough, common sense, workable and humane reforms that reflect the realities of our country's workforce needs and represent America's values at its best; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to Representatives Ruiz, Goico, Gonzalez and Mesa, and to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate and each member of the Kansas congressional delegation.

#### MESSAGE FROM THE SENATE

The Senate nonconcur in House amendments to **SB 11**, requests a conference and has appointed Senators Schodorf, Vratil and Hensley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 115**, requests a conference and has appointed Senators Umbarger, Marshall and Kultala as conferees on the part of the Senate.

On motion of Rep. Siegfried, the House recessed until 5:00 p.m.

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#### LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Vickrey in the chair.

#### MESSAGE FROM THE SENATE

The Senate nonconcur in House amendments to **H. Sub. for SB 6**, requests a conference and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **Sub. SB 50**, requests a conference and has appointed Senators Apple, Petersen and Kultala as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H. Sub. for SB 60**, requests a conference and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 83**, requests a conference and

has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The President announced the appointment of Senator Kelsey as a member of the conference committee on **H. Sub. for SB 101** to replace Senator Brungardt.

The Senate accedes to the request of the House for a conference on **HB 2067** and has appointed Senators Huntington, V. Schmidt and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2105** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2119** and has appointed Senators Teichman, Masterson and A. Schmidt as conferees on the part of the Senate.

**REPORTS OF STANDING COMMITTEES**

Committee on **Aging and Long-Term Care** and **Social Services Budget Committee** jointly recommend **SB 210** be passed.

Committee on **Appropriations** recommends **HB 2382** be amended on page 5, by striking all in lines 31 through 39;

On page 6, by striking all in lines 1 through 13;

And redesignating the remaining subsections accordingly;

On page 8, following line 6, by inserting the following:

“Roth building repairs.....\$279,449”;

Also on page 8, following line 10, by inserting the following:

“Roth building repairs.....\$1,883,121”;

On page 11, following line 11, by inserting the following:

"Indoor practice facility fund.....No limit";

On page 15, following line 22, by inserting the following:

“(h) In addition to the other purposes for which expenditures may be made by Kansas state university from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2011 for the department of administration, as authorized by chapter 165 of the 2010 Session Laws of Kansas or by this or other appropriation act of the 2011 regular session of the legislature, expenditures may be made by the Kansas state university for fiscal year 2011 to negotiate and enter into a lease-purchase agreement with the Kansas state university foundation, which is hereby authorized to be entered into, for a new grain science center feed mill for Kansas state university.”;

On page 25, by striking all in lines 23 and 24;

On page 27, in line 25, by striking “\$18,577” and by inserting “\$6,600”; in line 13, by striking "10th" and inserting "tenth day”;

On page 29, in line 31, by striking “\$1,000,000” and by inserting “\$150,000”; following line 34, by inserting the following:

“Hatchery improvements .....\$150,000”;

Also on page 31, following line 40, by inserting the following:

“(r) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2012, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2012 for the following capital improvement project or projects, subject to the

expenditure limitations prescribed therefor:

Dam Repair.....\$100,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the sport fish restoration program fund for fiscal year 2012.”;

And by relettering the remaining subsections accordingly;

On page 31, in line 23, by striking “\$1,000,000” and by inserting “\$150,000”; following line 24, by inserting the following:

“Hatchery improvements.....\$450,000”;

and the bill be passed as amended.

Committee on Appropriations recommends HB 2383 be amended on page 1, following line 27, by inserting:

" Sec. 2.

DEPARTMENT OF EDUCATION

(a) (1) During the fiscal year ending June 30, 2011, on or before June 1, 2011, the commissioner of education, the director of legislative research and the director of the budget shall jointly determine the amount of moneys that are required to satisfy the maintenance of state financial support provisions of the federal individuals with disabilities education act, as amended, for the fiscal year ending June 30, 2011, based on recent estimates and other available information pertaining thereto, and shall jointly certify the amount so determined to the director of accounts and reports.

(2) On June 1, 2011, if the amount certified by joint certification pursuant to subsection (a)(1) is more than \$21,240,000, the director of accounts and reports shall determine the difference between \$21,240,000 and the amount so certified and, on June 1, 2011, shall transfer the amount of such difference from the KPERS – employer contributions account of the state general fund of the above agency to the special education services aid account of the state general fund of the above agency.

(3) (A) On June 3, 2011, of the \$291,602,545 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 79(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the KPERS – employer contributions account, the sum determined by the director of accounts and reports as prescribed in subsection (a)(3)(B) is hereby lapsed.

(B) On or before June 3, 2011, the director of accounts and reports shall determine the sum equal to \$69,201,035 reduced by the amount equal to the amount transferred on June 3, 2011, from the KPERS – employer contributions account of the state general fund of the above agency to the special education services aid account of the state general fund of the above agency pursuant to subsection (a)(2), if any amount is so transferred by the director of accounts and reports.

(4) At the same time that such joint certification is transmitted to the director of accounts and reports pursuant to subsection (a)(1), the commissioner of education, the director of legislative research and the director of the budget shall jointly transmit a copy of such certification to the speaker of the house of representatives, the speaker pro tem of the house of representatives, the majority leader of the house of representatives, the minority leader of the house of representatives, the chairperson of the committee on appropriations of the house of representatives, the chief clerk of the house of

representatives, the president of the senate, the vice-president of the senate, the majority leader of the senate, the minority leader of the senate, the chairperson of the committee on ways and means of the senate and the secretary of the senate.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2011, the following:

Special education services aid.....\$21,240,000

(c) (1) On July 1, 2011, of the \$1,902,775,680 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 56(a) of 2011 Senate Bill No. 2383 from the state general fund in the general state aid account, the sum determined by the director of accounts and reports as prescribed in subsection (c)(2) is hereby lapsed.

(2) On or before July 1, 2011, the director of accounts and reports shall determine the sum equal to \$21,240,000 reduced by the aggregate of (A) the amount of \$9,322,755 plus (B) the amount equal to the amount transferred on June 3, 2011, from the KPERS – employer contributions account of the state general fund of the above agency to the special education services aid account of the state general fund of the above agency pursuant to subsection (a)(2), if any amount is so transferred by the director of accounts and reports.

(d) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

KPERS – employer contributions.....\$69,201,035

Sec. 3.

ABSTRACTERS' BOARD OF EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by the state finance council on the abstracters' fee fund of the abstracters' board of examiners is hereby decreased from \$24,088 to \$23,419.

Sec. 4.

GOVERNMENTAL ETHICS COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by the state finance council on the governmental ethics commission fee fund of the governmental ethics commission is hereby decreased from \$291,764 to \$263,176.

Sec. 5.

KANSAS HOME INSPECTORS REGISTRATION BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 11(b) of chapter 165 of the 2010 Session Laws of Kansas on the home inspectors registration fee fund of the Kansas home inspectors registration board is hereby decreased from \$35,750 to \$16,800.

Sec. 6.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by the state finance council on the board of nursing fee fund of the board of nursing is hereby increased from \$1,904,365 to \$1,952,425.

Sec. 7.

STATE BOARD OF PHARMACY

(a) On the effective date of this act, there is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2011, 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:

Harold Rogers prescription federal fund.....	No limit
NASPER grant federal fund.....	No limit
Non-federal gifts and grants fund.....	No limit

*Provided*, That the state board of pharmacy is authorized to apply for and to accept grants and may accept donations, bequests or gifts from any non-federal source: *Provided, however*; That all moneys received for such grants, donations, bequests or gifts shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*; That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund: *And provided further*; That all expenditures from this fund 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 state board of pharmacy or a person designated by the president.

Sec. 8.

KANSAS REAL ESTATE COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by the state finance council on the real estate fee fund of the Kansas real estate commission is hereby decreased from \$1,123,206 to \$1,028,342.

(b) On the effective date of this act, the director of accounts and reports shall transfer \$200,000 from the real estate revolving recovery fund to the real estate fee fund for the fiscal year ending June 30, 2011.

Sec. 9.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by the state finance council on the technical professions fee fund of the state board of technical professions is hereby increased from \$589,122 to \$609,122.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 25(a) of chapter 124 of the 2009 Session Laws of Kansas on expenditures for official hospitality from the technical professions fee fund of the state board of technical professions is hereby increased from \$500 to \$1,000.

Sec. 10.

STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 16(b) of chapter 165 of the 2010 Session Laws of Kansas on the veterinary examiners fee fund of the state board of veterinary examiners is hereby decreased from \$268,382 to \$265,522.

Sec. 11.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$4,350,937 from the Kansas endowment for youth fund to the children's initiatives fund.

Sec. 12.

#### DEPARTMENT OF ADMINISTRATION

(a) (1) In addition to the other purposes for which expenditures may be made by the department of administration from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2011 for the department of administration, as authorized by chapter 6 or chapter 165 of the 2010 Session Laws of Kansas or by this or other appropriation act of the 2011 regular session of the legislature, expenditures shall be made by the secretary of administration for fiscal year 2011 to review the state real property inventory prepared pursuant to section 61(r) of chapter 165 of the 2010 Session Laws of Kansas, evaluate the state real property, and prepare from such inventory and other information a prioritized report of 10% of state real property that could be sold, subject to existing restrictions: *Provided*, That, on or before March 31, 2011, the secretary of administration shall provide a copy of such prioritized report to the governor, the chief clerk of the house of representatives, the secretary of the senate, and the chairs of the committee on appropriations of the house of representatives and the committee on ways and means of the senate.

(2) As used in this subsection, "state real property" includes each tract of real property owned by the state of Kansas, or any state agency, as defined by K.S.A. 75-3701, and amendments thereto, and includes all buildings, facilities and other improvements thereon.

Sec. 13.

#### OFFICE OF ADMINISTRATIVE HEARINGS

(a) In addition to the other purposes for which expenditures may be made by the office of administrative hearings from moneys appropriated in the administrative hearings office fund for fiscal year 2011 for the office of administrative hearings as authorized by this or other appropriation act of the 2011 regular session of the legislature, expenditures may be made by the office of administrative hearings from moneys appropriated in the administrative hearings office fund for fiscal year 2011 for official hospitality: *Provided*, That expenditures from the administrative hearings office fund for fiscal year 2011 for official hospitality shall not exceed \$100.

Sec. 14.

#### CITIZENS' UTILITY RATEPAYER BOARD

(a) (1) On and after the effective date of this act, notwithstanding the provisions of section 47(c) of chapter 124 of the 2009 Session Laws of Kansas or any other statute, no expenditures shall be made for fiscal year 2011 from the utility regulatory fee fund by the citizens' utility ratepayer board of the amount equal to the final aggregate amount of unexpended and unencumbered expenditure authority for fiscal year 2010, pursuant to and as authorized for expenditure for fiscal year 2011 as provided by section 47(c) of chapter 124 of the 2009 Session Laws of Kansas, and, on the effective date of this act, the provisions of section 47(c) of chapter 124 of the 2009 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(2) On and after the effective date of this act, during the fiscal year ending June 30, 2011, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund for fiscal year 2011 as



authorized by chapter 6 or chapter 165 of the 2010 Session Laws of Kansas or by this or other appropriation act of the 2011 regular session of the legislature, notwithstanding the provisions of any other statute, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by section 47(a) of chapter 124 of the 2009 Session Laws of Kansas are not expended or encumbered for fiscal year 2010, then the amount equal to the amount of such expenditure authority for fiscal year 2010 remaining may be expended from the utility regulatory fee fund for fiscal year 2011 pursuant to contracts for professional services and any such expenditure for fiscal year 2011 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2011.

Sec. 15.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, of the \$307,050 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 67(a) of chapter 165 of the 2010 Session Laws of Kansas from the state economic development initiatives fund in the strong military bases program account, the sum of \$61,410 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 67(b) of chapter 165 of the 2010 Session Laws of Kansas on the state affordable airfare fund of the department of commerce is hereby increased from \$5,000,000 to \$5,125,000.

(c) On the effective date of this act, the amount directed by section 67(e) of chapter 165 of the 2010 Session Laws of Kansas to be transferred from the state economic development initiatives fund to the Kansas economic opportunity initiatives fund of the department of commerce on December 15, 2010, or as soon thereafter as moneys are available, is hereby decreased from \$625,000 to \$232,482: *Provided*, That, on the effective date of this act, any moneys transferred from the state economic development initiatives fund to the Kansas economic opportunity initiatives fund of the department of commerce on or after December 15, 2010, pursuant to section 67(e) of chapter 165 of the 2010 Session Laws of Kansas, shall be transferred from the Kansas economic opportunity initiatives fund of the department of commerce to the state economic development initiatives fund by the director of accounts and reports.

Sec. 16.

STATE CORPORATION COMMISSION

(a) On the effective date of this act, the aggregate expenditure limitation established for the fiscal year ending June 30, 2011, by section 59(b) of chapter 165 of the 2010 Session Laws of Kansas on expenditures from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund, in the aggregate, is hereby increased from \$16,468,621 to \$16,628,381.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2011, 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:

Compressed air energy storage fee fund.....No limit

ARRA state electricity regulators assistance – federal fund.....No limit

(c) On the effective date of this act, the base state registration clearing fund of the

state corporation commission is hereby redesignated as the unified carrier registration clearing fund of the state corporation commission, in accordance with K.S.A. 66-1,139a, and amendments thereto.

(d) On the effective date of this act, the pipeline damage prevention grant program – federal fund of the state corporation commission is hereby redesignated as the one call – federal fund.

Sec. 17.

KANSAS, INC.

(a) On the effective date of this act, of the \$346,904 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 68(a) of chapter 165 of the 2010 Session Laws of Kansas from the state economic development initiatives fund in the operations (including official hospitality) account, the sum of \$88,756 is hereby lapsed.

Sec. 18.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 65(b) of chapter 165 of the 2010 Session Laws of Kansas to be transferred from the lottery operating fund to the state gaming revenues fund during the fiscal year ending June 30, 2011, is hereby increased from \$70,400,000 to \$70,800,000.

Sec. 19.

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, 2011, the following:

Operations, assistance and grants (including official hospitality) ..... \$71,426

Sec. 20.

KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2011, 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:

Illegal gambling enforcement fund..... No limit

*Provided*, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory activities, including, but not limited to, (1) conducting investigations of illegal gambling operations or activities, (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations, and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however*, That all moneys that are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and that are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On the effective date of this act, the director of accounts and reports shall transfer \$5,000 from the state racing fund of the Kansas racing and gaming commission

to the illegal gambling enforcement fund of the Kansas racing and gaming commission.

(c) On June 30, 2011, the director of accounts and reports shall transfer all moneys in the racing reimbursable expense fund of the Kansas racing and gaming commission to the state racing fund of the Kansas racing and gaming commission.

(d) On June 30, 2011, the director of accounts and reports shall transfer all moneys in the racing investigative expense fund of the Kansas racing and gaming commission to the state racing fund of the Kansas racing and gaming commission.

(e) On June 30, 2011, the director of accounts and reports shall transfer all moneys in the horse fair racing benefit fund of the Kansas racing and gaming commission to the state racing fund of the Kansas racing and gaming commission.

(f) On June 30, 2011, the director of accounts and reports shall transfer all moneys in the racing applicant deposit fund of the Kansas racing and gaming commission to the state racing fund of the Kansas racing and gaming commission.

(g) On June 30, 2011, the director of accounts and reports shall transfer all moneys in the horse purse fund to the Kansas horse breeding development fund. On June 30, 2011, all liabilities of the horse purse fund are hereby transferred to and imposed on the Kansas horse breeding development fund and the horse purse fund is hereby abolished.

(h) On June 30, 2011, the director of accounts and reports shall transfer all moneys in the gaming machine examination fund to the expanded lottery act regulation fund. On June 30, 2011, all liabilities of the gaming machine examination fund are hereby transferred to and imposed on the expanded lottery act regulation fund and the gaming machine examination fund is hereby abolished.

Sec. 21.

#### DEPARTMENT OF REVENUE

(a) On the effective date of this act, the director of accounts and reports shall transfer \$124,265 from the Kansas qualified biodiesel fuel producer incentive fund of the department of revenue to the state economic development initiatives fund.

Sec. 22.

#### SECRETARY OF STATE

(a) On the effective date of this act, the director of accounts and reports shall transfer \$82,010 from the HAVA ELVIS fund of the secretary of state to the democracy fund of the secretary of state to provide matching funds to implement Title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.

Sec. 23.

#### STATE TREASURER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 51(a) of chapter 165 of the 2010 Session Laws of Kansas on the Kansas post secondary education savings program trust fund of the state treasurer is hereby increased from \$265,000 to no limit.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 51(a) of chapter 165 of the 2010 Session Laws of Kansas on the Kansas post secondary education savings program expense fund of the state treasurer is hereby increased from \$346,043 to no limit.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2011, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Learjet bond fund.....No limit

*Provided, That, on the 15th day of each month that commences during fiscal year 2011, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2010 Supp. 74-50,136, and amendments thereto, and for which the learjet bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: Provided further, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the learjet bond fund: And provided further, That, on or before the 10th day of each month commencing during fiscal year 2011, the director of accounts and reports shall transfer from the state general fund to the learjet bond fund interest earnings based on: (1) The average daily balance of moneys in the learjet bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: And provided further, That the moneys credited to the learjet bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the learjet bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2010 Supp. 74-50,136, and amendments thereto.*

Siemens bond fund.....No limit

*Provided, That, on the 15th day of each month that commences during fiscal year 2011, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2010 Supp. 74-50,136, and amendments thereto, and for which the Siemens bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: Provided further, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Siemens bond fund: And provided further, That, on or before the 10th day of each month commencing during fiscal year 2011, the director of accounts and reports shall transfer from the state general fund to the Siemens bond fund interest earnings based on: (1) The average daily balance of moneys in the Siemens bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: And provided further, That the moneys credited to the Siemens bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Siemens bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2010 Supp. 74-50,136, and amendments thereto.*

Sec. 24.

LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$727,436 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 44(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the legislative coordinating council – operations account, the sum of \$20 is hereby lapsed.

(b) On the effective date of this act, of the \$3,215,664 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 44(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the office of revisor of statutes – operations account, the sum of \$2,425 is hereby lapsed.

(c) On the effective date of this act, of the \$3,684,673 appropriated for the above agency for the fiscal year ending June 30, 2011 by section 44(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the legislative research department – operations account, the sum of \$12,223 is hereby lapsed.

Sec. 25.

DIVISION OF POST AUDIT

(a) On the effective date of this act, of the \$2,136,995 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 46(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the operations (including legislative post audit committee) account, the sum of \$4,413 is hereby lapsed.

Sec. 26.

STATE FINANCE COUNCIL

(a) On July 1, 2011, the \$8,534,972 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 3(a) of chapter 159 of the 2008 Session Laws of Kansas from the state general fund in the classified salary market adjustments (including fringe benefits) account, is hereby lapsed.

(b) On July 1, 2012, the \$8,534,972 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 3(a) of chapter 159 of the 2008 Session Laws of Kansas from the state general fund in the classified salary market adjustments (including fringe benefits) account, is hereby lapsed.

Sec. 27.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2011, the following:

Other medical assistance.....	\$5,444,990
Community based services.....	\$4,263,900
Mental health and retardation services aid and assistance.....	\$5,350,166
Youth services aid and assistance.....	\$4,413,425

(b) On the effective date of this act, of the \$541,802 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 77(c) of chapter 165 of the 2010 Session Laws of Kansas from the children’s initiatives fund in the children’s cabinet accountability fund account, the sum of \$250,000 is hereby lapsed.

(c) On the effective date of this act, of the \$5,000,000 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 77(c) of chapter 165 of the 2010 Session Laws of Kansas from the children’s initiatives fund in the family centered system of care account, the sum of \$150,000 is hereby lapsed.

(d) On the effective date of this act, of the \$1,400,000 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 77(c) of chapter 165 of the

2010 Session Laws of Kansas from the children's initiatives fund in the child care account, the sum of \$163 is hereby lapsed.

(e) On the effective date of this act, of the \$8,443,161 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 77(c) of chapter 165 of the 2010 Session Laws of Kansas from the children's initiatives fund in the children's cabinet early childhood discretionary grant program account, the sum of \$251,003 is hereby lapsed.

(f) On the effective date of this act, of the \$3,452,779 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 77(c) of chapter 165 of the 2010 Session Laws of Kansas from the children's initiatives fund in the early headstart account, the sum of \$306 is hereby lapsed.

(g) On the effective date of this act, of the \$11,099,830 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 77(c) of chapter 165 of the 2010 Session Laws of Kansas from the children's initiatives fund in the early childhood block grant account, the sum of \$1,062,207 is hereby lapsed.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 77(b) of chapter 165 of the 2010 Session Laws of Kansas on the social welfare fund of the department of social and rehabilitation services is hereby decreased from \$39,303,198 to \$39,186,535.

(i) On the effective date of this act, of the \$3,822,570 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 117(a) of chapter 165 of the 2010 Session Laws of Kansas from the state institutions building fund in the debt service – new state security hospital account, the sum of \$839,561 is hereby lapsed.

(j) On the effective date of this act, of the \$2,584,371 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 117(a) of chapter 165 of the 2010 Session Laws of Kansas from the state institutions building fund in the debt service – state hospitals rehabilitation and repair account, the sum of \$7,161 is hereby lapsed.

(k) On the effective date of this act, of the \$14,342,009 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 77(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the Osawatomie state hospital – operating expenditures account, the sum of \$500,000 is hereby lapsed.

(l) On the effective date of this act, of the \$4,524,298 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 77(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the Rainbow mental health facility – operating expenditures account, the sum of \$250,000 is hereby lapsed.

(m) On July 1, 2011, of the \$10,700,783 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 54(a) of 2011 House Bill No. 2383 from the state general fund in the Parsons state hospital and training center – operating expenditures account, the sum of \$66,279 is hereby lapsed.

(n) On the effective date of this act, of the \$10,447,821 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 77(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the Parson's state hospital and training center – operating expenditures account, the sum of \$63,618 is hereby lapsed.

(o) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2011, the following:

Energy conservation improvement debt service.....\$63,618

(p) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2012, the following:

Energy conservation improvement debt service.....\$66,279

Sec. 28.

DEPARTMENT ON AGING

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2011, the following:

LTC – medicaid assistance – TCM/FE.....\$25,169

LTC – medicaid assistance – HCBS/FE..... \$2,263,079

LTC – medicaid assistance – NF.....\$10,142,156

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 75(b) of chapter 165 of the 2010 Session Laws of Kansas on the state licensure fee fund of the department on aging is hereby decreased from \$1,144,569 to \$1,115,927.

(c) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 2011, all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

Health policy nursing facility quality care fund.....\$19,501,789

*Provided*, That the secretary of aging, acting as the agent of the Kansas health policy authority, is hereby authorized to collect the quality care assessment under K.S.A. 2010 Supp. 75-7435, and amendments thereto, and all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the health policy nursing facility quality care fund: *Provided further*, That all moneys in the health policy nursing facility quality care fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 2010 Supp. 75-7435, and amendments thereto.

Sec. 29.

KANSAS HEALTH POLICY AUTHORITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2011, the following:

Other medical assistance.....\$30,526,618

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 76(b) of chapter 165 of the 2010 Session Laws of Kansas on the medical programs fee fund of the Kansas health policy authority is hereby increased from \$54,284,610 to \$54,480,402.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 76(b) of chapter 165 of the 2010 Session Laws of Kansas on the other state fees fund of the Kansas health policy authority is hereby increased from \$0 to \$502,180.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 76(b) of chapter 165 of the 2010 Session

Laws of Kansas on the health care access improvement fund of the Kansas health policy authority is hereby decreased from \$37,390,236 to \$34,700,000.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 76(b) of chapter 165 of the 2010 Session Laws of Kansas on the preventive health care program fund of the Kansas health policy authority is hereby increased from \$519,240 to \$656,100.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 17(b) of chapter 165 of the 2010 Session Laws of Kansas on the health committee insurance fund of the Kansas health policy authority is hereby increased from \$248,575 to \$290,117.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by the state finance council on expenditures from the state workers compensation self-insurance fund of the Kansas health policy authority for salaries and wages and other operating expenditures is hereby increased from \$3,724,910 to \$3,785,193: *Provided*, That no expenditures shall be made for salaries and wages from the increased expenditure authority provided by this subsection for expenditures for salaries and wages and other operating expenditures from the state workers compensation self-insurance fund: *Provided further*, That, on and after the effective date of this act, during fiscal year 2011, no expenditures shall be made by the Kansas health policy authority from the state workers compensation self-insurance fund to convert and appoint persons performing contractual services for the Kansas health policy authority to be state employees of the Kansas health policy authority.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by the state finance council on expenditures from the cafeteria benefits fund of the Kansas health policy authority for salaries and wages and other operating expenditures is hereby increased from \$2,324,247 to \$2,324,908: *Provided*, That no expenditures shall be made for salaries and wages from the increased expenditure authority provided by this subsection for expenditures for salaries and wages and other operating expenditures from the cafeteria benefits fund: *Provided further*, That, on and after the effective date of this act, during fiscal year 2011, no expenditures shall be made by the Kansas health policy authority from the cafeteria benefits fund to convert and appoint persons performing contractual services for the Kansas health policy authority to be state employees of the Kansas health policy authority.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by the state finance council on expenditures from the dependent care assistance program fund of the Kansas health policy authority for salaries and wages and other operating expenditures is hereby increased from \$226,327 to \$429,628: *Provided*, That no expenditures shall be made for salaries and wages from the increased expenditure authority provided by this subsection for expenditures for salaries and wages and other operating expenditures from the dependent care assistance program fund: *Provided further*, That, on and after the effective date of this act, during fiscal year 2011, no expenditures shall be made by the Kansas health policy authority from the dependent care assistance program fund to convert and appoint persons performing contractual services for the Kansas health policy authority to be state employees of the Kansas health policy authority.

(j) There is appropriated for the above agency from the following special revenue



fund for the fiscal year ending June 30, 2011, all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

Quality care fund.....\$0

Sec. 30.

DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION OF HEALTH

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2011, 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:

Maternity centers and child care facilities licensing fee fund.....No limit

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2011, the following:

Pregnancy maintenance initiative.....\$100,000  
 Teen pregnancy prevention activities.....\$100,000

Sec. 31.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
 DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2011, 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:

Healthy watershed initiative – federal fund.....No limit

Sec. 32.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2011, the following:

Scratch lotto – veterans services.....\$2,972  
 Veterans claim assistance program – service grants.....\$22,894

(b) On the effective date of this act, of the \$457,394 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 72(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the operating expenditures – administration account, the sum of \$15,241 is hereby lapsed.

(c) On the effective date of this act, of the \$1,173,050 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 72(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the operating expenditures – veteran services account, the sum of \$26,050 is hereby lapsed.

(d) In addition to the other purposes for which expenditures may be made by the Kansas commission on veterans affairs from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2011 for the Kansas commission on veterans affairs as authorized by section 72 of chapter 165 of the 2010 Session Laws of Kansas or by this or other appropriation act of the 2011 regular session of the legislature, expenditures shall be made by the Kansas commission on veterans

affairs from the state general fund or any special revenue fund or funds for fiscal year 2010 or fiscal year 2011 for medicare billing software: *Provided*, That the aggregate amount of such expenditures for fiscal year 2011 for medicare billing software shall not exceed \$20,000.

(e) On the effective date of this act, the director of accounts and reports shall transfer \$25,000 from the scratch lotto – veterans services account of the state general fund to the Vietnam war era veterans' recognition award fund of the Kansas commission on veterans affairs: *Provided*, That, in addition to the other purposes for which expenditures may be made by the above agency from the Vietnam war era veterans' recognition award fund for fiscal year 2011, expenditures shall be made by the above agency from the Vietnam war era veterans' recognition award fund for fiscal year 2011, to acquire and send the appropriate medallions and certificates to all qualifying veterans whose applications for such medallions and certificates have been received by June 1, 2011.

Sec. 33.

#### DEPARTMENT OF EDUCATION

(a) On the effective date of this act, of the \$1,961,339,680 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 79(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the general state aid account, the sum of \$85,948,820 is hereby lapsed.

(b) On the effective date of this act, of the \$7,539,500 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 79(c) of chapter 165 of the 2010 Session Laws of Kansas from the children's initiatives fund in the parent education program account, the sum of \$180,370 is hereby lapsed.

(c) On the effective date of this act, of the \$5,000,000 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 79(c) of chapter 165 of the 2010 Session Laws of Kansas from the children's initiatives fund in the Pre-K program account, the sum of \$119,630 is hereby lapsed.

(d) During the fiscal year ending June 30, 2011, in addition to other purposes for which expenditures may be made by the department of education from the special education services aid account of the state general fund for fiscal year 2011 for special education services aid as authorized by section 79(a) of chapter 165 of the 2010 Session Laws of Kansas or by this or other appropriation act of the 2011 regular session of the legislature, and notwithstanding the provisions of K.S.A. 2010 Supp. 72-998, and amendments thereto, or any other statute, the department of education shall make expenditures from the special education services aid account of the state general fund for fiscal year 2011 for a payment to each school district, as defined by K.S.A. 72-962, and amendments thereto, that received an amount of medicaid replacement state aid for the 2010-2011 school year that was more than \$300,000 less than the amount of medicaid replacement state aid received for the 2009-2010 school year due to the loss of attendant care medicaid revenue from the Kansas health policy authority for school year 2010-2011: *Provided*, That the amount of such payment shall be equal to (1) the amount by which the medicaid replacement state aid received by the school district for the 2009-2010 school year is greater than the total of the medicaid replacement state aid for the 2010-2011 school year plus \$300,000, minus (2) the total received by the school district for increases in other medicaid reimbursements for the 2010-2011 school year: *Provided further*, That each such payment shall be made from the amount designated by

the state board of education pursuant to K.S.A. 2010 Supp. 72-998, and amendments thereto, for medicaid replacement state aid for the 2010-2011 school year.

Sec. 34.

UNIVERSITY OF KANSAS

(a) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the standardized water data repository fund to the state water plan fund. On the effective date of this act, all liabilities of the standardized water data repository fund are hereby transferred to and imposed on the state water plan fund and the standardized water data repository fund is hereby abolished.

Sec. 35.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2011, 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:

SJI grant fund .....No limit

Sec. 36.

KANSAS STATE SCHOOL FOR THE BLIND

(a) On the effective date of this act, of the \$5,385,207 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 82(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$30,509 is hereby lapsed.

(b) On July 1, 2011, of the \$5,223,858 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 58(a) of 2011 House Bill No. 2383 from the state general fund in the operating expenditures account, the sum of \$31,979 is hereby lapsed.

(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2011, the following:

Energy conservation improvement debt service.....\$30,509

(d) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2012, the following:

Energy conservation improvement debt service.....\$31,979

Sec. 37.

KANSAS STATE SCHOOL FOR THE DEAF

(a) On the effective date of this act, of the \$8,890,257 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 83(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$64,243 is hereby lapsed.

(b) On July 1, 2011, of the \$8,658,861 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 59(a) of 2011 House Bill No. 2383 from the state general fund in the operating expenditures account, the sum of \$66,520 is hereby lapsed.

(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2011, the following:

Energy conservation improvement debt service.....\$63,850

(d) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2012, the following:

Energy conservation improvement debt service.....\$66,520

Sec. 38.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2011, the following:

Operating expenditures.....\$472,709

(b) On the effective date of this act, of the \$13,700,482 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 95(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the facilities operations account, the sum of \$3,500,000 is hereby lapsed.

(c) On the effective date of this act, of the \$13,084,057 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 95(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the Topeka correctional facility – facilities operations account, the sum of \$200 is hereby lapsed.

(d) On the effective date of this act, of the \$8,308,154 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 95(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the Hutchinson correctional facility – facilities operations account, the sum of \$500 is hereby lapsed.

(e) On the effective date of this act, of the \$38,326,136 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 95(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the Lansing correctional facility – facilities operations account, the sum of \$500 is hereby lapsed.

(f) On the effective date of this act, of the \$12,936,609 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 95(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the Ellsworth correctional facility – facilities operations account, the sum of \$442 is hereby lapsed.

(g) On the effective date of this act, of the \$5,301,602 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 95(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the Norton correctional facility – facilities operations account, the sum of \$991 is hereby lapsed.

(h) On the effective date of this act, of the \$3,088,303 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 132(b) of chapter 165 of the 2010 Session Laws of Kansas from the correctional institutions building fund in the capital improvements – rehabilitation and repair of correctional institutions account, the sum of \$374,471 is hereby lapsed.

Sec. 39.

JUVENILE JUSTICE AUTHORITY

(a) On the effective date of this act, of the \$23,331,916 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 96(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the purchase of services account, the sum of \$3,336,312 is hereby lapsed.

(b) On the effective date of this act, of the \$4,000,013 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 133(a) of chapter 165 of the 2010 Session Laws of Kansas from the state institutions building fund in the debt service – Topeka complex and Larned juvenile correctional facility account, the sum of \$2,411 is hereby lapsed.

(c) On the effective date of this act, of the \$87,682 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 157(a) of chapter 131 of the 2008 Session Laws of Kansas from the state institutions building fund in the raze Atchison juvenile correctional facility maintenance building account, the sum of \$3,148 is hereby lapsed.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2012, the following:

Prevention and graduated sanctions community grants.....\$2,000,000

Sec. 40.

ADJUTANT GENERAL

(a) On the effective date of this act, of the \$2,478,091 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 135(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the debt service – rehabilitation and repair of the statewide armories account, the sum of \$3,960 is hereby lapsed.

Sec. 41.

EMERGENCY MEDICAL SERVICES BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by the state finance council on the emergency medical services operating fund of the emergency medical services board is hereby increased from \$1,393,582 to \$1,518,582.

Sec. 42.

STATE FIRE MARSHAL

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by the state finance council on the fire marshal fee fund of the state fire marshal is hereby decreased from \$3,629,360 to \$3,626,625.

(b) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$52,509 from the hazardous material program fund of the state fire marshal to the fire marshal fee fund of the state fire marshal.

Sec. 43.

KANSAS PAROLE BOARD

(a) On the effective date of this act, of the \$510,135 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 99(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the parole from adult correctional institutions account, the sum of \$982 is hereby lapsed.

Sec. 44.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) On June 30, 2011, 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.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 104(a) of chapter 165 of the 2010 Session Laws of Kansas on the Kansas commission on peace officers' standards and training fund of the Kansas commission on peace officers' standards and training is hereby decreased from \$650,005 to \$549,246.

Sec. 45.

#### KANSAS DEPARTMENT OF AGRICULTURE

(a) On the effective date of this act, the director of accounts and reports shall transfer \$3,081 from the state highway fund of the department of transportation to the water structures – state highway fund of the Kansas department of agriculture.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 105(b) of chapter 165 of the 2010 Session Laws of Kansas on the water structures – state highway fund of the Kansas department of agriculture is hereby increased from \$104,832 to no limit.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 105(b) of chapter 165 of the 2010 Session Laws of Kansas on the water appropriation certification fund of the Kansas department of agriculture is hereby increased from \$553,868 to no limit.

Sec. 46.

#### KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) On the effective date of this act, of the \$74,264 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 110(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the reimbursement for annual licenses issued to Kansas disabled veterans account, the sum of \$12,698 is hereby lapsed.

(b) On the effective date of this act, of the \$36,500 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 110(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the reimbursement for annual licenses issued to national guard members account, the sum of \$7,000 is hereby lapsed.

(c) On the effective date of this act, of the \$18,000 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 110(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the reimbursement for annual park permits issued to national guard members account, the sum of \$4,000 is hereby lapsed.

(d) In addition to the other purposes for which expenditures may be made by the

above agency from the parks fee fund for fiscal year 2011, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2011 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Pratt operations office sewer line upgrade.....\$70,950

(e) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2011, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund for fiscal year 2011 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Pratt operations office sewer line upgrade.....\$378,400

(f) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2011, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2011 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Pratt operations office sewer line upgrade.....\$23,650

(g) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2011, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2011 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair.....\$260,000

Sec. 47.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2011, the following:

Neosho river basin issues..... \$464,630

Sec. 48.

STATE CONSERVATION COMMISSION

(a) On the effective date of this act, the appropriation for the above agency for the fiscal year ending June 30, 2011, by section 108(d) of chapter 165 of the 2010 Session Laws of Kansas of any unencumbered balance in the conservation reserve enhancement program account of the state water plan fund is hereby lapsed.

Sec. 49. (a) On and after the effective date of this act, no expenditures shall be made from any moneys appropriated for the fiscal year ending June 30, 2011, from the state general fund by chapter 2, chapter 124 or chapter 144 of the 2009 Session Laws of Kansas, by chapter 6 or chapter 165 of the 2010 Session Laws of Kansas or by this or other appropriation act of the 2011 regular session of the legislature, by any state agency for any professional or trade associations membership fees or dues or

subscriptions for professional or trade magazines for state officers or employees: *Provided*, That the amount equal to the aggregate of any savings under this subsection from each account of the state general fund of each state agency for the year ending June 30, 2011, as determined and certified by the director of the budget, after consultation with the director of legislative research, to the director of accounts and reports, is hereby lapsed: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of legislative research.

Sec. 50.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2011, 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:

Project safe neighborhoods fund.....\$114,408  
Social security administration reimbursement – federal fund.....No limit

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

Meth lab cleanup

For the fiscal year ending June 30, 2011.....\$150,000

*Provided*, That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

For the fiscal year ending June 30, 2012.....\$450,000

*Provided*, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2011, is hereby reappropriated for fiscal year 2012: *Provided further*, That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

Sec. 51. (a) (1) On the effective date of this act, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2011, in each account of the state general fund of each state agency, as authorized and provided by chapter 2, chapter 124 or chapter 144 of the 2009 Session Laws of Kansas, by chapter 6 or chapter 165 of the 2010 Session Laws of Kansas, or by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state officers, as defined by this section, for the first payroll period commencing on or after the effective date of this act and each payroll period thereafter chargeable to fiscal year 2011, as determined by the director of the budget after consultation with the director of legislative research and upon certification to the director of accounts and reports, the amount equal to 7.5% of the amount so determined is hereby lapsed.



(2) On the effective date of this act, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2011, in each account of the state economic development initiatives fund of each state agency, as authorized and provided by chapter 2, chapter 124 or chapter 144 of the 2009 Session Laws of Kansas, by chapter 6 or chapter 165 of the 2010 Session Laws of Kansas, or by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state officers, as defined by this section, for the first payroll period commencing on or after the effective date of this act and each payroll period thereafter chargeable to fiscal year 2011, as determined by the director of the budget after consultation with the director of legislative research and upon certification to the director of accounts and reports, the amount equal to 7.5% of the amount so determined is hereby lapsed.

(3) On the effective date of this act, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2011, in each account of the state water plan fund of each state agency, as authorized and provided by chapter 2, chapter 124 or chapter 144 of the 2009 Session Laws of Kansas, by chapter 6 or chapter 165 of the 2010 Session Laws of Kansas, or by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state officers, as defined by this section, for the first payroll period commencing on or after the effective date of this act and each payroll period thereafter chargeable to fiscal year 2011, as determined by the director of the budget after consultation with the director of legislative research and upon certification to the director of accounts and reports, the amount equal to 7.5% of the amount so determined is hereby lapsed.

(b) On the effective date of this act, notwithstanding the provisions of K.S.A. 2-1904, 17-2233, 20-155, 20-318, 20-3122, 20-3124, 25-4119a, 32-801, 40-102, 40-110, 44-1003, 46-137a, 46-137b, 46-1102, 46-1210, 46-1211, 46-1212a, 48-203, 72-7602, 74-560, 74-601, 74-630, 74-2434, 74-2613, 74-3203a, 74-4908, 74-5002a, 74-8005, 74-8105, 74-8703, 75-412, 75-622, 75-711, 75-2535, 75-2701, 75-2935b, 75-3101, 75-3102, 75-3103, 75-3104, 75-3108, 75-3110, 75-3111, 75-3120f, 75-3120g, 75-3120h, 75-3120j, 75-3122, 75-3123, 75-3124, 75-3125, 75-3126, 75-3135, 75-3136, 75-3137, 75-3141, 75-3148, 75-3149, 75-3150, 75-3212, 75-3223, 75-3702a, 75-5001, 75-5101, 75-5203, 75-5301, 75-5601, 75-5701, 75-5702, 75-5708, 75-5903, 75-6301, 75-7001, 76-714 and 76-715 and K.S.A. 2010 Supp. 75-3135a, 75-7206, 75-7207, 75-7402 and 75-7427, and amendments thereto, or any other statute, the rate of compensation for each state officer, as defined by this section, is hereby reduced by 7.5% for the first payroll period commencing on or after the effective date of this act and each payroll period thereafter chargeable to fiscal year 2011, and shall not be increased for any payroll period chargeable to fiscal year 2011: *Provided*, That the secretary of administration is hereby authorized and directed to implement and administer the provisions of this section to provide for such reductions: *Provided further*, That the secretary of administration shall ensure that such reductions to the rate of compensation

of the state officers subject to the provisions of this section for the fiscal year 2011 have been implemented: *And provided further*; That the secretary of administration is hereby authorized to reduce any such rate of compensation to implement the provisions of this section: *And provided further*; That no such reduction prescribed by this subsection shall apply to payroll periods commencing on or after June 12, 2011.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, provided by chapter 2, chapter 124 or chapter 144 of the 2009 Session Laws of Kansas, by chapter 6 or chapter 165 of the 2010 Session Laws of Kansas, or by this or other appropriation act of the 2011 regular session of the legislature, or by the state finance council, on each special revenue fund in the state treasury is hereby decreased for fiscal year 2011 by the amount equal to 7.5% of the aggregate amount that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state officers, as defined by this section, for all payroll periods commencing on or after the effective date of this act which are chargeable to fiscal year 2011 for such special revenue fund, as determined by the director of the budget, after consultation with the director of legislative research, and certified to the director of accounts and reports.

(d) As used in this section, (1) "state agency" has the meaning ascribed thereto by K.S.A. 75-3701, and amendments thereto, and includes the governor's department, lieutenant governor, attorney general, secretary of state, state treasurer, commissioner of insurance, each agency of the executive branch, the legislature and each agency of the legislative branch, the judicial branch and each agency of the judicial branch;

(2) "state officer" means (A) the governor, lieutenant governor, attorney general, secretary of state, state treasurer, commissioner of insurance, each secretary of a department or other chief executive officer of a department of the executive branch, each member of a board, commission, council or authority of the executive branch, (B) each member of the legislature, each legislative officer specified in K.S.A. 46-137b, and amendments thereto, (C) each justice of the supreme court, each judge of the court of appeals, each district judge, each district magistrate judge, and (D) each other state officer in the executive branch, legislative branch or judicial branch of state government whose position is specified by statute or is otherwise determined to be a salaried officer of the state as that phrase is used in section 15 of article 1 or section 13 of article 3 of the constitution of the state of Kansas, and in any case "state officer" includes all salaried officers of the state as that phrase is used in section 15 of article 1 or section 13 of article 3 of the constitution of the state of Kansas;

(3) "compensation" means any salary or per diem compensation provided by law for a state officer.

Sec. 52. (a) On July 1, 2012, of the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2012, by 2011 House Bill No. 2283, or by this or other appropriation act of the 2011 regular session of the legislature, and that is budgeted for fiscal year 2012 for payment of longevity bonus payments pursuant to K.S.A. 75-5541, and amendments thereto, and including the additional amount of longevity bonus payment as provided in subsection (b) of section 86 of 2011 House Bill No. 2383, the amount equal to the amount

budgeted for fiscal year 2012 in each such account of the state general fund for such longevity bonus payments, as certified by the director of the budget to the director of accounts and reports, is hereby lapsed: *Provided*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of legislative research.

Sec. 53. (a) During the fiscal year ending June 30, 2011, subject to any applicable requirements of federal statutes, rules, regulations or guidelines, any expenditures or grants of money by any state agency for family planning services financed in whole or in part from federal title X moneys shall be made subject to the following two priorities: First priority to public entities (state, county, local health departments and health clinics) and if any moneys remain then; second priority to non-public entities which are hospitals or federally qualified health centers that provide comprehensive primary and preventative care in addition to family planning services.

(b) As used in this section "hospitals" shall have the same meaning as defined in K.S.A. 65-425, and amendments thereto, and "federally qualified health center" shall have the same meaning as defined in K.S.A. 65-1669, and amendments thereto.";

On page 2, following line 1, by inserting the following:

*"Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.";

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

*"Provided*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.";

Also on page 2, in line 14, before the period by inserting "*: Provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance";

Also on page 2, in line 18, before the period by inserting "*: Provided further*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance";

On page 3, in line 29, by striking "\$8,940,664" and inserting "\$9,287,622"; in line 35, before the period by inserting "*: And provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general

fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 3, in line 36, by striking “\$9,343,800” and inserting “\$9,699,702”; in line 42, before the period by inserting “: *And provided further*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

On page 4, following line 35, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

Also on page 4, following line 36, by inserting the following:

“*Provided*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

On page 5, in line 9, before the period by inserting “: *And provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 5, in line 17, before the period by inserting “: *And provided further*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 5, in line 33, before the period by inserting “: *And provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 5, in line 40, before the period by inserting “: *And provided further*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such

remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

On page 6, in line 10, before the period by inserting “: *Provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 6, in line 14, before the period by inserting “: *Provided further*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 6, in line 27, before the period by inserting “: *Provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 6, in line 32, before the period by inserting “: *Provided further*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

On page 7, in line 2, before the period by inserting “: *Provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 7, in line 7, before the period by inserting “: *Provided further*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

On page 8, following line 21, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

Also on page 8, following line 22, by inserting the following:

“*Provided*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

Also on page 8, following line 33, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

Also on page 8, following line 34, by inserting the following:

“*Provided*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

Also on page 8, in line 43, by striking “\$2,043,011” and inserting “\$2,068,954”;

On page 9, in line 3, before the period by inserting “: *Provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 9, in line 5, by striking “\$2,058,430” and inserting “\$2,109,810”;

Also on page 9, in line 8, before the period by inserting “: *Provided further*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 9, in line 29, before the period by inserting “: *Provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 9, in line 33, before the period by inserting “: *Provided further*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

On page 10, in line 3, before the period by inserting “: *Provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”; in line 8, before the period by inserting “: *Provided further*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

On page 11, in line 15, before the period by inserting “: *Provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 11, in line 19, before the period by inserting “: *Provided further*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 11, in line 34, before the period by inserting “: *Provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 11, in line 38, before the period by inserting “: *Provided further*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

On page 12, in line 32, before the period by inserting “: *And provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 12, in line 43, before the period by inserting “: *And provided further*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this

fund the amount equal to the amount credited to the state general fund from such remittance”;

On page 13, in line 24, before the period by inserting “: *Provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 13, in line 29, before the period by inserting “: *Provided further*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

On page 14, following line 23, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

Also on page 14, following line 24, by inserting the following:

“*Provided*, That, during the fiscal year 2013, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

On page 16, in line 9, by striking “21.00” and inserting “24.00”; in line 10, by striking “21.00” and inserting “24.00”; in line 42, by striking “\$697,024” and inserting “\$653,344”;

On page 17, in line 4, by striking “\$3,303,783” and inserting “\$3,523,783”; in line 9, by striking “\$3,053,798” and inserting “\$3,153,798”;

On page 21, in line 7, by striking “\$2,059,139” and inserting “\$2,396,726”;

On page 25, by striking all in lines 18 through 31;

On page 28, by striking all in lines 9 through 32;

On page 29, by striking all in line 8; following line 43, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

On page 33, in line 8, by striking all before “the” and inserting “the state treasurer shall not certify and the director of accounts and reports shall not transfer any moneys from the state general fund to the Kansas postsecondary education savings program trust fund during”;



On page 35, in line 23, by striking “20% of”; in line 24, by striking all after “deposit”; in line 25, by striking “remainder of each such deposit”; in line 32, by striking all after “Kansas”; by striking all in lines 33 through 43;

On page 36, by striking all in lines 1 through 8; in line 9, by striking all before the period;

On page 39, in line 38, before “from” by inserting “may be made”; in line 39, by striking “shall not exceed \$500”;

On page 40, following line 32, by inserting the following:

“(c) On July 1, 2011, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2010 Supp. 20-3207, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$778,518 from the judicial performance fund of the Kansas judicial council to the judicial branch surcharge fund of the judicial branch: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the judicial performance fund as prescribed by law.”;

On page 41, in line 24, by striking “\$293,073” and inserting “\$200,000”;

On page 42, in line 22, by striking “\$107,795,833” and inserting “\$101,251,259”;

On page 43, following line 32, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

Also on page 43, following line 35, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

Also on page 43, following line 43, by inserting the following:

"Edward Byrne memorial justice assistance fund .....	No limit
Community defense solutions – violence against women fund .....	No limit
Edward Byrne justice assistance grant fund – ARRA .....	No limit
S.T.O.P. violence against women act fund – ARRA .....	No limit
Violence against women grant fund – ARRA .....	No limit
Edward Byrne memorial justice assistance grant fund – ARRA .....	No limit
State court improvement program fund .....	No limit

(c) On July 1, 2011, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2010 Supp. 28-177, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$778,518 from the judicial branch surcharge fund of the judicial branch to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the judicial branch surcharge fund of the judicial branch to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the judicial branch surcharge fund of the judicial branch to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll,

personnel and purchasing services and any other governmental services which are performed on behalf of the judicial branch by other state agencies which receive appropriations from the state general fund to provide such services.”;

On page 45, following line 27, by inserting the following:

“Sec. 90.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Operating expenditures ..... \$1,189,084

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2011, is hereby reappropriated for fiscal year 2012: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$150: *Provided further*, That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State and local fair employment practices federal fund ..... No limit

Conversion of materials and equipment fund ..... No limit

Annual banquet fund ..... No limit

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

Education and training fund ..... No limit

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

On page 45, following line 35, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such

remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

On page 46, in line 11, before the period by inserting “: *And provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

Also on page 46, by striking all in line 26;

On page 47, in line 9, before “day” by inserting “tenth”; following line 18, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

On page 49, following line 30, by inserting the following:

“(g) Notwithstanding the provisions of K.S.A. 66-1,142b, and amendments thereto, or any other statute, to the contrary, all moneys received from civil penalties charged and collected by the state corporation commission under the motor carrier act and other laws relevant to motor carriers shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, deposited in the state treasury and shall be credited to the state general fund.”;

Also on page 49, by striking all in lines 39 through 43;

On page 50, by striking all in lines 1 through 5;

And by redesignating subsections accordingly;

Also on page 50, in line 26, by striking “\$879,108” and inserting “\$897,108”; in line 36, by striking “\$2,063,983” and inserting “\$1,397,772”;

On page 67, following line 1, by inserting the following:

“(r) 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 2012, as authorized by this or other appropriation act of the 2011 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 2012 for operating expenditures to provide for the use of state credit cards for official travel by state officers and employees and to determine the amount of savings for fiscal year 2012 from the amounts contained in the authorized budgets for state agencies attributable to travel rewards, including hotel or motel award points, airline frequent flyer miles, and any other promotional discounts received for official travel by state employees using state credit cards: *Provided*, That, during the fiscal year 2012, notwithstanding the provisions of any statute to the contrary, whenever a state officer or employee of any state agency incurs any expense for official travel such state officer or employee shall pay for such expense with a state credit card whenever possible:

*Provided further*, That the amount equal to the aggregate of any savings realized from the implementation of the provisions of this subsection in each account of the state general fund of each state agency for the year ending June 30, 2012, as determined and certified by the director of the budget to the director of accounts and reports, is hereby lapsed: *And provided further*, That the aggregate amount lapsed from all such accounts of the state general fund for fiscal year 2012 by this subsection shall not exceed \$300,000: *And provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of legislative research.

(s) 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 2012, as authorized by this or other appropriation act of the 2011 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 2012 for operating expenditures to determine the amount of the approved budget for each state agency for expenditures for cellular phone use by state officers and employees of the state agency during fiscal year 2012 and the amount budgeted for such purpose in each account of the state general fund and each special revenue fund of the state agency as authorized by this or other appropriation act of the 2011 regular session of the legislature: *Provided*, That, prior to July 1, 2011, the director of the budget, after consultation with the director of legislative research, shall determine the amount equal to 50% of the amount in each such account of the state general fund and each such special revenue fund appropriated for the fiscal year 2012 by this or other appropriation act of the 2011 regular session of the legislature that is budgeted for such purpose, and shall certify the amount so determined for each such account of the state general fund and the amount so determined for each such special revenue fund to the director of accounts and reports: *Provided further*, That, on July 1, 2011, the amount certified for each such account of the state general fund pursuant to this subsection is hereby lapsed: *And provided further*, That the expenditure limitation established for each such special revenue fund for fiscal year 2012 by this or other appropriation act of the 2011 regular session of the legislature, or the amount that is budgeted for such purpose if no expenditure limitation is established for such special revenue fund, is hereby decreased by the amount certified for such special revenue fund pursuant to this subsection: *And provided further*, 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, the director of the budget shall deliver a copy of such certification to the director of legislative research.";

Also on page 67, following line 28, by inserting the following:

“(c) In addition to the other purposes for which expenditures may be made by the state court of tax appeals, from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2012 by this or other appropriation act of the 2011 regular session of the legislature, expenditures shall be made by the state court of tax appeals from the state general fund or from any special revenue fund or funds for fiscal year 2012 for the purpose of establishing the court of tax appeals study commission: *Provided*, That nine members of the commission shall be the director of

budget, speaker of the house of representatives or designee, president of the senate or designee, minority leader of the senate or designee, minority leader of the house of representatives or designee, executive director of the court of tax appeals or designee, and three members of the business community appointed by the governor: *Provided further*, That the commission shall study the “loser-pay” system.”;

On page 83, following line 8, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

Also on page 83, in line 18, by striking “\$5,000,000” and inserting “\$0”; following line 18, by inserting the following:

“*Provided*, That, the regional economic area partnership, hereinafter referred to as “REAP”, shall submit an annual report to the legislature on or before May 1, 2012: *Provided further*, That the annual report shall be delivered and REAP shall appear in person to the house committee on economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding such annual report: *And provided further*, That the secretary of commerce shall conduct an independent review of the financial reports submitted by REAP as well as an analysis of the data used by REAP: *And provided further*, That the secretary of commerce shall submit a report and appear in person to the house committee on economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding these matters: *And provided further*, That the secretary of commerce shall develop and implement the necessary procedures to conduct such a review.”;

On page 84, in line 43, by striking “Upon”;

On page 85, by striking all in lines 1 through 4; in line 28, by striking “\$423,989” and inserting “\$425,989”;

On page 86, following line 2, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

Also on page 86, following line 4, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

Also on page 86, following line 14, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such

remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

On page 87, by striking all in lines 12 through 32;

On page 89, in line 3, by striking “\$399,353” and inserting “No limit”; in line 4, by striking “\$158,647” and inserting “No limit”; in line 6, by striking “\$102,497” and inserting “No limit”; in line 7, by striking “\$190,000” and inserting “No limit”; following line 20, by inserting the following:

“(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 72(b) of chapter 165 of the 2010 Session Laws of Kansas on the soldiers’ home medicare fund of the Kansas commission on veterans affairs is hereby increased from \$288,000 to no limit.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 72(b) of chapter 165 of the 2010 Session Laws of Kansas on the soldiers’ home medicaid fund of the Kansas commission on veterans affairs is hereby increased from \$270,000 to no limit.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 72(b) of chapter 165 of the 2010 Session Laws of Kansas on the veterans’ home medicare fund of the Kansas commission on veterans affairs is hereby increased from \$188,000 to no limit.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 72(b) of chapter 165 of the 2010 Session Laws of Kansas on the veterans’ home medicaid fund of the Kansas commission on veterans affairs is hereby increased from \$360,000 to no limit.

(g) (1) During the fiscal year ending June 30, 2011, notwithstanding the provisions of K.S.A. 73-1231, 75-3728g, 76-1906 or 73-1953, and amendments thereto, or K.S.A. 2010 Supp. 73-1233, and amendments thereto, or any other statute, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs to another special revenue fund of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) During the fiscal year ending June 30, 2012, notwithstanding the provisions of K.S.A. 73-1231, 75-3728g, 76-1906 or 73-1953, and amendments thereto, or K.S.A. 2010 Supp. 73-1233, and amendments thereto, or any other statute, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs to another special revenue fund of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(3) As used in this subsection (g), “special revenue fund” means the soldiers’ home fee fund, veterans’ home fee fund, soldiers’ home outpatient clinic fund, soldiers’ home

benefit fund, soldiers' home work therapy fund, veterans' home canteen fund, soldiers' home canteen fund, veterans' home benefit fund, Persian Gulf War veterans health initiative fund, state veterans cemeteries fee fund, state veterans cemeteries donations and contributions fund, and Kansas veterans memorials fund.

(h) During the fiscal year ending June 30, 2011, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2011, from the state general fund for the Kansas commission on veterans affairs or any institution or facility under the general supervision of management of the Kansas commission on veterans affairs to another item of appropriation for fiscal year 2011 from the state general fund for the Kansas commission on veterans affairs or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2012, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2012, from the state general fund for the Kansas commission on veterans affairs or any institution or facility under the general supervision of management of the Kansas commission on veterans affairs to another item of appropriation for fiscal year 2012 from the state general fund for the Kansas commission on veterans affairs or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.”;

On page 91, by striking all in line 28 and inserting “hereby reappropriated for fiscal year 2012. Any unencumbered balance in”;

On page 98, following line 15, by inserting the following:

“(m) On July 1, 2011, the amount in each account of the state general fund that (1) is appropriated by this act for fiscal year 2012 for the department of health and environment – division of health, (2) is not budgeted in such account for federal matching or maintenance of effort requirements for fiscal year 2012, as determined by the secretary of health and environment, and (3) is certified to the director of accounts and reports by the secretary of health and environment, be lapsed pursuant to this subsection: *Provided*, That, prior to July 1, 2011, the secretary of health and environment shall determine the specific amounts in specific accounts of the state general fund that (A) are appropriated by this act for fiscal year 2012 for the department of health and environment – division of health, (B) are not budgeted or required for federal matching or to meet maintenance of effort requirements for fiscal year 2012, as determined by the secretary of health and environment, and, (C) are equal, in the aggregate, to 15% of the aggregate of all amounts appropriated by this act from the state general fund for fiscal year 2012 for the department of health and environment – division of health and that are not budgeted or required for federal matching or to meet maintenance of effort requirements for fiscal year 2012, as determined by the secretary

of health and environment: *Provided further*, That, on July 1, 2011, the secretary of health and environment shall certify to the director of accounts and reports the specific amounts in the specific accounts of the state general fund for fiscal year 2012 to be lapsed, as determined by the secretary in accordance with this proviso: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall lapse each such amount in each such account of the state general fund for fiscal year 2012 as specified in such certification: *And provided further*, That, at the same time as such certification is submitted to the director of accounts and reports, the secretary of health and environment shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.”;

On page 100, following line 36, by inserting the following:

“(d) During the fiscal year ending June 30, 2012, notwithstanding the provisions of this or any other appropriation act of the 2011 regular session of the legislature, or any other statute, no moneys appropriated for the department of health and environment – division of health care finance from the state general fund or from any special revenue fund or funds for fiscal year 2012 shall be expended by the division of health care finance of the department of health and environment for the purposes of requiring, and the division of health care finance of the department of health and environment 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, 2012: *Provided*, That all prescriptions paid for by the MediKan program during fiscal year 2012 shall be filled pursuant to subsection (a) of K.S.A. 65-1637, and amendments thereto: *Provided further*, That the division of health care finance of the department of health and environment shall follow the existing prior authorization protocol for reimbursement of prescriptions for the MediKan program for fiscal year 2012: *And provided further*, That the department of health and environment shall not expend any moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2012, as authorized by this or other appropriation act of the 2011 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 fiscal year 2012.

(e) The division of health care finance of the department of health and environment, in consultation with the department of revenue, shall design and implement a process for the fiscal year ending June 30, 2012, to verify the income eligibility for each recipient of each income based program operated by the division of health care finance of the department of health and environment: *Provided*, That income based programs include, but are not limited to, the Title XIX medicaid program and Title XXI children's health insurance program: *Provided further*, That this verification process shall include the confirmation of the income level reported for tax purposes with the department of revenue and information provided by the recipient to the division of health care finance of the department of health and environment or its contractors or designees: *And provided further*, That the division of health care finance of the department of health and environment shall make expenditures, not to exceed \$50,000, from the state general fund or any special revenue fund, to enter into a contract with a private audit firm or other qualified entity to provide audit services to review the findings of income and tax verification process implemented by the division of health care finance of the department of health and environment and the department of revenue.



(f) Notwithstanding the provisions of K.S.A. 75-6501 et seq., and amendments thereto, or any other statute, there is hereby established and imposed a 5% surcharge on the amount of the employee payroll deduction by state employees for participation in the state health care benefits program pursuant to K.S.A. 76-6506, and amendments thereto, for the plan year commencing January 1, 2012, in accordance with this subsection: *Provided*, That the surcharge shall be applied to the amount required for the participation of the state employee for the coverages and other elections under the state health care benefits program for plan year 2012 that are selected by the state employee: *Provided further*, That the amount of the surcharge shall be added to the amount otherwise required for participation in accordance with the state employee selections and the resulting aggregate amount shall constitute the amount of the payroll deduction under K.S.A. 76-6506, and amendments thereto, for the state employee: *And provided further*, That, prior to June 10, 2012, the director of health care finance of the department of health and environment shall certify the aggregate amount of all proceeds of such surcharge for fiscal year 2012 to the director of accounts and reports: *And provided further*, That, on June 10, 2012, pursuant to such certification, the director of accounts and reports shall transfer the aggregate amount of the proceeds collected for the surcharge for fiscal year 2012 from the health benefits administration clearing fund – remit to admin service org fund of the division of health care finance of the department of health and environment to the state general fund: *And provided further*, That such surcharge shall be imposed for the purpose of reimbursing the state general fund for support relating to operation and maintenance of the state health care benefits program.”;

On page 104, following line 1, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

On page 105, in line 25, before “day” by inserting “tenth”;

On page 106, following line 21, by inserting the following:

“(k) On July 1, 2011, the amount in each account of the state general fund that (1) is appropriated by this act for fiscal year 2012 for the department of health and environment – division of environment, (2) is not budgeted in such account for federal matching or maintenance of effort requirements for fiscal year 2012, as determined by the secretary of health and environment, and (3) is certified to the director of accounts and reports by the secretary of health and environment, be lapsed pursuant to this subsection: *Provided*, That, prior to July 1, 2011, the secretary of health and environment shall determine the specific amounts in specific accounts of the state general fund that (A) are appropriated by this act for fiscal year 2012 for the department of health and environment – division of environment, (B) are not budgeted or required for federal matching or to meet maintenance of effort requirements for fiscal year 2012, as determined by the secretary of health and environment, and, (C) are equal, in the aggregate, to 15% of the aggregate of all amounts appropriated by this act from the state general fund for fiscal year 2012 for the department of health and environment – division of environment and that are not budgeted or required for federal matching or to

meet maintenance of effort requirements for fiscal year 2012, as determined by the secretary of health and environment: *Provided further*, That, on July 1, 2011, the secretary of health and environment shall certify to the director of accounts and reports the specific amounts in the specific accounts of the state general fund for fiscal year 2012 to be lapsed, as determined by the secretary in accordance with this proviso: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall lapse each such amount in each such account of the state general fund for fiscal year 2012 as specified in such certification: *And provided further*, That, at the same time as such certification is submitted to the director of accounts and reports, the secretary of health and environment shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

(l) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of environment from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2012 by this or other appropriation act of the 2011 regular session of the legislature, expenditures shall be made by the department of health and environment – division of environment from the state general fund or from any special revenue fund or funds for fiscal year 2012 for the purpose of seeking a solution to clean up the sewer water contamination problems in certain property in the city of Eudora.”;

On page 108, in line 20, by striking all following “expenditures”;

Also on page 108, by striking all in lines 21 through 27; in line 28, by striking all before the period; in line 38 by striking all following “expenditures”; by striking all in lines 39 through 43;

On page 109, by striking all in lines 1 through 2; in line 3, by striking all before the period;

On page 111, in line 12, by striking “Quality” and inserting “Health policy nursing facility quality”; in line 17, before “quality” by inserting “health policy nursing facility”; in line 18, before “quality” by inserting “health policy nursing facility”;

On page 113, in line 43, by striking “\$114,872,589” and inserting “\$108,178,960”;

On page 114, in line 11, by striking all following “management”; in line 13, by striking “\$3,226,535” and inserting “\$3,065,208”; in line 18, by striking “\$157,722,798” and inserting “\$163,797,154”;

On page 116, in line 5, by striking “\$1,500,000” and inserting “\$1,425,000”; in line 12, by striking “\$110,598,576” and inserting “\$105,565,039”; in line 17, by striking “\$6,353,021” and inserting “\$6,035,370”; in line 31, by striking “\$47,126,525” and inserting “\$46,261,250”; in line 36, by striking “\$87,975,495” and inserting “\$87,975,370”; in line 41, by striking “\$127,912,590” and inserting “\$120,385,590”;

On page 117, in line 3, by striking “\$2,500,000” and inserting “\$2,375,000”;

On page 119, following line 28, by inserting the following:

“*Provided*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance.”;

On page 121, by striking all in lines 36 through 39;

On page 122, by striking all in lines 8 through 21 and inserting the following:

“Early childhood and literacy investment grant ..... \$21,000,000  
 Early head start..... \$1,543,435

*Provided*, That any unencumbered balance in the early head start account in excess of \$100 as of June 30, 2011, is hereby reappropriated for fiscal year 2012.”;

On page 126, in line 43, by striking “\$1,902,775,680” and inserting “\$1,890,858,435”;

On page 127, in line 33, by striking “\$2,435,171” and inserting “\$2,487,458”; in line 35, by striking “\$319,861,685” and inserting “\$389,062,720”;

On page 136, in line 35, following “program” by inserting “: *Provided further*, That, during the fiscal year 2012, whenever the above agency remits an amount of moneys to the state treasurer for deposit in the state treasury and 20% of such remittance is credited to the state general fund and the remainder of such remittance is credited to this fund, the state treasurer shall transfer from the state general fund to this fund the amount equal to the amount credited to the state general fund from such remittance”;

On page 153, in line 26, following “training” by inserting “program”;

On page 159, in line 21, following “training” by inserting “and”;

On page 163, in line 2, by striking “\$11,087,963” and inserting “\$5,543,982”;

On page 169, by striking all in lines 1 through 11; in line 23, by striking “\$16,498,912” and inserting “\$16,998,912”; in line 40, by striking “\$46,958,764” and inserting “\$47,708,764”;

On page 174, following line 27, by inserting the following:

“(i) During the fiscal years ending June 30, 2011, and June 30, 2012, all expenditures made by the department of corrections from the correctional industries fund shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.”;

Also on page 174, in line 32, by striking “\$3,434,087” and inserting “\$3,376,089”;

On page 175, in line 25, by striking “\$20,683,874” and inserting “\$19,183,874”;

On page 177, following line 40, by inserting the following:

“(l) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2012, the following:

Prevention and graduated sanctions community grants .. \$2,000,000

*Provided*, That money awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.”;

On page 182, in line 10, by striking “\$3,626,627” and inserting “\$3,545,879”;

On page 184, in line 17, by striking “\$31,122,379” and inserting “\$31,984,379”;

On page 187, in line 33, before “of” by inserting “tenth day”; in line 43, by striking “\$650,000” and inserting “\$266,750”;

On page 188, in line 35, by striking “\$8,190,099.75” and inserting “\$8,405,599.75”;

On page 189, in line 21, by striking “\$14,894,872” and inserting “\$15,388,542”;

On page 196, in line 4, by striking “\$560,588” and inserting “\$566,088”; in line 23, following “thereto” by inserting “: *And provided further*, That, during fiscal year 2012, notwithstanding the provisions of any other statute, expenditures may be made by the above agency from moneys appropriated in the operating expenditures account of the state general fund or any special revenue fund of the above agency for fiscal year 2012 to allow 100% grant-funded projects relating to stream bank stabilization and to allow

lakes to be under the multi- purpose small lakes program if the lake is used for two of the following purposes: flood control, public water supply storage or recreation, notwithstanding the provisions of any other legislative enactment: *And provided further*, That, as used in the preceding proviso, “special revenue fund” means the land reclamation fee fund, watershed protect approach/WTR RSRCE MGT fund, buffer participation incentive fund, or NRCS contribution agreement 2002 farm bill – federal fund”;

On page 198, following line 20, by inserting the following:

“Watershed protect approach/WTR RSRCE MGT fund .....	No limit
NRCS contribution agreement 2002 farm bill – federal fund .....	No limit
Licensing online transition fund.....	\$0

*Provided*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2012 the Kansas department of agriculture may prorate license fees and alter license due dates as needed in order to transition to online license applications and renewals for the fiscal year ending June 30, 2012.

Grain warehouse inspection fund .....	\$75,000
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*Provided*, That, during the fiscal year ending June 30, 2012, the Kansas department of agriculture shall make every effort to ensure services performed in the grain warehouse inspection program will not be compromised by budget reductions for the fiscal year ending June 30, 2012.

Feral swine eradication fund .....	\$175,000
Livestock market reporting fund .....	\$20,000
Compliance education fee fund .....	\$250,000

*Provided*, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2012, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided further*, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.”;

On page 200, in line 15, before "fund" by inserting "fee"; in line 16, before "fund" by inserting "fee"; in line 29, before "fund" by inserting "fee"; in line 30, before "fund" by inserting "fee";

On page 202, in line 15, before the period, by inserting “: *And provided further*, That expenditures from this account for contractual technical expertise and non-salary administration expenditures of the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0 % of the budgeted amount for fiscal year 2012 for the water resources cost share account”; in line 35, before the period, by inserting “: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the Kansas department of agriculture”;

Also on page 202, in line 41, before the period, by inserting “: *Provided further*, That, on July 1, 2011, the amount of the remaining encumbered balance of moneys

encumbered for fiscal year 2009 in the lake restoration account under contract in the water supply restoration program as of June 30, 2011, shall be released from such encumbrance for fiscal year 2009 and the amount equal to such encumbered balance is hereby appropriated for the above agency for fiscal year 2012 for the installation of an alternative public water supply solution for Washington county rural water district no. 1”;

On page 203, in line 5, before the period, by inserting “: *Provided further*, That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices: *And provided further*, That such expenditures may be made from this account from the approved budget amount for fiscal year 2012 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives”;

Also on page 203, in line 31, by striking “\$459,816” and inserting “\$514,816”; in line 34, before the period, by inserting “: *Provided further*, That the above agency shall make expenditures of \$55,000 from the interstate water issues account for fiscal year 2012 for streamgage monitoring in western Kansas to ensure that Colorado is complying with the Arkansas river compact”;

On page 204, following line 19, by inserting the following:

“(g) On July 1, 2011, the director of accounts and reports shall transfer \$75,000 from the state water plan fund to the grain warehouse inspection fund of the Kansas department of agriculture.

(h) On July 1, 2011, the director of accounts and reports shall transfer \$175,000 from the state water plan fund to the feral swine eradication fund of the Kansas department of agriculture.

(i) On July 1, 2011, the director of accounts and reports shall transfer \$20,000 from the state water plan fund to the livestock market reporting fund of the Kansas department of agriculture.”;

On page 206, in line 30, by striking “\$286,100” and inserting “\$374,710”;

On page 207, in line 2, by striking “\$652,141” and inserting “\$563,531”;

On page 209, in line 8, by striking “\$3,450,713” and inserting “\$3,462,690”;

On page 210, in line 39, by striking “\$25,963,543” and inserting “\$26,003,543”;

On page 213, by striking all in lines 2 through 4; in line 5, by striking "(d)" and inserting "(c)";

On page 214, in line 18, by striking “\$290,618,595” and inserting “\$287,895,559”;

On page 216, in line 25, by striking "comprehensive transportation program" and inserting "T-WORKS"; in line 26, by striking "68-2314a" and inserting "68-2314b"; in line 34, after "amount" by inserting "shall be considered to be a loan for which repayment shall commence after the fiscal year ending June 30, 2012, and";

On page 217, following line 2, by inserting the following:

“(j) On and after the effective date of this act, notwithstanding the provisions of K.S.A. 2010 Supp. 68-2320, 68-2321, 68-2328 or 68-2331, and amendments thereto, the provisions of K.S.A. 74-8901 et seq., and amendments thereto, or any other statute, no expenditures shall be made by the department of transportation from moneys appropriated from the state highway fund or any other special revenue fund of the department of transportation for fiscal year 2012 by this or other appropriation act of the 2011 regular session of the legislature to issue, to request issuance or to otherwise provide for the issuance of any revenue bonds or any other bonds for any purpose for

fiscal year 2012, and no bonds shall be issued by the Kansas development authority for the department of transportation for fiscal year 2012, except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto.”;

Also on page 217, in line 10, by striking “131.38” and inserting “109.38”; in line 12, by striking “44.50” and inserting “46.50”; in line 22, by striking “17.00” and inserting “18.00”; in line 23, by striking “7.00” and inserting “4.00”; following line 23, by inserting the following:

"Kansas Human Rights Commission.....25.00";

Also on page 217, in line 25, by striking “4.00” and inserting “6.00”;

On page 218, in line 12, by striking “197.00” and inserting “209.0”; in line 13, by striking “13.00” and inserting “14.00”; in line 18, by striking “19.00” and inserting “21.00”;

On page 222, in line 28, by striking “\$5,785,830” and inserting “\$10,785,830”;

On page 239, following line 42, by inserting the following:

"Sec. 159 (a) On and after July 1, 2011, no expenditures shall be made from any moneys appropriated for the fiscal year ending June 30, 2012, from the state general fund by this or other appropriation act of the 2011 regular session of the legislature, by any state agency for any professional or trade associations membership fees or dues or subscriptions for professional or trade magazines for state officers or employees: *Provided*, That the amount equal to the aggregate of any amount budgeted from each account of the state general fund of each state agency for the year ending June 30, 2012, as determined and certified by the director of the budget, after consultation with the director of legislative research, to the director of accounts and reports, is hereby lapsed: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of legislative research.

Sec. 160. (a) (1) On July 1, 2011, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2012, in each account of the state general fund of each state agency, as authorized and provided by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state officers, as defined by this section, for the payroll period commencing on June 12, 2011, and each payroll period thereafter chargeable to fiscal year 2012, as determined by the director of the budget after consultation with the director of legislative research and upon certification to the director of accounts and reports, the amount equal to 7.5% of the amount so determined is hereby lapsed.

(2) On July 1, 2011, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2012, in each account of the state economic development initiatives fund of each state agency, as authorized and provided by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other

than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state officers, as defined by this section, for the payroll period commencing on June 12, 2011, and each payroll period thereafter chargeable to fiscal year 2012, as determined by the director of the budget after consultation with the director of legislative research and upon certification to the director of accounts and reports, the amount equal to 7.5% of the amount so determined is hereby lapsed.

(3) On July 1, 2011, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2011, in each account of the state water plan fund of each state agency, as authorized and provided by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state officers, as defined by this section, for the payroll period commencing on June 12, 2011, and each payroll period thereafter chargeable to fiscal year 2012, as determined by the director of the budget after consultation with the director of legislative research and upon certification to the director of accounts and reports, the amount equal to 7.5% of the amount so determined is hereby lapsed.

(b) On June 12, 2011, notwithstanding the provisions of K.S.A. 2-1904, 17-2233, 20-155, 20-318, 20-3122, 20-3124, 25-4119a, 32-801, 40-102, 40-110, 44-1003, 46-137a, 46-137b, 46-1102, 46-1210, 46-1211, 46-1212a, 48-203, 72-7602, 74-560, 74-601, 74-630, 74-2434, 74-2613, 74-3203a, 74-4908, 74-5002a, 74-8005, 74-8105, 74-8703, 75-412, 75-622, 75-711, 75-2535, 75-2701, 75-2935b, 75-3101, 75-3102, 75-3103, 75-3104, 75-3108, 75-3110, 75-3111, 75-3120f, 75-3120g, 75-3120h, 75-3120j, 75-3122, 75-3123, 75-3124, 75-3125, 75-3126, 75-3135, 75-3136, 75-3137, 75-3141, 75-3148, 75-3149, 75-3150, 75-3212, 75-3223, 75-3702a, 75-5001, 75-5101, 75-5203, 75-5301, 75-5601, 75-5701, 75-5702, 75-5708, 75-5903, 75-6301, 75-7001, 76-714 and 76-715 and K.S.A. 2010 Supp. 75-3135a, 75-7206, 75-7207, 75-7402 and 75-7427, and amendments thereto, or any other statute, the rate of compensation for each state officer, as defined by this section, is hereby reduced by 7.5% for the payroll period commencing on June 12, 2011, and each payroll period thereafter chargeable to fiscal year 2012, and shall not be increased for any payroll period chargeable to fiscal year 2012: *Provided*, That the secretary of administration is hereby authorized and directed to implement and administer the provisions of this section to provide for such reductions: *Provided further*, That the secretary of administration shall ensure that such reductions to the rate of compensation of the state officers subject to the provisions of this section for the fiscal year 2012 have been implemented: *And provided further*, That the secretary of administration is hereby authorized to reduce any such rate of compensation to implement the provisions of this section: *And provided further*, That no such reduction prescribed by this subsection shall apply to payroll periods commencing on or after June 10, 2012.

(c) On July 1, 2011, the expenditure limitation established for the fiscal year ending June 30, 2012, by this or other appropriation act of the 2011 regular session of the legislature, or by the state finance council, on each special revenue fund in the state treasury is hereby decreased for fiscal year 2012 by the amount equal to 7.5% of the aggregate amount that is budgeted for salaries and wages, including per diem

compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state officers, as defined by this section, for all payroll periods commencing on or after June 12, 2011, which are chargeable to fiscal year 2012 for such special revenue fund, as determined by the director of the budget, after consultation with the director of legislative research, and certified to the director of accounts and reports.

(d) As used in this section, (1) "state agency" has the meaning ascribed thereto by K.S.A. 75-3701, and amendments thereto, and includes the governor's department, lieutenant governor, attorney general, secretary of state, state treasurer, commissioner of insurance, each agency of the executive branch, the legislature and each agency of the legislative branch, the judicial branch and each agency of the judicial branch;

(2) "state officer" means (A) the governor, lieutenant governor, attorney general, secretary of state, state treasurer, commissioner of insurance, each secretary of a department or other chief executive officer of a department of the executive branch, each member of a board, commission, council or authority of the executive branch, (B) each member of the legislature, each legislative officer specified in K.S.A. 46-137b, and amendments thereto, (C) each justice of the supreme court, each judge of the court of appeals, each district judge, each district magistrate judge, and (D) each other state officer in the executive branch, legislative branch or judicial branch of state government whose position is specified by statute or is otherwise determined to be a salaried officer of the state as that phrase is used in section 15 of article 1 or section 13 of article 3 of the constitution of the state of Kansas, and in any case "state officer" includes all salaried officers of the state as that phrase is used in section 15 of article 1 or section 13 of article 3 of the constitution of the state of Kansas;

(3) "compensation" means any salary or per diem compensation provided by law for a state officer.

Sec. 161. (a) (1) On July 1, 2011, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2012, in each account of the state general fund of each state agency, as authorized and provided by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state employees with annual compensation of \$100,000 or more, as defined by this section, for the payroll period commencing on June 12, 2011, and each payroll period thereafter chargeable to fiscal year 2012, as determined by the director of the budget after consultation with the director of legislative research and upon certification to the director of accounts and reports, the amount equal to 7.5% of the amount so determined is hereby lapsed: *Provided*, That the lapse provided for in this subsection (a)(1) shall not apply to any appropriation or reappropriation for fiscal year 2012 in any account of the state general fund of any state agency in the legislative branch or judicial branch of state government.

(2) On July 1, 2011, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2012, in each account of the state economic development initiatives fund of each state agency, as authorized and provided by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages,



including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state employees with annual compensation of \$100,000 or more, as defined by this section, for the payroll period commencing on June 12, 2011, and each payroll period thereafter chargeable to fiscal year 2012, as determined by the director of the budget after consultation with the director of legislative research and upon certification to the director of accounts and reports, the amount equal to 7.5% of the amount so determined is hereby lapsed.

(3) On July 1, 2011, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2012, in each account of the state water plan fund of each state agency, as authorized and provided by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state employees with annual compensation of \$100,000 or more, as defined by this section, for the payroll period commencing on June 12, 2011, and each payroll period thereafter chargeable to fiscal year 2012, as determined by the director of the budget after consultation with the director of legislative research and upon certification to the director of accounts and reports, the amount equal to 7.5% of the amount so determined is hereby lapsed.

(b) On June 12, 2011, notwithstanding the provisions of K.S.A. 75-2935b, 75-2935c or 75-2938, and amendments thereto, or any other statute, the rate of compensation for each state employee with annual compensation of \$100,000 or more, as defined by this section, is hereby reduced by 7.5% for the payroll period commencing on June 12, 2011, and each payroll period thereafter chargeable to fiscal year 2012, and shall not be increased for any payroll period chargeable to fiscal year 2012: *Provided*, That the secretary of administration is hereby authorized and directed to implement and administer the provisions of this section to provide for such reductions: *Provided further*, That the secretary of administration shall ensure that such reductions to the rate of compensation of the state employee with annual compensation of \$100,000 or more, as defined by this section, subject to the provisions of this section for the fiscal year 2012 have been implemented: *And provided further*, That the secretary of administration is hereby authorized to reduce any such rate of compensation to implement the provisions of this section: *And provided further*, That no such reduction prescribed by this subsection shall apply to payroll periods commencing on or after June 10, 2012.

(c) On July 1, 2011, the expenditure limitation established for the fiscal year ending June 30, 2012, by this or other appropriation act of the 2011 regular session of the legislature on each special revenue fund in the state treasury is hereby decreased for fiscal year 2012 by the amount equal to 7.5% of the aggregate amount that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state employees with annual compensation of \$100,000 or more, as defined by this section, for all payroll periods commencing on or after June 12, 2011, which are chargeable to fiscal year 2012 for such special revenue fund, as

determined by the director of the budget, after consultation with the director of legislative research, and certified to the director of accounts and reports: *Provided*, That the expenditure limitation decrease provided for in this subsection (c) shall not apply to the appropriation of the moneys in any special revenue fund for fiscal year 2012 of any state agency in the legislative branch or judicial branch of state government.

(d) As used in this section, (1) “state agency” has the meaning ascribed thereto by K.S.A. 75-3701, and amendments thereto, and includes the governor’s department, lieutenant governor, attorney general, secretary of state, state treasurer, commissioner of insurance, each agency of the executive branch, the legislature and each agency of the legislative branch, the judicial branch and each agency of the judicial branch;

(2) “state officer” means (A) the governor, lieutenant governor, attorney general, secretary of state, state treasurer, commissioner of insurance, each secretary of a department or other chief executive officer of a department of the executive branch, each member of a board, commission, council or authority of the executive branch, (B) each member of the legislature, each legislative officer specified in K.S.A. 46-137b, and amendments thereto, (C) each justice of the supreme court, each judge of the court of appeals, each district judge, each district magistrate judge, and (D) each other state officer in the executive branch, legislative branch or judicial branch of state government whose position is specified by statute or is otherwise determined to be a salaried officer of the state as that phrase is used in section 15 of article 1 or section 13 of article 3 of the constitution of the state of Kansas, and in any case “state officer” includes all salaried officers of the state as that phrase is used in section 15 of article 1 or section 13 of article 3 of the constitution of the state of Kansas;

(3) “compensation” means any salary or per diem compensation provided by law for a state employee with annual compensation of \$100,000 or more, as defined by this section; and

(4) “state employee with annual compensation of \$100,000 or more” means an employee of a state agency within the executive or judicial branch of state government who has an annual rate of compensation that is equal to or more than \$100,000 for fiscal year 2011 and who is not a state officer, as defined by this section, and is not an employee of the legislative research department or the office of revisor of statutes within the legislative branch of state government.

Sec. 162. (a) (1) On July 1, 2011, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2012, in each account of the state general fund of each state agency, as authorized and provided by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state employees with annual compensation between \$40,000 and \$100,000, as defined by this section, for the payroll period commencing on June 12, 2011, and each payroll period thereafter chargeable to fiscal year 2012, as determined by the director of the budget after consultation with the director of legislative research and upon certification to the director of accounts and reports, the amount equal to the percentage determined under subsection (a)(4) of the amount so determined is hereby lapsed: *Provided*, That the lapse provided for in this subsection (a)(1) shall not apply to any appropriation or reappropriation for fiscal year 2012 in any account of the state general

fund of any state agency in the legislative branch or judicial branch of state government.

(2) On July 1, 2011, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2012, in each account of the state economic development initiatives fund of each state agency, as authorized and provided by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state employees with annual compensation between \$40,000 and \$100,000, as defined by this section, for the payroll period commencing on June 12, 2011, and each payroll period thereafter chargeable to fiscal year 2012, as determined by the director of the budget after consultation with the director of legislative research and upon certification to the director of accounts and reports, the amount equal to the percentage determined under subsection (a)(4) of the amount so determined is hereby lapsed.

(3) On July 1, 2011, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2012, in each account of the state water plan fund of each state agency, as authorized and provided by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state employees with annual compensation between \$40,000 and \$100,000, as defined by this section, for the payroll period commencing on June 12, 2011, and each payroll period thereafter chargeable to fiscal year 2012, as determined by the director of the budget after consultation with the director of legislative research and upon certification to the director of accounts and reports, the amount equal to the percentage determined under subsection (a)(4) of the amount so determined is hereby lapsed.

(4) For the purpose of ascertaining the percentage to be applied in lapsing appropriations for the state general fund, state economic development initiatives fund or the state water plan fund in subsection (a)(1), subsection (a)(2) and subsection (a)(3), the director of the budget, in consultation with the director of legislative research, shall determine the appropriate resulting equivalent percentage for each such fund to apply for purposes of the lapse prescribed by subsection (a)(1), subsection (a)(2) or subsection (a)(3) of a portion of each amount appropriated or reappropriated for the fiscal year ending June 30, 2011, in each account of the state general fund, state economic development initiatives fund or the state water plan fund of each state agency, as authorized and provided by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state employees with annual compensation between \$40,000 and \$100,000, as defined by this section, of such state agency for which a reduction in the rate of compensation is determined and imposed by subsection (b). After making each such determination for each lapse of appropriations from the state general fund, state economic development initiatives fund and the state water plan fund, the director of the

budget shall certify the percentage determined which shall be applied for each such lapse to the director of accounts and reports.

(b) (1) On June 12, 2011, notwithstanding the provisions of K.S.A. 75-2935b, 75-2935c or 75-2938, and amendments thereto, or any other statute, the rate of compensation for each state employee with annual compensation between \$40,000 and \$100,000, as defined by this section, is hereby reduced by the percentage determined under subsection (b)(2) for the first payroll period commencing on June 12, 2011, and each payroll period thereafter chargeable to fiscal year 2012, and shall not be increased for any payroll period chargeable to fiscal year 2012: *Provided*, That the secretary of administration is hereby authorized and directed to implement and administer the provisions of this section to provide for such reductions: *Provided further*, That the secretary of administration shall ensure that such reductions to the rate of compensation of the state employee with annual compensation between \$40,000 and \$100,000 who is subject to the provisions of this section for the fiscal year 2012 have been implemented: *And provided further*, That the secretary of administration is hereby authorized to reduce any such rate of compensation to implement the provisions of this section: *And provided further*, That no such reduction prescribed by this subsection shall apply to payroll periods commencing on or after June 10, 2012.

(2) For each state employee with annual compensation between \$40,000 and \$100,000, as defined by this section, the rate of compensation of such state employee with annual compensation between \$40,000 and \$100,000 that is reduced under subsection (b)(1) shall be reduced by the percentage reduction determined by the director of the budget, in consultation with the director of legislative research, in accordance with the following: The rate of compensation shall be the rate mathematically determined by ranking all such state employees with annual compensation between \$40,000 and \$100,000, by the respective rates of compensation, in a smooth, ascending line compared with a smooth, ascending line of percentages commencing with 0% corresponding to \$40,000 and ending with 7.5% corresponding with \$100,000. After making such determination, the director of the budget shall certify the percentage determined for each such executive branch employee, that receives compensation at an annual rate of compensation of more than \$40,000 but less than \$100,000, to the secretary of administration.

(c) (1) On July 1, 2011, the expenditure limitation established for the fiscal year ending June 30, 2012, by this or other appropriation act of the 2011 regular session of the legislature on each special revenue fund in the state treasury is hereby decreased for fiscal year 2012 by the amount equal to the percentage determined under subsection (c) (2) of the aggregate amount that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state employees with annual compensation between \$40,000 and \$100,000, as defined by this section, for all payroll periods commencing on or after June 12, 2011, which are chargeable to fiscal year 2012 for payment from such special revenue fund, as determined by the director of the budget, after consultation with the director of legislative research, and certified to the director of accounts and reports: *Provided*, That the expenditure limitation decrease provided for in this subsection (c)(1) shall not apply to the appropriation of the moneys in any special revenue fund for fiscal year 2012 of

any state agency in the legislative branch or judicial branch of state government.

(2) For the purpose of ascertaining the percentage to be applied in decreasing expenditure limitations or the budgeted amounts of expenditures for the fiscal year ending June 30, 2012, under subsection (c)(1), the director of the budget, in consultation with the director of legislative research, shall determine the appropriate resulting equivalent percentage for each such special revenue fund to apply for the purpose of decreasing the expenditure limitation of each such special revenue fund for the fiscal year ending June 30, 2012, or, if the moneys in the special revenue fund are appropriated for the fiscal year ending June 30, 2012, with no expenditure limitation, then to decrease the approved budget of expenditures pursuant to subsection (c)(1) for such special revenue funds for the fiscal year ending June 30, 2012, of each state agency, as established by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state employees with annual compensation between \$40,000 and \$100,000, as defined by this section, of such state agency for which a reduction in the rate of compensation is determined and imposed by subsection (b). After making each such determination for such decreases in expenditure limitations or in the authorized budgeted amounts of expenditure the director of the budget shall certify the percentage determined which shall be applied to decrease the expenditure limitation or in the approved budget for each such special revenue fund to the director of accounts and reports. At the same time that each such certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of legislative research.

(d) As used in this section, (1) "state agency" has the meaning ascribed thereto by K.S.A. 75-3701, and amendments thereto, and includes the governor's department, lieutenant governor, attorney general, secretary of state, state treasurer, commissioner of insurance, each agency of the executive branch, the legislature and each agency of the legislative branch, the judicial branch and each agency of the judicial branch;

(2) "state officer" means (A) the governor, lieutenant governor, attorney general, secretary of state, state treasurer, commissioner of insurance, each secretary of a department or other chief executive officer of a department of the executive branch, each member of a board, commission, council or authority of the executive branch, (B) each member of the legislature, each legislative officer specified in K.S.A. 46-137b, and amendments thereto, (C) each justice of the supreme court, each judge of the court of appeals, each district judge, each district magistrate judge, and (D) each other state officer in the executive branch, legislative branch or judicial branch of state government whose position is specified by statute or is otherwise determined to be a salaried officer of the state as that phrase is used in section 15 of article 1 or section 13 of article 3 of the constitution of the state of Kansas, and in any case "state officer" includes all salaried officers of the state as that phrase is used in section 15 of article 1 or section 13 of article 3 of the constitution of the state of Kansas;

(3) "compensation" means any salary or per diem compensation provided by law for a state employee with annual compensation between \$40,000 and \$100,000, as defined by this section; and

(4) “state employee with annual compensation between \$40,000 and \$100,000” means an employee of a state agency within the executive or judicial branch of state government who has an annual rate of compensation that is more than \$40,000 but less than \$100,000 for fiscal year 2011 and who is not a state officer, as defined by this section, and is not an employee of the legislative research department or the office of revisor of statutes within the legislative branch of state government.

Sec. 163. (a) During the fiscal year ending June 30, 2012, all moneys budgeted for salaries, wages, compensation and associated employer's contributions for any position of any state agency, under the approved budget for which appropriations from the state general fund or any special revenue fund or funds of the state treasury are made by this or other appropriation act of the legislature, shall be expended for such salaries, wages, compensation and associated employer's contributions for full-time equivalent positions: *Provided*, That such appropriations from the state general fund or any special revenue fund or funds in the state treasury shall not be expended for other purposes in such state agency's budget unless specifically authorized by appropriation act or other act of the legislature.

(b) On June 30, 2012, the unencumbered balance in any state general fund account budgeted for expenditures for salaries, wages, compensation and associated employer's contributions for full-time equivalent positions shall be lapsed: *Provided*, That the director of the budget, after consultation with the director of legislative research, shall determine and certify to the director of accounts and reports the specific amounts in the specific accounts of the state general fund for fiscal year 2012 to be lapsed in accordance with this subsection: *Provided further*; That upon receipt of such certification, the director of accounts and reports shall lapse each such amount in each such account of the state general fund for fiscal year 2012 as specified in such certification: *And provided further*; That, at the same time as such certification is submitted to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research.

Sec. 164. (a) Prior to July 1, 2011, the director of the budget shall determine, after consultation with the director of legislative research, the amount appropriated or reappropriated from the state general fund for fiscal year 2012 by this or other appropriation act of the 2011 regular session of the legislature, in each account of the state general fund for each state agency for information technology projects, as defined by K.S.A. 2010 Supp. 75-7201, and amendments thereto, that is equal to 10% of the approved budget for expenditure from each account of the state general fund, as set forth in the information technology project budget estimates reported pursuant to K.S.A. 2010 Supp. 75-7209, and amendments thereto, for such information technology project, and the amount so determined for each such account of the state general fund for fiscal year 2012 shall be certified by the director of the budget to the director of accounts and reports: *Provided*, That, on July 1, 2011, after receipt of such certification, the director of accounts and reports shall lapse the amount certified for each such account of the state general fund for fiscal year 2012 as specified in such certification: *Provided, however*; That the lapse provided for in this subsection (a) shall not apply to any appropriation or reappropriation for fiscal year 2012 in any account of the state general fund of any state agency in the legislative branch or judicial branch of state government and the aggregate amounts that are not lapsed pursuant to this subsection may be expended for fiscal year 2012 by such state agency in the legislative branch or

judicial branch of state government for other programs or other personnel costs of such state agency, but shall not be expended for fiscal year 2012 for any such information technology project: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of legislative research.

(b) For the fiscal year ending June 30, 2012, the director of the budget, after consultation with the director of legislative research, shall determine the aggregate amount of moneys in each special revenue fund that is appropriated for fiscal year 2012 by this or other appropriation act of the 2011 regular session of the legislature, for each state agency for information technology projects, as defined by K.S.A. 2010 Supp. 75-7201, and amendments thereto, that is equal to 10% of the approved budget for expenditure from each such special revenue fund, as set forth in the information technology project budget estimates reported pursuant to K.S.A. 2010 Supp. 75-7209, and amendments thereto, and the amount so determined for such information technology projects shall be certified by the director of the budget to the director of accounts and reports: *Provided*, That, on July 1, 2011, after receipt of such certification, the director of accounts and reports shall decrease the expenditure limitation established for each such special revenue fund by this or other appropriation act of the 2011 regular session of the legislature for fiscal year 2012 as specified in such certification or, if there is no expenditure limitation established for such special revenue fund, then, on July 1, 2011, the director of accounts and reports shall decrease the amount that is budgeted for such information technology projects from such special revenue fund by the amount certified in accordance with such certification for such special revenue fund: *Provided, however*, That the expenditure limitation decrease or the approved budget decrease provided for in this subsection (b) shall not apply to any appropriation of the moneys in any special revenue fund for fiscal year 2012 of any state agency in the legislative branch or judicial branch of state government and the aggregate amounts that are not expenditure limited pursuant to this subsection (b) may be expended for fiscal year 2012 by such state agency in the legislative branch or judicial branch of state government for other programs or other personnel costs of such state agency, but shall not be expended for fiscal year 2012 for any such information technology project: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of legislative research.";

And by renumbering the sections accordingly;

On page 240, in line 34, by striking "23" and inserting "74";

On page 241, in line 30, by striking "23" and inserting "74"; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2393** be amended on page 2, following line 29, by inserting the following:

"New Sec. 2. (a) No longevity bonus payment shall be paid by any state agency to any state officer or employee who has a service anniversary on or after June 12, 2011.

(b) As used in this section, "state officer or employee" includes any state officer or employee in the classified or unclassified service under the Kansas civil service act and any other state officer or employee in state service.";

And by renumbering sections accordingly;

Also on page 2, in line 31, after “after” by inserting “June 12, 2011, and”; in line 32, by striking “statute book” and inserting “Kansas register”;

On page 1, in the title, in line 2, after “bonus” by inserting “payments”; and the bill be passed as amended.

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

**HB 2124** reported correctly re-engrossed March 23, 2011.

Also, **HB 2386** reported correctly engrossed March 24, 2011.

Also, **Sub. HB 2333** reported correctly engrossed March 25, 2011.

#### **REPORT ON ENGROSSED RESOLUTIONS**

**HR 6008** reported correctly engrossed March 25, 2011.

#### **REPORT ON ENROLLED BILLS**

**HB 2023**, **HB 2027**, **HB 2030** reported correctly enrolled, properly signed and presented to the Governor on March 25, 2011.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HCR 5009** reported correctly enrolled and properly signed on March 28, 2011.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Tuesday, March 29, 2011.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

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