

Journal of the House

SEVENTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Sunday, May 20, 2012, 10:00 a.m.

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

The roll was called with 117 members present.

Rep. LeDoux was excused on verified illness.

Reps. Collins, Lane, McCray-Miller, Roth, Slattery, Ward and B. Wolf were excused on excused absence by the Speaker.

Reps. Bowers and Vickrey were excused later on excused absence by the Speaker.

Prayer by Rep. Phelps:

Heavenly Father,
The bills are in and the debates
are nearly over.
Each member of this body comes into this room
with their own ideas, dreams, thoughts and solutions.
Some here will be the ones to break new ground;
some will plant the seeds.
Others will nurture the growth,
while others will gather the harvest.
Help each representative find fulfillment
in his or her role –
knowing that each part is necessary
for the completion of the whole.
In Christ's name I pray, Amen.

The Pledge of Allegiance was led by Rep. Bethell.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **Sub SB 307**.

The Senate adopts the Conference Committee report on **HB 2435**.

The Senate adopts the Conference Committee report on **HB 2494**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2494**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2435** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 7, following line 6, by inserting:

"New Sec. 7. (a) Notwithstanding the provisions of K.S.A. 46-215 through 46-293, and amendments thereto, an employee of a state university may provide significant factual information or advice or recommendations in relation to the negotiated terms of a technology licensing agreement or other research or development agreement between the state university and a company in which the employee has a substantial interest, provided that the employee does not have the authority to negotiate the terms of such agreement, or to approve such agreement on behalf of the state university. Nothing in this section shall allow an employee of a state university, in such employee's capacity as a state university employee, to provide advice or recommendations in relation to the negotiated terms of an agreement, which would directly affect such employee's financial benefit.

(b) For the purposes of this section, the phrase "research or development" means those activities and services relating to the development, transfer or commercialization of technology or other intellectual property.

(c) This section shall be a part of and supplemental to the state governmental ethics law.

Sec. 8. K.S.A. 2011 Supp. 74-32,181 is hereby amended to read as follows: 74-32,181.

(a) The state board shall fix, charge and collect fees not to exceed the following amounts by adopting rules and regulations for such purposes:

(1) For institutions domiciled or having their principal place of business within the state of Kansas:

Initial application fees:

Non-degree granting institution.....\$2,000

Degree granting institution.....\$3,000

Initial evaluation fee (in addition to initial application fees):

Non-degree level.....\$750

Associate degree level.....\$1,000

Baccalaureate degree level.....\$2,000

Master's degree level.....\$3,000

Professional or doctoral degree level.....\$4,000

Renewal application fees:

Non-degree granting institution.....2% of gross tuition,
but not less than \$800, nor more than \$25,000

Degree granting institution.....2% of gross tuition,
but not less than \$1,600, nor more than \$25,000

New program submission fees, for each new program:

Non-degree program.....\$250

Associate degree program.....\$500

Baccalaureate degree program.....	\$750
Master's degree program.....	\$1,000
Professional or doctoral degree program.....	\$2,000
Program modification fee, for each program.....	\$100
Branch campus site fees, for each branch campus site:	
Initial non-degree granting institution.....	\$1,500
Initial degree granting institution.....	\$2,500
Renewal branch campus site fees, for each branch campus site:	
Non-degree granting institution.....	.2% of gross tuition, but not less than \$800, nor more than \$25,000
Degree granting institution.....	.2% of gross tuition, but not less than \$1,600, nor more than \$25,000
On-site branch campus review fee, for each site.....	\$250
Representative fees:	
Initial registration.....	\$200
Renewal of registration.....	\$150
Late submission of renewal of application fee.....	\$125
Student transcript copy fee.....	\$10
Returned check fee.....	\$50
Changes in institution profile fees:	
Change of institution name.....	\$100
Change of institution location.....	\$100
Change of ownership only.....	\$100
(2) For institutions domiciled or having their principal place of business outside the state of Kansas:	
Initial application fees:	
Non-degree granting institution.....	\$4,000
Degree granting institution.....	\$5,500
Initial evaluation fee (in addition to initial application fees):	
Non-degree level.....	\$1,500
Associate degree level.....	\$2,000
Baccalaureate degree level.....	\$3,000
Master's degree level.....	\$4,000
Professional or doctoral degree level.....	\$5,000
Renewal application fees:	
Non-degree granting institution.....	.3% of gross tuition, but not less than \$2,400, nor more than \$25,000
Degree granting institution.....	.3% of gross tuition, but not less than \$3,000, nor more than \$25,000
New program submission fees, for each new program:	
Non-degree program.....	\$500
Associate degree program.....	\$750
Baccalaureate degree program.....	\$1,000
Master's degree program.....	\$1,500
Professional or doctoral degree program.....	\$2,500
Program modification fee, for each program.....	\$100
Branch campus site fees, for each branch campus site:	

Initial non-degree granting institution.....	\$4,000
Initial degree granting institution.....	\$5,500
Renewal branch campus site fees, for each branch campus site:	
Non-degree granting institution.....	3% of gross tuition, but not less than \$2,400, nor more than \$25,000
Degree granting institution.....	3% of gross tuition, but not less than \$3,000, nor more than \$25,000
Onsite branch campus review fee, for each site.....	\$500
Representative fees:	
Initial registration.....	\$350
Renewal of registration.....	\$250
Late submission of renewal of application fee.....	\$125
Student transcript copy fee.....	\$10
Returned check fee.....	\$50
Changes in institution profile fees:	
Change of institution name.....	\$100
Change of institution location.....	\$100
Change of ownership only.....	\$100

(b) Fees shall not be refundable.

(c) If there is a change in the ownership of an institution and, if at the same time, there also are changes in the institution's programs of instruction, location, entrance requirements or other changes, the institution shall be required to submit an application for an initial certificate of approval and shall pay all applicable fees associated with an initial application.

(d) An application for renewal shall be deemed late if the applicant fails to submit a completed application for renewal, or documentation requested by the state board to complete the renewal process, before the expiration date of the current certificate of approval.

(e) The state board shall determine on or before June 1 of each year the amount of revenue which will be required to properly carry out and enforce the provisions of the Kansas private and out-of-state postsecondary educational institution act for the next ensuing fiscal year and shall fix the fees authorized for such year at the sum deemed necessary for such purposes within the limits of this section. Prior to adoption of any such fees, the state board shall afford the advisory commission an opportunity to make recommendations on the proposed fees.

(f) Fees may be charged to conduct onsite reviews for degree granting and non-degree granting institutions or to review curriculum in content areas where the state board does not have expertise.

(g) The provisions of this section shall expire on June 30, ~~2012~~ 2017.

New Sec. 9. The state board of regents shall conduct a study regarding the retention and graduation rates of students who are accepted into state universities through the exceptions to the minimum admissions standards prescribed in K.S.A. 76-717, and amendments thereto, and report the findings of such study to the committee on education of the house of representatives and the committee on education of the senate on or before January 13, 2014.

New Sec. 10. (a) (1) Except as provided in subsection (a)(2), no funds appropriated from the state general fund for any state educational institution shall be expended for

the purposes of providing remedial courses.

(2) Funds appropriated from the state general fund for any state educational institution may be expended for a student who is enrolled in a remedial course if the student is: (A) In military service; (B) 21 years of age or older; or (C) an international student enrolled in a remedial course for the purpose of learning English as a second language.

(b) Except for the costs associated with remedial education pursuant to subsection (a)(2), the board of regents, in its budget estimate filed pursuant to K.S.A. 75-3717, and amendments thereto, shall not include any appropriation requests for expenditures related to the provision of remedial courses at state educational institutions.

(c) As used in this section:

(1) The terms "board of regents" and "state educational institution" shall have the same meanings, respectively, as such terms are defined in K.S.A. 76-711, and amendments thereto.

(2) "Remedial course" means any course offered by a state educational institution in the area of mathematics or language arts, which includes expenditures for formally organized or separately budgeted instructional activities that give students the basic knowledge and skills required by the institution before they can undertake formal academic course work leading to a postsecondary degree or certificate.

(d) The provisions of this section shall take effect and be in force from and after August 15, 2015.

(e) This section shall be part of and supplemental to the provisions of article 7 of chapter 76 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 11. K.S.A. 2011 Supp. 76-717 is hereby amended to read as follows: 76-717.

(a) The board of regents may adopt rules and regulations for the admission of students at the state educational institutions. Except as provided by subsection (f), the rules and regulations shall include the following:

(1) Each Kansas resident who has graduated from an accredited Kansas high school and who is seeking admission to a state educational institution shall be admitted if the applicant for admission has achieved at least one of the following:

(A) The applicant has completed the precollege curriculum prescribed by the board of regents with a minimum grade point average of 2.0 on a 4.0 scale or has been recognized by the board of regents as having attained a functionally equivalent level of education; or

(B) the applicant has a composite American college testing program (ACT) score of not less than 21 points; or

(C) the applicant ranks in the top $\frac{1}{3}$ of the applicant's high school class upon completion of seven or eight semesters.

(2) Each Kansas resident who has graduated from a non-accredited private secondary school, as defined in K.S.A. 72-53,100, and amendments thereto, and who is seeking admission to a state educational institution shall be admitted if the applicant for admission has a composite American college testing program (ACT) score of not less than 21 points.

(3) Admission to all state educational institutions shall be granted to each Kansas resident under 21 years of age who has earned the general educational development (GED) certificate with an overall score of not less than 50 points.

(4) Admission to all state educational institutions shall remain open for each

Kansas resident who is 21 years of age or older and who has:

(A) Graduated from an accredited Kansas high school or a non-accredited private secondary school; or

(B) earned the general educational development (GED) certificate with an overall score of not less than 50 points.

(5) Each state educational institution shall establish and maintain a policy permitting the admission of not more than 10% of the total number of freshman class admissions to the state educational institution as exceptions to the minimum admissions standards prescribed by this section. These exceptions shall only be applied to students who are *bona fide* residents of Kansas in accordance with rules and regulations of the board of regents and which rules and regulations are substantially similar to law, rule or regulation relative to the determination of resident status for tuition purposes. Such policy shall also provide that in determining which students to admit as exceptions to the minimum admissions standards prescribed by this section, the state educational institution shall give preference to persons who are in military service. The board of regents shall adopt rules and regulations prescribing criteria and guidelines to be applied on a system-wide basis to policies established by the state educational institutions for the purpose of permitting freshman class admissions to the institutions as exceptions to the minimum admissions standards prescribed by this section. On or before January 31 of each year, the board of regents shall submit a report to the legislature containing the number and percentage of freshman class admissions permitted as exceptions to such standards during the preceding academic year. The information contained in the annual report shall be disaggregated by institution.

(6) Each Kansas resident who has earned at least 24 credit hours of transferable course work with a cumulative grade point average of not less than 2.0 on a 4.0 scale at an accredited community college, university or other college shall be admitted as a transfer student to the state educational institutions. Each state educational institution may permit the admission of not more than 10% of the total number of such resident transfer admissions to the state educational institution as exceptions to the minimum admission standards prescribed by this paragraph. In determining which students to admit as exceptions to the minimum admissions standards prescribed by this paragraph, the state educational institution shall give preference to persons who are in military service. The board of regents shall adopt rules and regulations prescribing criteria and guidelines to be applied on a system-wide basis for the purpose of admitting students who have earned at least 24 credit hours of transferable course work to state educational institutions as exceptions to the minimum standards prescribed by this paragraph. On or before January 31 of each year, the board of regents shall submit a report to the legislature containing the number and percentage of transfer student admissions permitted as exceptions to such standards during the preceding academic year. The information contained in the report shall be disaggregated by institution.

(7) Each person who is not a resident of Kansas and who has graduated from an accredited high school may be admitted as a freshman to any of the state educational institutions if the person has achieved at least one of the following:

(A) The person has completed the precollege curriculum prescribed by the board of regents with a minimum grade point average of 2.50 on a 4.0 scale or has been recognized by the board of regents as having attained a functionally equivalent level of education; or

(B) the person has a composite American college testing program (ACT) score of not less than 21 points; or

(C) the person ranks in the top $\frac{1}{3}$ of the person's high school class upon completion of seven or eight semesters.

(8) Each person who is not a resident of Kansas and who has graduated from a non-accredited private secondary school meeting requirements substantially equivalent to K.S.A. 72-53,100 through 72-53,102, and amendments thereto, may be admitted to any state educational institution if the person has a composite American college testing program (ACT) score of not less than 21 points.

(9) Each person who is not a resident of Kansas and who has earned at least 24 credit hours of transferable course work with a cumulative grade point average of not less than 2.0 on a 4.0 scale at an accredited community college, university or other college may be admitted as a transfer student to any of the state educational institutions. Each state educational institution may permit the admission of not more than 10% of the total number of such non-resident transfer admissions to the state educational institution as exceptions to the minimum admission standards prescribed by this paragraph. In determining which students to admit as exceptions to the minimum admissions standards prescribed by this paragraph, the state educational institution shall give preference to persons who are in military service. The board of regents shall adopt rules and regulations prescribing criteria and guidelines to be applied on a system-wide basis for the purpose of admitting students who have earned at least 24 credit hours of transferable course work to state educational institutions as exceptions to the minimum standards prescribed by this paragraph. On or before January 31 of each year, the board of regents shall submit a report to the legislature containing the number and percentage of transfer student admissions permitted as exceptions to such standards during the preceding academic year. The information contained in the report shall be disaggregated by institution.

(10) (A) For those students admitted under an exception to the minimum admissions standards prescribed by this subsection for academic years 2012-2013 and 2013-2014, each state educational institution may require each such student to adopt an individual plan for success.

(B) For those students admitted under an exception to the minimum admissions standards prescribed by this subsection for academic year 2014-2015 and each academic year thereafter, each state educational institution shall require each such student to adopt an individual plan for success prior to enrollment.

(C) Any individual plan for success adopted pursuant to this paragraph shall be reviewed by the student and the student's advisor at least once during the 12-month period immediately succeeding the initial adoption of such plan. Upon completion of such review, the plan may be revised as mutually agreed to by the student and the student's advisor. Nothing in this paragraph shall be construed as prohibiting any plan from being reviewed at any other time while the student is attending such state educational institution, or from being reviewed more than once during any academic year.

(b) The board of regents may prescribe a precollege curriculum which includes, but need not be limited to, four units of English, three units of mathematics, three units of social studies and three units of natural science.

(c) When a Kansas high school is organized in a manner that provides for

documentation of a student's performance in terms other than units of credit or grade point averages, or both, the board of regents shall determine for the students of such school a level of education that is functionally equivalent to the completion of the precollege curriculum with the required grade point average on a 4.0 scale. The determination of a functionally equivalent level of education required under this subsection shall be made by the board of regents after consultation with the state board of education and the board of education or other governing authority having jurisdiction over the students of the affected school.

(d) The board of regents shall determine a level of education that is functionally equivalent to the completion of the precollege curriculum with the required grade point average on a 4.0 scale for persons who are not residents of Kansas.

(e) The board of regents may authorize the chief executive officer of each state educational institution to adopt additional rules and policies relating to admissions of students so long as such rules and policies are not in conflict with the provisions of this section.

(f) The board of regents may adopt rules and regulations establishing standards for the admission of students to state educational institutions that differ from the standards set forth in subsection (a). Rules and regulations adopted pursuant to this subsection that are more rigorous than those set forth in subsection (a) shall not be effective prior to the first day of the fourth academic year following the year in which the rules and regulations are adopted.

(g) Information in reports required to be compiled and submitted to the legislature by this section may be compiled and submitted to the legislature in a single report.

(h) For purposes of this section:

(1) "Individual plan for success" means a written statement for each student admitted under an exception to the minimum admission standards prescribed in subsection (a) that is jointly developed by the student, the student's advisor and any other employee designated by the state educational institution for the purposes of establishing an individualized plan for such student to assist the student in achieving such student's academic goals. In addition to academic coursework, such plan may also address such student's extracurricular activities, financial needs and any other aspect of such student's life which may have a bearing on the student's academic success at the state educational institution. Any such plan may be revised after its initial adoption as mutually agreed to by the student and the student's advisor.

(2) "Military service" means: (A) Any active service in any armed service of the United States; or (B) membership in the Kansas army or air national guard.;

And by redesignating sections accordingly;

On page 7, in line 7, by striking "and" and inserting a comma; in line 8, after "4465" by inserting ", 74-32,181 and 76-717";

On page 1, in the title, in line 3, by striking the first "and" and inserting a comma; also in line 3, after "72-4465" by inserting ", 74-32,181 and 76-717";

And your committee on conference recommends the adoption of this report.

JEAN SCHODORF

JOHN VRATIL

ANTHONY HENSLEY

Conferees on part of Senate

LANA GORDON
 CLAY AURAND
 VALDENIA WINN

Conferees on part of House

On motion of Rep. Gordon, the conference committee report on **HB 2435** was adopted.

On roll call, the vote was: Yeas 116; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bowers, Collins, Lane, LeDoux, McCray-Miller, Roth, Slattery, Ward, B. Wolf.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2494** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 7 through 36;

On page 2, by striking all in lines 1 through 40 and inserting the following:

"Section 1. K.S.A. 58-817 is hereby amended to read as follows: 58-817. (a) (1) If the occupant is in default for a period of more than 45 days, the operator may enforce the lien by selling the property stored in the leased space for cash. Sale of the property stored on the premises may be by public or private proceedings and may also be as a unit or in parcels, or by way of one or more contracts and at any time or place, and on any terms as long as the sale is commercially reasonable. The operator may otherwise dispose of any property which has no commercial value.

(2) The proceeds of such sale shall then be applied to satisfy the lien, with any surplus disbursed as provided in subsection (d).

(b) Before conducting a sale under subsection (a), the operator shall:

(1) Notify the occupant of the default by first-class mail at the occupant's last-known address, and by electronic mail if the occupant has provided an electronic mail

address to the operator:

(2) send a second notice of default, not less than seven days after the notice required by subsection (b)(1), by ~~restricted first-class~~ mail to the occupant at the occupant's last-known address ~~which includes~~, and by electronic mail if the occupant has provided an electronic mail address to the operator. A second notice of default shall include:

(A) A statement that the contents of the occupant's leased space are subject to the operator's lien;

(B) a statement of the operator's claim, indicating the charges due on the date of the notice, the amount of any additional charges which shall become due before the date of release for sale and the date those additional charges shall become due;

(C) a demand for payment of the charges due within a specified time, not less than 10 days after the date of the notice;

(D) a statement that unless the claim is paid within the time stated, the contents of the occupant's space will be sold after a specified time; and

(E) the name, street address and telephone number of the operator, or a designated agent whom the occupant may contact to respond to the notice.

(3) At least seven days before the sale, advertise the time, place and terms of the sale in a newspaper of general circulation in the jurisdiction where the sale is to be held. Such advertisement shall be in the classified section of the newspaper. ~~The ad shall state the items that will be released for sale.~~

(c) At any time before a sale under this section, the occupant may pay the amount necessary to satisfy the lien and redeem the occupant's personal property.

(d) If a sale is held under this section, the operator shall:

(1) Satisfy the lien from the proceeds of the sale; and

(2) hold the balance, if any, for delivery on demand to the occupant or any other recorded lienholders for a period of one year after receipt of proceeds of the sale and satisfaction of the lien. Thereafter, the proceeds remaining after satisfaction of the lien shall be considered abandoned property to be reported and paid to the state treasurer in accordance with the disposition of unclaimed property act.

(e) A purchaser in good faith of any personal property sold under the self-service storage act takes the property free and clear of any rights of:

(1) Persons against whom the lien was valid; and

(2) other lienholders.

(f) If the operator complies with the provisions of the self-service storage act, the operator's liability:

(1) To the occupant shall be limited to the net proceeds received from the sale of the personal property; and

(2) to other lienholders shall be limited to the net proceeds received from the sale of any personal property covered by the other lien.

(g) If an occupant is in default, the operator may deny the occupant access to the leased space.

(h) ~~Unless otherwise specifically provided, all notices required by the self-service storage act shall be sent by restricted mail. Notices sent to the operator shall be sent to the self-service storage facility where the occupant's property is stored. Notices to the occupant shall be sent to the occupant at the occupant's last-known address. Notices shall be deemed delivered when deposited with the United States postal service,~~

properly addressed as provided in subsection (b), with postage prepaid.

Sec. 2. K.S.A. 58-817 is hereby repealed.";

On page 1, in the title, by striking all in lines 1 through 4 and inserting "AN ACT concerning personal and real property; relating to the self-service storage act; amending K.S.A. 58-817 and repealing the existing section.";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWEN

JEFF KING

DAVID HALEY

Conferees on part of Senate

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

On motion of Rep. Kinzer, the conference committee report on **HB 2494** was adopted.

On roll call, the vote was: Yeas 105; Nays 11; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Brookens, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfroid, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Vickrey, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Bruchman, Donohoe, Frownfelter, S. Gatewood, Gordon, Gregory, Grosserode, Hildabrand, Suellentrop, Tyson.

Present but not voting: None.

Absent or not voting: Bowers, Collins, Lane, LeDoux, McCray-Miller, Roth, Slattery, Ward, B. Wolf.

On motion of Rep. Siegfroid, the House recessed until 1:00 p.m.

AFTERNOON SESSION

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

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **House Substitute for SB 294** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 13 through 36;

By striking all on pages 2 through 286;

On page 287, by striking all in lines 1 through 27, and inserting the following:

"Section 1. (a) For the fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, June 30, 2015, and June 30, 2016, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

(c) This act shall be known and may be cited as the omnibus appropriation act of 2012 and shall constitute the omnibus reconciliation spending limit bill for the 2012 regular session of the legislature for purposes of subsection (a) of K.S.A. 75-6702, and amendments thereto.

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

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

Babcock, Phillip DBA Babcock Angus

473 Road W3

Norton, KS 67654.....\$58.46

Barr, Kathy

9775 W 333 Rd St

Lebo, KS 66856.....\$271.73

Berean Academy

PO Box 70

Elbing, KS 67041.....\$279.07

Block, Richard A

36845 Hedge Ln

Paola, KS 66071.....\$42.84

City Of Oswego

PO Box 210

Oswego, KS 67356.....	\$57.02
Claassen, R Dwight 3003 E 1st St Newton, KS 67114.....	\$142.34
Concrete Materials Co LLC PO Box 16204 Wichita, KS 67216.....	\$5,525.44
Edwards Co Highway Dept 730 W 6th St Kinsley, KS 67547.....	\$1,513.04
Elliott, Blake 787 Paint Rd Hope, KS 67451.....	\$92.28
Faidley, Harold 385 Buffalo Rd Longford, KS 67458.....	\$126.84
Faidley, Lon 2539 Justice Rd Solomon, KS 67480.....	\$85.08
Flint Hills Industries DBA Hillsboro Industries 220 Industrial Rd Hillsboro, KS 67063.....	\$55.32
Garten Bros Inc 2305 Fair Rd Abilene, KS 67410.....	\$194.40
Gibson, Rick D 28468 L Rd Circleville, KS 66416.....	\$114.36
Gick & Debbie Fleming Farms 309 S Main St Leon, KS 67074.....	\$488.59
Goering, Terry D 1307 E 20 Hutchinson, KS 67505.....	\$54.60
Harvey, Bradley D	

24002 130 Ave Collyer, KS 67631.....	\$28.20
Jacobs, Kevin L 647 N 135th St W Wichita, KS 67235.....	\$430.70
Johnson, Ralph 312 W 5th Brookville, KS 67425.....	\$504.58
Kalivoda, Richard 2534 Nickel Rd Cuba, KS 66940.....	\$177.98
Kearny Co Rd & Bridge Dept PO Box 129 Lakin, KS 67860.....	\$10,216.91
Ottawa Bus Service Inc 1320 W 149th St Olathe, KS 66061.....	\$2,747.16
Peterson Farm & Livestock Inc 10729 S Simpson Rd Assaria, KS 67416.....	\$28.36
PPP LLC 1994 US Hwy 24 Glen Elder, KS 67446.....	\$155.95
R & R Excavating PO Box 41 Lindsborg, KS 67456.....	\$217.85
Sand Creek Station Golf Course 920 Meadowbrook Dr Newton, KS 67114.....	\$96.60
Schmidt, Henry E PO Box 107 Independence, KS 67301.....	\$24.50
Strobel, John R 31464 N Hwy 59 Garnett, KS 66032.....	\$432.82

Stucky, Ronald L
 543 Cherokee Rd
 Inman, KS 67546.....\$331.78

Terradyne Country Club LLC
 1400 Terradyne
 Andover, KS 67002.....\$674.35

USD 267 Renwick
 PO Box 68
 Andale, KS 67001.....\$9,610.15

USD 315 Colby
 600 West Third St
 Colby, KS 67701.....\$112.20

USD 378 Riley County
 PO Box 326
 Riley, KS 66531.....\$2,557.87

USD 466 Scott County
 PO Box 288
 Scott City, KS 67871.....\$153.90

USD 512 Shawnee Msn
 7235 Antioch Rd
 Shawnee Mission, KS 66204.....\$10,341.16

Vinze, Ernest
 1064 N 138th St
 Fort Scott, KS 66743.....\$105.00

Wildcat Concrete Services Inc
 PO Box 750075
 Topeka, KS 66675.....\$214.11

Winderlin, Robert
 993 Hwy 4
 Scott City, KS 67871.....\$178.85

Sec. 3. (a) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property lost by staff to the following claimant:

Aldrich, Douglas #79156
 PO Box 1568
 Hutchinson, KS 67504.....\$7.76

(b) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property destroyed by staff to the following claimant:

Clay, Patrick #71823
 PO Box 1568
 Hutchinson, KS 67504.....\$4.38

(c) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property lost by staff to the following claimant:

Collins, Timothy #6001034
 PO Box 2
 Lansing, KS 66043.....\$20.00

(d) The department of corrections is hereby authorized and directed to pay the following amount from the Ellsworth correctional facility – facilities operations account of the state general fund for property destroyed by staff to the following claimant:

Cox, Ryan #96107
 6700 40th Rd
 Thayer, KS 66776.....\$52.50

(e) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property lost by staff to the following claimant:

Mills, Leonard #24700
 PO Box 1568
 Hutchinson, KS 67504.....\$12.99

(f) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property bought but never received to the following claimant:

Ponce, Hector #79202
 PO Box 1568
 Hutchinson, KS 67504.....\$29.96

(g) The department of corrections is hereby authorized and directed to pay the following amount from the Winfield correctional facility – facilities operations account of the state general fund for damage to a vehicle caused by an inmate's operation of a weed eater to the following claimant:

Mayberry, Nancy
 13 Roberts Court
 Winfield, KS 67156.....\$366.49

Sec. 4. (a) The department of revenue is hereby authorized and directed to pay the following amount from the sales tax refund fund for reimbursement of sales tax paid on

a vehicle not subject to sales tax after the statute of limitations had expired to the following claimant:

Boulevard Limousine, LLC
 729 N. Stevenson St.
 Olathe, KS 66061.....\$4,958.97

(b) The department of revenue is hereby authorized and directed to pay the following amount from the income tax refund fund for a refund of income tax paid to the state of Kansas on income earned in the state of Colorado after the statutory time limit for filing an amended return had expired to the following claimant:

Sharp, David
 1441 S. Aldrich Dr.
 Andover, KS 67002.....\$5,266.00

(c) The department of revenue is hereby authorized and directed to pay the following amount from the sales tax refund fund for reimbursement of sales tax paid to the state of Kansas that was actually owed to the state of Missouri after the statute of limitations for a refund had expired to the following claimant:

Voss Electric Company
 1601 Cushman Drive
 Lincoln, NE 68512.....\$6,172.40

Sec. 5. (a) The Kansas highway patrol is hereby authorized and directed to pay the following amount from the Kansas highway patrol operations fund for payment of medical expenses of a prisoner in custody, to the following claimant:

Eagle Med. LLC
 PO Box 108
 West Plains, MO 65775.....\$2,312.00

Sec. 6. (a) The department of social and rehabilitation services is hereby authorized and directed to pay the following amount from the Larned state hospital fee fund for payment for a wedding ring set that was lost by staff to the following claimant:

Greene, Nick and Kristen
 3340 N Main
 El Dorado, KS 67042.....\$7,174.17

Sec. 7. (a) The adjutant general is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund for damage to a vehicle caused by a faulty parking gate at the armed forces reserve center to the following claimant:

Manley, Barry
 4725 NE Shaffer Rd
 Topeka, KS 66617.....\$1,236.60

Sec. 8. (a) Except as otherwise provided by this act, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in sections 2 through 8 of this act, upon vouchers duly

executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 2 as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by sections 2 through 8 of this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 9.

ABSTRACTERS' BOARD OF EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the abstracters' fee fund of the abstracters' board of examiners is hereby increased from \$23,291 to \$24,291.

Sec. 10.

STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the bank commissioner fee fund of the state bank commissioner is hereby increased from \$9,251,724 to \$9,488,964.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 60(a) of chapter 118 of the 2011 Session Laws of Kansas on the bank commissioner fee fund of the state bank commissioner is hereby increased from \$9,742,902 to \$10,990,140.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the state bank commissioner is hereby increased from 99.00 to 107.00.

(d) On July 1, 2012, the position limitation established for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the state bank commissioner is hereby increased from 99.00 to 109.00.

(e) On July 1, 2012, there is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, 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:

Litigation expense fund.....No limit
Provided, That the above agency is authorized to make expenditures from the litigation expense fund for costs, fees, and expenses associated with administrative or judicial proceedings regarding the enforcement of laws administered by the consumer and mortgage lending division and the enforcement and collection of assessed fines, fees and consumer refunds: *Provided further*, That a portion of the moneys collected as a result of fines and investigative fees collected by the consumer and mortgage lending division, as determined by the deputy of the consumer and mortgage lending division, 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 litigation expense fund.

Sec. 11.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the board of barbering fee fund of the Kansas board of barbering is hereby increased from \$156,383 to \$166,383.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 61(a) of chapter 118 of the 2011 Session Laws of Kansas on the board of barbering fee fund of the Kansas board of barbering is hereby increased from \$144,892 to \$154,892.

Sec. 12.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the behavioral sciences regulatory board fee fund of the behavioral sciences regulatory board is hereby increased from \$617,861 to \$618,361: *Provided, however*, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2012, for leased office space shall not exceed \$14.00 per square foot.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 62(a) of chapter 118 of the 2011 Session Laws of Kansas on the behavioral sciences regulatory board fee fund of the behavioral sciences regulatory board is hereby increased from \$636,586 to \$685,259: *Provided, however*, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2013, for leased office space shall not exceed \$14.00 per square foot.

(c) On July 1, 2012, the position limitation established for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the behavioral sciences regulatory board is hereby increased from 8.00 to 9.00.

Sec. 13.

KANSAS DENTAL BOARD

(a) On the effective day of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the dental board fee fund of the Kansas dental board is hereby increased from \$371,890 to \$381,932.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 66(a) of chapter 118 of the 2011 Session Laws of Kansas on the dental board fee fund of the Kansas dental board is hereby decreased from \$374,145 to \$370,998.

Sec. 14.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the board of nursing fee fund of the board of nursing is hereby decreased from \$2,046,214 to \$2,043,652.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 69(a) of chapter 118 of the 2011 Session Laws of

Kansas on the board of nursing fee fund of the board of nursing is hereby decreased from \$2,109,810 to \$2,109,710.

Sec. 15.

BOARD OF EXAMINERS IN OPTOMETRY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the optometry fee fund of the board of examiners in optometry is hereby decreased from \$121,180 to \$120,141.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 70(a) of chapter 118 of the 2011 Session Laws of Kansas on the optometry fee fund of the board of examiners in optometry is hereby increased from \$111,631 to \$114,437.

(c) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Optometry litigation fund.....	\$400,000
Criminal history and fingerprinting fund.....	No limit

Sec. 16.

STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the state board of pharmacy fee fund of the state board of pharmacy is hereby increased from \$791,288 to \$792,038.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 71(a) of chapter 118 of the 2011 Session Laws of Kansas on the state board of pharmacy fee fund of the state board of pharmacy is hereby increased from \$839,771 to \$1,068,447: *Provided*, That, if the state board of pharmacy receives authorization from the United States department of health and human services to expend \$250,000 from the Harold Rogers prescription federal fund during the fiscal year ending June 30, 2013, the state board of pharmacy shall certify a copy of such authorization to the director of accounts and reports and, effective on the date of such certification, the expenditure limitation established for the fiscal year ending June 30, 2013, by this subsection on the state board of pharmacy fee fund of the state board of pharmacy is hereby decreased from \$1,068,447 to \$818,447: *Provided further*; That, at the same time as the state board of pharmacy certifies such authorization to the director of accounts and reports, the state board of pharmacy shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now and 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:

Non-federal gifts and grants fund.....	No limit
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Sec. 17.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) On the effective date of this act, the expenditure limitation established for the

fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the securities act fee fund of the office of the securities commissioner of Kansas is hereby decreased from \$2,871,074 to \$2,801,596.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 74(a) of chapter 118 of the 2011 Session Laws of Kansas on the securities act fee fund of the office of the securities commissioner of Kansas is hereby decreased from \$2,923,867 to \$2,833,291.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the office of the securities commissioner of Kansas is hereby decreased from 32.13 to 30.00.

(d) On July 1, 2012, the position limitation established for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the office of the securities commissioner of Kansas is hereby decreased from 32.13 to 30.00.

Sec. 18.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 75(a) of chapter 118 of the 2011 Session Laws of Kansas on the technical professions fee fund of the state board of technical professions is hereby increased from \$589,122 to \$615,138.

Sec. 19.

STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas, on the veterinary examiners fee fund of the state board of veterinary examiners is hereby increased from \$266,632 to \$268,316: *Provided*, That expenditures from the veterinary examiners fee fund for the fiscal year ending June 30, 2012, for official hospitality shall not exceed \$175.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 76(a) of chapter 118 of the 2011 Session Laws of Kansas on the veterinary examiners fee fund of the state board of veterinary examiners is hereby increased from \$268,132 to \$269,674: *Provided*, That expenditures from the veterinary examiners fee fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$175.

Sec. 20.

STATE BOARD OF MORTUARY ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 67(a) of chapter 118 of the 2011 Session Laws of Kansas on the mortuary arts fee fund of the state board of mortuary arts is hereby increased from \$273,993 to \$291,381.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, pursuant to section 67(a) of chapter 118 of the 2011 Session Laws of Kansas on the mortuary arts fee fund of the state board of mortuary arts is hereby decreased from \$282,648 to \$282,228.

Sec. 21.

STATE BOARD OF HEALING ARTS

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the healing arts fee fund of the state board of healing arts is hereby decreased from \$4,321,859 to \$4,319,499.

Sec. 22.

REAL ESTATE APPRAISAL BOARD

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 72(a) of chapter 118 of the 2011 Session Laws of Kansas on the appraiser fee fund of the real estate appraisal board is hereby decreased from \$314,607 to \$314,357.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, 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:

AMC federal registry clearing fund.....No limit

Sec. 23.

KANSAS REAL ESTATE COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the real estate fee fund of the Kansas real estate commission is hereby decreased from \$1,133,094 to \$1,132,374.

Sec. 24.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, pursuant to section 64(a) of chapter 118 of the 2011 Session Laws of Kansas on the cosmetology fee fund of the Kansas board of cosmetology is hereby decreased from \$816,055 to \$815,235.

Sec. 25.

STATE DEPARTMENT OF CREDIT UNIONS

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 65(a) of chapter 118 of the 2011 Session Laws of Kansas on the credit union fee fund of the Kansas department of credit unions is hereby decreased from \$1,038,452 to \$1,037,437.

Sec. 26.

STATE CORPORATION COMMISSION

(a) On the effective date of this act, the expenditure limitation for the fiscal year ending June 30, 2012, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund, and the conservation fee fund in the aggregate, as established in section 95(b) of chapter 118 of the 2011 Session Laws of Kansas, is hereby increased from \$16,844,081 to \$16,960,956.

Sec. 27.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, in section 93(c) of chapter 118 of the 2011 Session Laws of Kansas on the agency operations account of the expense reserve of the Kansas public employees retirement fund is hereby increased from \$8,517,600 to \$8,845,767.

(b) On the effective date of this act, the expenditure limitation established for the

fiscal year ending June 30, 2012, in section 93(d) of chapter 118 of the 2011 Session Laws of Kansas on the agency operations account of the non-retirement administration fund is hereby increased from \$75,603 to \$82,117.

(c) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$832,896 from the Kansas endowment for youth fund to the children's initiatives fund.

Sec. 28.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, of the \$131,486 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 103(b) of chapter 118 of the 2011 Session Laws of Kansas from the state economic development initiatives fund in the senior community service employment program account, the sum of \$126,245 is hereby lapsed.

(b) On the effective date of this act, the appropriation of \$8,935 for the above agency for the fiscal year ending June 30, 2012, by section 103(b) of chapter 118 of the 2011 Session Laws of Kansas from the state economic development initiatives fund in the senior community service employment program – ARRA match account, is hereby lapsed.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 143(a) of chapter 118 of the 2011 Session Laws of Kansas for the department of commerce is hereby decreased from 251.80 to 250.00.

(d) On the effective date of this act, notwithstanding the provisions of K.S.A. 74-50,151, and amendments thereto, or any other statute, the director of accounts and reports shall transfer all moneys in the Kansas economic opportunity initiatives fund of the department of commerce to the job creation program fund of the department of commerce. On the effective date of this act, all liabilities of the Kansas economic opportunity initiatives fund are hereby transferred to and imposed on the job creation program fund of the department of commerce.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2012, the following:

Air service incentive fund.....\$2,000,000

Provided, That 50% of all expenditures from the air service incentive fund during fiscal year 2012 shall be made to participate in air passenger service support agreements with the Manhattan area chamber of commerce, inc., and airlines providing air passenger service at Manhattan regional airport, related to any quarter during fiscal year 2012 when flights provided by an airline that is a party to an air passenger service support agreement are filled to less than 70% of capacity, or as determined under a formula finalized and agreed upon by the Manhattan area chamber of commerce, inc., in such support agreements: *Provided however*; That no expenditures shall be made from the air service incentive fund unless the Manhattan area chamber of commerce, inc., has made payments to such airlines for such purpose of \$250,000 or more for fiscal year 2012: *Provided further*; That expenditures from the air service incentive fund to such airlines for such purpose for fiscal year 2012 shall not exceed \$1,000,000: *And provided further*; That 50% of all expenditures from the air service incentive fund during fiscal year 2012 shall be made to participate in air passenger service support agreements with the growth organization of Topeka/Shawnee county, inc., and airlines

providing air passenger service at Topeka forbes field airport, related to any quarter during fiscal year 2012 when flights provided by an airline that is a party to an air passenger service support agreement are filled to less than 70% of capacity, or as determined under a formula finalized and agreed upon by the growth organization of Topeka/Shawnee county, inc., in such support agreements: *Provided however*; That no expenditures shall be made from the air service incentive fund account unless the growth organization of Topeka/Shawnee county, inc., has made payments to such airlines for such purpose of \$250,000 or more for fiscal year 2012: *Provided further*; That expenditures from the air service incentive fund account to such airlines for such purpose for fiscal year 2012 shall not exceed \$1,000,000: *And provided further*; That any unencumbered balance in the air service incentive fund account of the state economic development initiatives fund that was available to be expended during fiscal year 2012 to provide air passenger service at Topeka forbes field airport in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013, for the same use and purpose as the same was heretofore appropriated: *And provided further*; That, the growth organization of Topeka/Shawnee county, inc., shall submit an annual report to the legislature on or before January 1, 2013: *And provided further*; That during the 2013 regular legislative session such annual report shall be delivered and the growth organization of Topeka/Shawnee county, inc., shall appear in person to the house committee on commerce and 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 the growth organization of Topeka/Shawnee county, inc., as well as an analysis of the data used by the growth organization of Topeka/Shawnee county, inc.: *And provided further*; That the secretary of commerce shall submit a report and appear in person to the house committee on commerce and 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.

Sec. 29.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 101(b) of chapter 118 of the 2011 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, 2012, is hereby increased from \$70,800,000 to \$71,000,000.

Sec. 30.

KANSAS RACING AND GAMING COMMISSION

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 143(a) of chapter 118 of the 2011 Session Laws of Kansas for the Kansas racing and gaming commission – state racing operations program and expanded lottery act regulation division is hereby decreased from 75.53 to 74.00.

Sec. 31.

STATE COURT OF TAX APPEALS

(a) On the effective date of this act, the expenditure limitation established for the

fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the COTA filing fee fund of the state court of tax appeals is hereby decreased from \$1,331,328 to \$1,013,888.

Sec. 32.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

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

Assigned counsel expenditures.....\$695,010

(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:

Capital litigation training grant fund.....No limit

Sec. 33.

LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$749,822 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 80(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the legislative coordinating council – operations account, the sum of \$6,667 is hereby lapsed.

(b) On the effective date of this act, of the \$3,549,398 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 80(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the legislative research department – operations account, the sum of \$156,515 is hereby lapsed.

(c) On the effective date of this act, of the \$3,049,313 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 80(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the office of revisor of statutes – operations account, the sum of \$241,617 is hereby lapsed.

Sec. 34.

DIVISION OF POST AUDIT

(a) On the effective date of this act, of the \$2,020,838 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 82(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operations (including legislative post audit committee) account, the sum of \$634 is hereby lapsed.

Sec. 35.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) On the effective date of this act, of the \$120,322,135 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the other medical assistance account, the sum of \$3,006,868 is hereby lapsed.

(b) On the effective date of this act, of the \$87,187,295 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the community based services account, the sum of \$805,504 is hereby lapsed.

(c) On the effective date of this act, of the \$3,029,539 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the alcohol and drug abuse services grants account, the sum of \$60,213 is hereby lapsed.

(d) On the effective date of this act, of the \$46,069,941 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the cash assistance account, the sum of \$2,571,032 is hereby lapsed.

(e) On the effective date of this act, of the \$5,965,139 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the vocational rehabilitation aid and assistance account, the sum of \$40,812 is hereby lapsed.

(f) On the effective date of this act, of the \$99,098,413 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the youth services aid and assistance account, the sum of \$5,706,647 is hereby lapsed.

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

Sexual predator treatment program expansion.....	\$2,058,900
Renovations at rainbow mental health facility.....	\$1,500,000

(h) On the effective date of this act, of the \$519,325 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(c) of chapter 118 of the 2011 Session Laws of Kansas from the children's initiatives fund in the children's cabinet accountability fund account, the sum of \$42,367 is hereby lapsed.

(i) On the effective date of this act, of the \$4,750,000 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(c) of chapter 118 of the 2011 Session Laws of Kansas from the children's initiatives fund in the family centered system of care account, the sum of \$3 is hereby lapsed.

(j) On the effective date of this act, of the \$5,033,679 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(c) of chapter 118 of the 2011 Session Laws of Kansas from the children's initiatives fund in the child care account, the sum of \$213 is hereby lapsed.

(k) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the social welfare fund of the department of social and rehabilitation services is hereby increased from \$29,069,381 to \$32,383,404.

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

Larned state hospital – operating expenditures.....	\$1,149,723
Larned state hospital – sexual predator treatment program.....	\$213,805
Mental health and retardation services aid and assistance.....	\$91,429

(m) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the rainbow mental health facility fee fund of the department of social and rehabilitation services is hereby increased from \$2,465,445 to \$2,501,169.

(n) On the effective date of this act, the public health/social services emergency response federal fund of the department of social and rehabilitation services is hereby redesignated as the national bioterrorism hospital preparedness program federal fund of the department of social and rehabilitation services.

(o) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 143(a) of chapter 118 of the 2011 Session Laws

of Kansas for the Larned state hospital is hereby increased from 839.20 to 886.20.

Sec. 36.

DEPARTMENT ON AGING

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

LTC – medicaid assistance – HCBS/FE.....	\$99,634
LTC – medicaid assistance – TCM/FE.....	\$223,877
LTC – medicaid assistance – NF.....	\$7,556,472

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

National bioterrorism hospital preparedness program – federal fund.....No limit

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 110(b) of chapter 118 of the 2011 Session Laws of Kansas on the health policy nursing facility quality care fund of the department on aging is hereby increased from \$19,577,801 to no limit.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 110(b) of chapter 118 of the 2011 Session Laws of Kansas on the social service block grant fund of the department on aging is hereby increased from \$4,399,305 to \$4,500,000.

Sec. 37.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH

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

Breast cancer screening program.....	\$407,000
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Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Sec. 38.

DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION OF
HEALTH CARE FINANCE

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

Other medical assistance.....	\$19,513,116
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(b) On the effective date of this act, of the \$17,293,612 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 108(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the children's health insurance program account, the sum of \$28,819 is hereby lapsed.

(c) On the effective date of this act, of the \$14,482,995 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 108(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the health policy operating expenditures account, the sum of \$52,694 is hereby lapsed.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 108(b) of chapter 118 of the 2011 Session Laws of Kansas on the medical programs fee fund of the department of health and

environment – division of health care finance is hereby increased from \$50,529,602 to \$56,610,742.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 108(b) of chapter 118 of the 2011 Session Laws of Kansas on the health care access improvement fund of the department of health and environment – division of health care finance is hereby increased from \$33,300,000 to \$33,354,454.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the preventive health care program fund of the department of health and environment – division of health care finance is hereby increased from \$667,369 to \$711,214.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the health committee insurance fund of the department of health and environment – division of health care finance is hereby decreased from \$287,646 to \$283,854.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on expenditures from the state workers compensation self-insurance fund of the department of health and environment – division of health care finance for salaries and wages and other operating expenditures is hereby increased from \$3,510,806 to \$3,776,357.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 108(b) of chapter 118 of the 2011 Session Laws of Kansas on expenditures from the cafeteria benefits fund of the department of health and environment – division of health care finance for salaries and wages and other operating expenditures is hereby decreased from \$1,979,603 to \$1,977,635.

Sec. 39.

DEPARTMENT OF LABOR

(a) On the effective date of this act, of the \$409,271 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 105(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$3,731 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the workmen's compensation fee fund of the department of labor is hereby decreased from \$13,883,381 to \$10,624,371.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the federal indirect cost offset fund of the department of labor is hereby decreased from \$404,143 to \$364,858.

Sec. 40.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) On the effective date of this act, of the \$426,485 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures

– administration account, the sum of \$350 is hereby lapsed.

(b) On the effective date of this act, of the \$1,200,598 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures – veteran services account, the sum of \$1,178 is hereby lapsed.

(c) On the effective date of this act, of the \$1,917,108 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures – Kansas soldiers' home account, the sum of \$16,366 is hereby lapsed.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the soldiers home fee fund of the Kansas commission of veterans affairs is hereby decreased from \$1,719,521 to \$1,668,438.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the soldiers home federal fund of the Kansas commission of veterans affairs is hereby increased from \$2,254,408 to \$2,603,283.

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

Operating expenditures – veterans claim assistance program – service grants. \$32,732

(g) On the effective date of this act, of the \$2,494,684 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures – Kansas veterans' home account, the sum of \$16,366 is hereby lapsed.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the veterans home federal fund of the Kansas commission on veterans affairs is hereby increased from \$2,924,231 to \$3,129,375.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the veterans home fee fund of the Kansas commission on veterans affairs is hereby increased from \$3,000,003 to \$3,129,622.

(j) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the VA burial reimbursement fund – federal of the Kansas commission on veterans affairs is hereby increased from \$80,538 to \$101,942.

Sec. 41.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2012, for the capital improvement project or projects specified as follows:

Debt service – revenue bonds issued for major remodeling and new construction projects at state educational institutions.....\$1,254,925

(b) On the effective date of this act, of the appropriations for the above agency for the fiscal year ending June 30, 2012, by section 128(a) of chapter 118 of the 2011 Session Laws of Kansas of any unencumbered balance in the southwest Kansas access project account of the state general fund, the sum of \$243,620 is hereby lapsed.

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

Midwest higher education commission.....\$5,462
 Sec. 42.

DEPARTMENT OF EDUCATION

(a) 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.....\$6,992,555
 Operating expenditures (including official hospitality).....\$50,000
 General state aid.....\$24,632,000

(b) On and after the effective date of this act, notwithstanding the provisions of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas or any other statute, no appropriation shall be made for fiscal year 2012 from the state general fund to the general state aid account of the department of education by the second proviso to the general state aid account appropriation from the state general fund of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas: *Provided*, That the amount that would be appropriated for the above agency for the fiscal year ending June 30, 2012, pursuant to the second proviso to the general state aid account appropriation from the state general fund of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund to the general state aid account is hereby lapsed: *Provided further*, That, on the effective date of this act, the provisions of the second proviso to the general state aid account appropriation from the state general fund of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 43.

DEPARTMENT OF CORRECTIONS

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

Treatment and programs.....\$1,825,000

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2012, the following:

Labette facility renovation.....\$1,696,150

(c) 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:

Disaster grants – public assistance fund.....No limit
 Sec. 44.

JUVENILE JUSTICE AUTHORITY

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

Purchase of services.....\$1,868,707

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 130(b) of chapter 118 of the 2011 Session Laws of Kansas on the juvenile detention facilities fund of the juvenile justice authority is hereby increased from \$3,575,963 to \$4,459,805.

(c) On the effective date of this act, of the \$408,118 appropriated for the above

agency for the fiscal year ending June 30, 2012, by section 164(a) of chapter 118 of the 2011 Session Laws of Kansas from the state institutions building fund in the backup generator – Kansas juvenile correctional complex account, the sum of \$407,618 is hereby lapsed.

(d) On the effective date of this act, of the \$10,000 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 164(a) of chapter 118 of the 2011 Session Laws of Kansas from the state institutions building fund in the raze pig barn – Kansas juvenile correctional complex account, the sum of \$5,000 is hereby lapsed.

Sec. 45.

ADJUTANT GENERAL

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

Disaster relief.....\$4,226,905

(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 asset forfeiture fund.....No limit

Sec. 46.

EMERGENCY MEDICAL SERVICES BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the emergency medical services operating fund of the emergency medical services board is hereby increased from \$1,330,025 to \$1,332,018.

Sec. 47.

STATE FIRE MARSHAL

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$29,339 from the hazardous material program fund of the state fire marshal to the fire marshal fee fund of the state fire marshal.

Sec. 48.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

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

Rehabilitation and repair projects.....\$64,500

Sec. 49.

KANSAS DEPARTMENT OF AGRICULTURE

(a) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2012, by section 138(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund, in the operating expenditures account, the sum of \$57,541 is hereby lapsed.

(b) On the effective date of this act, of the \$702,722 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 138(c) of chapter 118 of the 2011 Session Laws of Kansas in the basin management account of the state water plan fund, the sum of \$68,403 is hereby lapsed.

(c) On the effective date of this act, of the amount reappropriated for the above

agency for the fiscal year ending June 30, 2012, by section 138(c) of chapter 118 of the 2011 Session Laws of Kansas from the state water plan fund in the water transition assistance program/conservation reserve enhancement program account, the sum of \$1,019,748 is hereby lapsed.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 138(a) of chapter 118 of the 2011 Session Laws of Kansas on expenditures from the operating expenditures account of the Kansas department of agriculture for official hospitality is hereby increased from \$5,000 to \$10,000.

(e) On and after the effective date of this act, during the fiscal year ending June 30, 2012, in addition to other purposes for which expenditures may be made by the Kansas department of agriculture from moneys appropriated in the reimbursement and recovery fund, conference regulation and disbursement fund, and the market development fund for the fiscal year ending June 30, 2012, as authorized by section 138(b) of chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the Kansas legislature, expenditures may be made by the Kansas department of agriculture from moneys appropriated in the reimbursement and recovery fund, conference regulation and disbursement fund, and the market development fund for official hospitality.

Sec. 50.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) On the effective date of this act, of the \$40,000 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 141(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the reimbursement for annual licenses issued to Kansas disabled veterans account, the sum of \$18,388 is hereby lapsed.

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

State parks operating expenditures.....\$800,000

Sec. 51.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the agency operations account of the state highway fund of the department of transportation is hereby increased from \$287,632,588 to \$289,632,588.

(b) On the effective date of this act, the director of accounts and reports shall transfer \$2,000,000 from the north central Kansas air passenger service support fund of the department of transportation to the state economic development initiatives fund.

Sec. 52. On the effective date of this act, during fiscal year 2012, notwithstanding the provisions of section 101(e) of chapter 118 of the 2011 Session Laws of Kansas, K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer all moneys exceeding the first \$1,696,150 credited to the expanded lottery act revenues fund during fiscal year 2012 from the expanded lottery act revenues fund to the state general fund, within 10 days after such moneys are credited to the expanded lottery act revenues fund: *Provided*, That the transfer of such amounts shall be in addition to any other transfer from the expanded lottery act

revenues fund to the state general fund as prescribed by law: *Provided further*, That all moneys transferred from the expanded lottery act revenues fund to the state general fund pursuant to this subsection are to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of revenue, and other state agencies, by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, on the effective date of this act, the provisions of section 101(e) of chapter 118 of the 2011 Session Laws of Kansas, that transfers all moneys that are credited to the expanded lottery act revenues fund from the expanded lottery act revenues fund to the state general fund during the fiscal year ending June 30, 2012, are hereby declared to be null and void and shall have no force and effect.

Sec. 53.

ATTORNEY GENERAL

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

Court appointed special advocates.....\$50,000

(b) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2011 Supp. 21-5933, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the medicaid fraud prosecution revolving fund of the attorney general to the state general fund: *Provided*, That the amount transferred from the medicaid fraud prosecution revolving fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the attorney general by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 54. (a) During the fiscal year ending June 30, 2012, notwithstanding the provisions of chapter 118 of the 2011 Session Laws of Kansas, in addition to the other purposes for which expenditures may be made by any state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2012 for the state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the state agency from moneys appropriated by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature from the state general fund or from any such special revenue fund or funds for fiscal year 2012 to purchase bottled drinking water for water dispensers.

Sec. 55.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Legislative coordinating council – operations.....\$563,652

Provided, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Legislative research department – operations.....\$3,743,092
Provided, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Office of revisor of statutes – operations.....\$3,127,906
Provided, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special revenue fund.....No limit
 Sec. 56.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations (including official hospitality).....\$16,680,245

Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no *per diem* compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2013 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies

of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2013: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2013: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2013: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2013.

Legislative information system.....\$1,401,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special revenue fund.....No limit

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

1207a, and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2013 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2013.

Capitol restoration – gifts and donations fund.....No limit

(c) As used in this section, "joint committee" includes the joint committee on rules and regulations, health care stabilization fund oversight committee, joint committee on special claims against the state, legislative budget committee, legislative educational planning committee, joint committee on economic development, joint committee on state building construction, joint committee on the arts and cultural resources, joint committee on information technology, joint committee on pensions, investments and benefits, joint committee on state-tribal relations, workers compensation fund oversight committee, confirmation oversight committee, joint committee on corrections and juvenile justice oversight, joint committee on children's issues, compensation commission, joint committee on Kansas security, joint committee on health policy oversight, state employee pay plan oversight committee, joint committee on energy and environmental policy, joint committee on home and community based services oversight, capitol restoration commission, redistricting advisory group, capitol preservation committee and any other committee, commission or other body for which expenditures are to be paid from moneys appropriated for the legislature for the expenses of any meeting of any such body or for the expenses of any member thereof.

Sec. 57.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations (including legislative post audit committee).....\$2,081,880

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from this account, expenditures shall be made by the above agency from moneys appropriated from this account in fiscal year 2013 to conduct three school district efficiency audits during fiscal year 2013: *And provided further*; That three school districts shall be one school district each from small, medium and large school districts: *And provided further*; That the legislative post audit committee shall make a determination of selecting the appropriate school districts first on a voluntary basis in order to implement the provisions of this proviso.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Audit services fund.....No limit

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

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

State agency audits fund.....No limit

Sec. 58.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Governor's department.....\$2,289,976

Provided, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence prevention grants.....\$3,760,516

Provided, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at the discretion of the governor.

Child advocacy centers.....\$833,731

Provided, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2013, by subsection (a) from the state general fund in the governor's department account.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund.....No limit

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

Hispanic and Latino American affairs fee fund.....No limit

Miscellaneous projects fund.....No limit

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

Intragovernmental service fund.....No limit

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

Conversion of materials and equipment fund.....	No limit
Federal grants fund.....	No limit
Justice assistance grant – federal fund.....	No limit
Hispanic and Latino American affairs commission – donations fund.....	No limit
Advisory commission on African-American affairs – donations fund.....	No limit
Kansas commission on disability concerns fee fund.....	No limit
Kansas commission on disability concerns – gifts, grants and donations fund.....	No limit
Domestic violence grants fund.....	No limit

Provided, That grants made for domestic violence prevention shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control and prevention as the official domestic violence or sexual assault coalition.

Child advocacy centers grant fund.....No limit

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$300,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the domestic violence grants fund of the governor's department.

(e) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the child advocacy center grants fund of the governor's department.

Sec. 59.

LIEUTENANT GOVERNOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations.....	\$182,265
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Provided, That any unencumbered balance in the operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Special programs fund.....	No limit
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Provided, That expenditures may be made from the special programs fund for operating expenditures for the lieutenant governor, including conferences and official hospitality: *Provided further*; That the lieutenant governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*; That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received for such conferences and all fees received by the lieutenant governor under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor on official state business and for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor on official state business from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2013, in the operations account.

(d) Expenditures may be made by the above agency for official hospitality and contingencies from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2013, in the operations account without limit at the discretion of the lieutenant governor.

Sec. 60.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$4,895,997

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs.....\$78,000

Provided, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Internet training education for Kansas kids.....\$290,000

Provided, That any unencumbered balance in the internet training education for Kansas kids account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Abuse, neglect and exploitation unit.....\$115,000

Provided, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Lab feasibility study.....\$100,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, 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:

Private detective fee fund.....No limit

Court cost fund.....No limit

Bond transcript review fee fund.....No limit

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

Attorney general's antitrust special revenue fund.....No limit

Private gifts fund.....No limit

Medicaid fraud reimbursement fund.....No limit

Attorney general's antitrust suspense fund.....No limit

Attorney general's consumer protection clearing fund.....No limit

Attorney general's committee on crime prevention fee fund.....No limit
Provided, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*; That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*; That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*; That all fees received for conducting such seminars shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

Tort claims fund.....No limit
 Crime victims compensation fund.....No limit
Provided, That expenditures from the crime victims compensation fund for state operations shall not exceed \$454,058: *Provided further*; That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance fund.....No limit
 Protection from abuse fund.....No limit
 Crime victims grants and gifts fund.....No limit
Provided, That all private grants and gifts received by the crime victims compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Debt collection administration cost recovery fund.....No limit
Provided, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719, and amendments thereto.

Medicaid fraud prosecution revolving fund.....No limit
Provided, That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further*; That, notwithstanding the provisions of K.S.A. 2011 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general's office other than for medicaid fraud prosecution costs.

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

orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund.....	No limit
Children's advocacy center fund.....	No limit
Abuse, neglect and exploitation of people with disabilities	
unit grant acceptance fund.....	No limit
Concealed weapon licensure fund.....	No limit
Tobacco master settlement agreement compliance fund.....	No limit
Sexually violent predator expense fund.....	No limit
County law enforcement equipment fund.....	No limit
Child exchange and visiting centers fund.....	No limit
State medicaid fraud control unit – federal fund.....	No limit
Com def sol – violence against women federal fund.....	No limit
Crime victims compensation federal fund.....	No limit
Ed Byrne state/local law enforcement federal fund.....	No limit
Violence against women – ARRA federal fund.....	No limit
Comm prsct/project safe neighborhood federal fund.....	No limit
Public safety prtnt/comm pol fund.....	No limit
Anti-gang initiative federal fund.....	No limit
Alcohol impaired driving cntrmsr federal fund.....	No limit
Children's justice grant federal fund.....	No limit
Corr research/evaluation/policy firearms federal fund.....	No limit
Ed Byrne memorial JAG – ARRA federal fund.....	No limit
State victims compensation formula grant federal fund.....	No limit
Medicaid indirect cost federal fund.....	No limit
Federal forfeiture fund.....	No limit
False claims litigation revolving fund.....	No limit

Provided, That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 2011 Supp. 75-7501 *et seq.*, and amendments thereto.

GTEAP federal fund.....	No limit
Ed Byrne memorial justice assistance grant federal fund.....	No limit
911 state maintenance fund.....	No limit
911 federal grant fund.....	No limit

(c) During the fiscal year ending June 30, 2013, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$485,593 from the Kansas endowment for youth fund to the tobacco master settlement agreement compliance fund of the attorney general.

(e) During the fiscal year ending June 30, 2013, the attorney general, with the approval of the director of the budget, may transfer any part of any item of

appropriation for fiscal year 2013 from the state general fund for the attorney general to another item of appropriation for fiscal year 2013 from the state general fund for the attorney general. The attorney general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2012, the director of accounts and reports shall transfer any unencumbered balance in the private detective fee fund of the attorney general – Kansas bureau of investigation to the private detective fee fund of the attorney general.

(g) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$4,881,920 from the court cost fund of the attorney general to the state general fund.

Sec. 61.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Publication of proposed constitutional amendments.....\$77,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Cemetery and funeral audit fee fund.....No limit
- HAVA ELVIS fund.....No limit
- Conversion of materials and equipment fund.....No limit
- Information and services fee fund.....No limit
- Provided*, That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,500.
- State register fee fund.....No limit
- Uniform commercial code fee fund.....No limit
- State flag and banner fund.....No limit
- Secretary of state fee refund fund.....No limit
- Electronic voting machine examination fund.....No limit
- Credit card clearing fund.....No limit
- Suspense fund.....No limit
- Prepaid services fund.....No limit
- Athlete agent registration fee fund.....No limit
- Democracy fund.....No limit
- Provided*, That all expenditures from the democracy fund shall be to provide matching funds to implement Title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.
- Technology communication fee fund.....No limit
- Help America Vote Act federal fund.....No limit
- HAVA title I federal fund.....No limit
- Voting access – disabled individuals federal fund.....No limit
- Cemetery maintenance and merchandise fee fund.....No limit

(c) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from any special revenue fund or funds for fiscal year 2013 by the above agency by this

or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2013 regular session of the legislature and detailing costs to local units of governments for conducting elections which include proposed constitutional amendments.

Sec. 62.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer operating fund.....\$1,628,512

Provided, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 *et seq.*, and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act, K.S.A. 58-3934 *et seq.*, and amendments thereto, during fiscal year 2013, the state treasurer is hereby authorized and directed to credit the first \$1,628,512 received and deposited in the state treasury to the state treasurer operating fund: *Provided further*, That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2013 shall be credited as prescribed under the unclaimed property act, K.S.A. 58-3934 *et seq.*, and amendments thereto: *And provided further*, That all moneys credited to the state treasurer operating fund during fiscal year 2013 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act, K.S.A. 58-3934 *et seq.*, and amendments thereto, that are not otherwise reimbursed under any other provision of law.

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

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

County and city transient guest tax fund.....No limit
 Racing admissions tax fund.....No limit
 Rental motor vehicle excise tax fund.....No limit

- Transportation development district sales tax fund.....No limit
- Redevelopment bond fund.....No limit
- Municipal investment pool fund.....No limit
- Pooled money investment portfolio fee fund.....No limit

Provided, That, on or before the fifth day of each month of the fiscal year ending June 30, 2013, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further*; That, prior to the 10th day of each month during the fiscal year ending June 30, 2013, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*; That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

- Special qualified industrial manufacturer fund.....No limit

Provided, That, notwithstanding the provisions of K.S.A. 2011 Supp. 74-50,122, and amendments thereto, or any other statute, the special qualified industrial manufacturer fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of the qualified industrial manufacturer act: *Provided further*; That, on the 15th day of each month that commences during fiscal year 2013, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified industrial manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *And provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the special qualified industrial manufacturer fund established by this subsection: *And provided further*; That, on or before the 10th day of each month commencing during fiscal year 2013, the director of accounts and reports shall transfer from the state general fund to the special qualified industrial manufacturer fund interest earnings based on: (1) The average daily balance of moneys in the special qualified industrial manufacturer fund established by this subsection for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the special qualified industrial manufacturer fund from the withholding taxes paid by a qualified industrial manufacturer shall be paid by the state treasurer to such qualified industrial manufacturer on such dates as are mutually agreed to by the secretary of commerce and the state treasurer, serving as paying agent in accordance with the terms of the agreement entered into pursuant to K.S.A. 2011 Supp. 74-50,122, and amendments thereto, by the secretary of commerce and such qualified industrial manufacturer: *And provided further*; That not more than \$2,000,000 shall be paid from the special qualified industrial manufacturer fund established by this subsection by the state treasurer to a

qualified industrial manufacturer: *And provided further*; That the words and phrases used in these provisos to the appropriation of moneys in the special qualified industrial manufacturer fund shall have the meanings respectively ascribed thereto by K.S.A. 2011 Supp. 74-50,121, and amendments thereto, unless the context requires otherwise.

Kansas postsecondary education savings program trust fund.....No limit

Provided, That, notwithstanding the provisions of subsection (f) of K.S.A. 2011 Supp. 75-650, and amendments thereto, or any other statute, moneys are hereby appropriated for the fiscal year ending June 30, 2013, for the purpose of matching contributions of qualified applicants.

Kansas postsecondary education savings expense fund.....No limit

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

Tax increment financing revenue replacement fund.....No limit

Spirit bonds fund.....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2013, 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. 2011 Supp. 74-50,136, and amendments thereto, and for which the Spirit bonds 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 Spirit bonds fund: *And provided further*; That, on or before the 10th day of each month commencing during fiscal year 2013, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2011 Supp. 74-50,136, and amendments thereto.

Learjet bond fund.....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2013, 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. 2011 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 2013, 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. 2011 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 2013, 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. 2011 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 2013, 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. 2011 Supp. 74-50,136, and amendments thereto.

Business machinery and equipment tax reduction assistance fund.....\$0
 Telecommunications and railroad machinery and equipment tax reduction assistance fund.....\$0
 Community improvement district sales tax fund.....No limit
 Special economic revitalization fund.....No limit
 Bioscience development and investment fund.....No limit

(b) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other statute, the commissioner of insurance shall remit all moneys received by the commissioner under K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury: *Provided, however*, That, for each such remittance deposited in the state treasury during fiscal year 2013, the state treasurer shall not credit such deposit pursuant to K.S.A. 75-1514, and amendments thereto, but shall credit such deposit in accordance with the provisions of this subsection: *Provided further*, That the state treasurer shall credit 10%

of each such deposit to the state general fund and the state treasurer shall credit the remainder of each such deposit as follows: (1) The amount equal to 64% of the remainder of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (2) the amount equal to 20% of the remainder of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (3) the amount equal to 16% of the remainder of such deposit shall be credited to the fire service training program fund of the university of Kansas: *And provided further*, That the amount of each such deposit that is credited to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state fire marshal, the emergency medical services board, and the fire service training program of the university of Kansas by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, whenever in fiscal year 2013 the aggregate amount that the 10% credit to the state general fund prescribed by this subsection is equal to \$100,000, then: (1) The provisions of this subsection prescribing the 10% credit to the state general fund no longer shall apply to moneys received pursuant to K.S.A. 75-1508, and amendments thereto; and (2) for the remainder of fiscal year 2013, the state treasurer shall credit the full 100% so received of each such deposit as follows: (A) The amount equal to 64% of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (B) the amount equal to 20% of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (C) the amount equal to 16% of such deposit shall be credited to the fire service training program fund of the university of Kansas.

Sec. 63.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

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

Insurance company annual statement examination fund.....No limit

Insurance company examiner training fund.....No limit

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

Commissioner's travel reimbursement fund.....No limit

Provided, That expenditures may be made from the commissioner's travel reimbursement fund only to reimburse the commissioner of insurance, or any designated employee, for expenses incurred for in-state or out-of-state travel for official purposes, including travel to meetings of public or private associations: *Provided*

further, That all moneys received by the commissioner of insurance for such travel from any non-state agency source shall be deposited in the state treasury to the credit of this fund.

Workers compensation fund.....No limit

Provided, That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made.

State firefighters relief fund.....No limit

Provided, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, transfers may be made from the state firefighters relief fund to the insurance department rehabilitation and repair fund of the insurance department: *Provided further*, That, pursuant to provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, one or more transfers may be made during fiscal year 2013 from the state firefighters relief fund to the insurance department service regulation fund to repay the amount that was borrowed for the special distribution in fiscal year 2008 pursuant to section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, relating to the overpayment to the firefighters relief association for Manhattan, KS: *And provided further*, That, as used in this proviso: (1) "2013 formula amount" means the amount determined in accordance with the formula and other provisions of K.S.A. 40-1706, and amendments thereto, for the firefighters relief association for Manhattan, KS, for fiscal year 2013; (2) "2008 payment amount" means the amount actually paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2008; and (3) "2013 repayment amount" means the difference between the 2013 formula amount and the 2008 payment amount: *And provided further*, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, the amount of the distribution to be paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2013 shall not exceed the 2008 payment amount: *And provided further*, That the commissioner of insurance shall certify the 2013 repayment amount to the director of accounts and reports and the outstanding amount that remains to be repaid to the insurance department service regulation fund pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas after the transfer to the insurance department service regulation fund pursuant to this proviso: *And provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount equal to the 2013 repayment amount from the state firefighters relief fund to the insurance department service regulation fund: *And provided further*, That, at the same time that the commissioner of insurance transmits such certification to the director of accounts and reports, the commissioner of insurance shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

Insurance company tax and fee refund fund.....No limit

Group-funded workers' compensation pools fee fund.....No limit

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

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

Provided, That transfers may be made from the municipal group-funded pools fee

fund to the insurance department rehabilitation and repair fund of the insurance department.

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

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

Monumental life settlement fund.....No limit

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

Fines and penalties fund.....\$10,000

Provided, That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2013 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

Settlements fund.....No limit

Provided, That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: *Provided further*, That expenditures from the settlements fund shall be made for the purpose of providing consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

Emergency management performance grant – federal fund.....No limit

Affordable care act – federal fund.....No limit

HHS consumer assistance grant – federal fund.....No limit

HHS exchange planning & establishment grant – federal fund.....No limit

HHS rate review grant – federal fund.....No limit

Exchange – KMED early innovator federal grant.....No limit

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2013 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2013 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses

were incurred prior to the effective date of this act.

Sec. 64.

HEALTH CARE STABILIZATION FUND BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2013, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

- Operating expenditures.....\$1,718,952

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

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

Sec. 65.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Judicial council fund.....No limit
- Grants and gifts fund.....No limit

Provided, That all private grants and gifts received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

- Publications fee fund.....No limit
- Judicial performance fund.....No limit

(b) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 20-3207, and amendments thereto, or any other statute, the state treasurer is hereby authorized and directed to transfer \$84,777 from the judicial performance fund of the judicial council to the judicial council fund of the judicial council.

(c) On June 30, 2013, notwithstanding the provisions of K.S.A. 20-2207, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the publications fee fund as of June 30, 2013, in excess of \$175,000 from the publications fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the publications fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the publications fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to

provide such services: *And provided further*, That, when the judicial council must expend moneys for unforeseen and unbudgeted items, such moneys shall be paid first from the judicial council fund and then from the publication fees fund.

Sec. 66.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$12,529,563

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures.....\$9,000,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered.

Capital defense operations.....\$1,433,477

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the capital defense operations account is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners.....\$289,592

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, 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:

Capital litigation training grant fund.....No limit

Indigents' defense services fund.....No limit

Provided, That expenditures may be made from the indigents' defense services fund for the purpose of assigned counsel and other professional services related to contract cases.

Inservice education workshop fee fund.....No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and

conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2013, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2013 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 67.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Judiciary operations.....\$105,808,490

Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto: *And provided further*, That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: *And provided further*, That expenditures from the judiciary operations account for such contingencies shall not exceed \$25,000: *And provided further*, That expenditures from the judiciary operations account for official hospitality shall not exceed \$4,000: *And provided further*, That expenditures shall be made from the judiciary operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

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

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

Conversion of materials and equipment fund	No limit
Child welfare federal grant fund.....	No limit
Child support enforcement contractual agreement fund.....	No limit
Bar admission fee fund.....	No limit
Permanent families account – family and children investment fund.....	No limit
Duplicate law book fund.....	No limit
Court reporter fund.....	No limit
Access to justice fund.....	No limit
Judicial technology and building and grounds fund.....	No limit
Judicial branch nonjudicial salary initiative fund.....	No limit
Judicial branch nonjudicial salary adjustment fund.....	No limit
Federal grants fund.....	No limit
District magistrate judge supplemental compensation fund.....	No limit
Judicial branch surcharge fund.....	No limit
Correctional supervision fund.....	No limit
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
State court improvement program fund	No limit

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

13 th retirement check – debt service.....	\$3,208,993
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund.....	No limit
<i>Provided</i> , That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.	
Kansas public employees deferred compensation fees fund.....	No limit
Group insurance reserve fund.....	No limit
Optional death benefit plan reserve fund.....	No limit
Kansas endowment for youth fund.....	No limit
Senior services trust fund.....	No limit

Family and children endowment account – family and children investment fund.....No limit
 Non-retirement administration fund.....No limit

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

KDFA series 2003H bond debt service fundNo limit

Provided, That, notwithstanding the provisions of K.S.A. 74-4921 *et seq.*, and amendments thereto, any employer contributions remitted in accordance with the provisions of K.S.A. 20-2605, and amendments thereto, K.S.A. 74-4920, and amendments thereto, K.S.A. 74-4939, and amendments thereto, and K.S.A. 74-4967, and amendments thereto, for the purpose of paying the actuarial cost of the provisions of K.S.A. 74-49,109 *et seq.*, and amendments thereto, shall be credited in the KDFA series 2003H bond debt service fund: *Provided further*; That the executive director of the Kansas public employees retirement system shall certify to the director of accounts and reports an amount to reimburse the state general fund for bond debt service payments authorized in fiscal year 2013: *And provided further*; That the director of accounts and reports shall transfer to the state general fund such amount certified as provided by the executive director no later than June 30, 2013.

(c) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund for the fiscal year ending June 30, 2013, for the following specified purposes:

Agency operations.....\$9,325,100

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

Investment-related expenses.....No limit

KPERS technology project.....No limit

(d) Expenditures may be made from the non-retirement administration fund for the fiscal year ending June 30, 2013, for the following specified purposes:

Agency operations.....\$82,690

Investment-related expenses.....No limit

(e) On July 1, 2012, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by subsection (d)(4) of K.S.A. 38-2102, and amendments thereto, to be transferred on July 1, 2012, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby decreased to \$55,800,000.

Sec. 69.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures\$1,194,306

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013:

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, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal fundNo limit
 Conversion of materials and equipment fundNo limit
 Annual banquet fundNo 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 fundNo 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, and shall be credited to the education and training fund.

Sec. 70.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

Provided, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further,* That expenditures may be made from this fund for debt collection and set-off administration: *And provided further,* That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting

services recovery fund of the department of administration for services rendered in collection efforts: *And provided further*, That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*, That the state corporation commission shall include as part of the fiscal year 2014 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2014, 2015 and 2016.

Energy grants management federal fund – ARRA.....No limit
Provided, That the state corporation commission is hereby designated as the state agency to receive moneys from federal agencies for energy conservation and other energy related activities under the federal American recovery and reinvestment act of 2009, as amended: *Provided further*, That, whenever moneys are received by the state corporation commission from federal agencies for energy conservation and other energy-related activities under the federal American recovery and reinvestment act of 2009, as amended, such moneys 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 energy grants management federal fund – ARRA.

State electricity regulators assistance – ARRA federal fund.....No limit
Energy efficiency revolving loan program – ARRA federal fund.....No limit

Provided, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission or by a person or persons designated by the chairperson: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and other energy-related activities: *And provided further*, That loans under such program shall be made at an interest rate established by the state corporation commission: *And provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons as may be necessary to administer the energy efficiency revolving loan program: *And provided further*, That any person who agrees to receive money from the energy efficiency revolving loan program – ARRA federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That moneys repaid to the energy efficiency revolving loan program moneys 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 energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That, on or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency revolving loan program – ARRA federal fund interest earnings based on: (1) The average daily balance of repaid moneys in the energy efficiency revolving loan program – ARRA federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Natural gas underground storage fee fund.....	No limit
Gas pipeline inspection fee fund.....	No limit
Special one-call – federal fund.....	No limit
Compressed air energy storage fee fund.....	No limit
Abandoned oil and gas well fund.....	No limit
Well plugging assurance fund.....	No limit
Facility conservation improvement program fund.....	No limit
Gas pipeline safety program – federal fund.....	No limit
Carbon dioxide injection well and underground storage fund.....	No limit
Energy related grants – federal fund.....	No limit
Energy grants management fund.....	No limit
Energy conservation plan – federal fund.....	No limit
Vehicle information systems network – federal fund.....	No limit
Underground injection control class II – federal fund.....	No limit
One call – federal fund.....	No limit
Inservice education workshop fee fund.....	No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: *Provided further*, That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Unified carrier registration clearing fund.....	No limit
Credit card clearing fund.....	No limit
Suspense fund.....	No limit
KETA administrative fund.....	No limit
KETA development fund.....	No limit

(b) Expenditures for the fiscal year ending June 30, 2013, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund shall not exceed, in the aggregate, \$16,961,396: *Provided*, That, within such limitation on the aggregate of expenditures, expenditures made for fiscal year 2013 from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund for official hospitality shall not exceed, in the aggregate, \$2,000.

(c) Expenditures for the fiscal year ending June 30, 2013, by the state corporation commission from the conservation fee fund or the abandoned oil and gas well fund may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2013 shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(d) During the fiscal year ending June 30, 2013, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer additional moneys from the conservation fee fund of the state corporation commission, which are in excess of \$400,000 as prescribed by K.S.A. 55-193, and amendments thereto, to the abandoned oil and gas well plugging fund of the state corporation commission: *Provided*, That the executive director of the state corporation commission shall certify each such transfer of additional moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The executive director of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 66-1a01, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$100,000 from the public service regulation fund of the state corporation commission to the KETA administrative fund of the state corporation commission: *Provided*, That, on July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 66-1a01, and amendments thereto, or any other statute, and in addition to any other moneys transferred pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the remaining amount of the unexpended or unencumbered expenditure authority for fiscal year 2012, that was to be used for the expenses of the Kansas electric transmission authority for fiscal year 2012, by the state corporation commission from the public service regulation fund as authorized by section 95(f)(1) of chapter 118 of the 2011 Session Laws of Kansas, from the public service regulation fund of the state corporation commission to the KETA administrative fund of the state corporation commission.

Sec. 71.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund.....\$836,462

(b) During the fiscal year ending June 30, 2013, 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 2013 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, 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 subsection (a) are not expended or encumbered for fiscal year 2012, then the amount equal to the

remaining amount of such expenditure authority for fiscal year 2012 may be expended from the utility regulatory fee fund for fiscal year 2013 pursuant to contracts for professional services and any such expenditure for fiscal year 2013 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2013.

(c) On and after the effective date of this act, during the fiscal year ending June 30, 2013, no expenditures shall be made by the above agency from the utility regulatory fee fund for the review or other oversight of proposed administrative rules and regulations or any other duties pursuant to executive order no. 11-02.

Sec. 72.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

- General administration\$885,338
Provided, That any unencumbered balance in the general administration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,000: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the general administration account for three employees in the unclassified service under the Kansas civil service act.
- Department of administration systems.....\$1,866,848
Provided, That any unencumbered balance in the department of administration systems account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from the department of administration systems account for official hospitality shall not exceed \$1,000.
- Personnel services.....\$1,602,035
Provided, That any unencumbered balance in the personnel services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
- Purchasing.....\$458,273
Provided, That any unencumbered balance in the purchasing account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
- Budget analysis.....\$1,594,635
Provided, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the budget analysis account for eight employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.
- Facilities management.....\$47,514
Provided, That any unencumbered balance in the facilities management account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
- Accounts and reports.....\$1,795,004
Provided, That any unencumbered balance in the accounts and reports account in

excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Public broadcasting council grants.....\$1,041,000

Provided, That any unencumbered balance in the public broadcasting council grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That all expenditures from the public broadcasting council grants account for capital equipment shall be made to provide matching funds for federal capital equipment grants awarded to eligible public broadcasting stations: *And provided further*; That expenditures from this account may be made to provide matching funds for capital equipment projects funded from any nonstate source in the event federal capital equipment grants are not awarded: *And provided further*; That in the event the federal facility programs cease to exist or fail to conduct grant solicitations, expenditures may be made from this account to provide matching funds for capital equipment projects funded from any nonstate source without first applying for federal capital equipment grants.

Long-term care ombudsman.....\$250,628

Provided, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,000.

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

KPERS bond debt service.....\$36,142,328
Public broadcasting digital conversion debt service.....\$1,695,523

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Federal cash management fund.....No limit
State leave payment reserve fund.....No limit
Building and ground fund.....No limit

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

General fees fund.....No limit

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

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

Provided, That expenditures may be made from the budget fees fund for operating

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

Purchasing fees fund.....No limit

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

Architectural services fee fund.....No limit

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

Budget equipment conversion fund.....No limit

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

Architectural services equipment conversion fund.....No limit

Property contingency fund.....No limit

Flood control emergency – federal fund.....No limit

INK special revenue fundNo limit

CJIS Byrne Grant – federal fund.....No limit

FICA reimbursements medical residents fund.....No limit

Information technology fund.....No limit

Provided, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology reserve fund.....No limit

State buildings operating fund.....No limit

Provided, That expenditures may be made from the state buildings operating fund for operating and other expenses for the Hiram Price Dillon House: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for use of the rooms and other facilities of the Hiram Price Dillon House in accordance with policies adopted by the legislative coordinating council under K.S.A. 75-3682, and amendments thereto, for approving the use of such property: *And provided further*, That fees for approved use of such property shall be reasonable and directly related to the costs of such use and shall be fixed in order to recover all or part of the operating expenses incurred for such use: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *And provided further*, That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*, That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by subsection (a) of K.S.A. 2011 Supp. 75-37,123, and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee County including both state-owned and privately owned buildings: *And provided further*, That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services recovery fund.....No limit

Provided, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration which are not specifically authorized by any other statute: *And provided further*, That all fees received for such services or sales shall be deposited

in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund: *And provided further*, That on July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$411,578 from the accounting services recovery fund of the department of administration to the state general fund: *And provided further*, That the transfer of such amount shall be in addition to any other transfer from the accounting services recovery fund to the state general fund as prescribed by law: *And provided further*, That the amount transferred from the accounting services recovery fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of administration by other state agencies which receive appropriations from the state general fund to provide such services.

Architectural services recovery fund.....No limit
Provided, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further*, That the director of facilities management is hereby authorized to fix, charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further*, That all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

Motor pool service fund.....No limit
Intragovernmental printing service fund.....No limit
Intragovernmental printing service depreciation reserve fund.....No limit
Municipal accounting and training services recovery fund.....No limit

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

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

Provided, That the secretary of administration may establish fees and make special assessments in order to finance the costs of developing the financial management system: *Provided further*, That all moneys received for such fees and special

assessments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial management system development fund.

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

(d) On July 1, 2012, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(e) During the fiscal year ending June 30, 2013, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto.

(f) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or in any capital improvement account of the state general fund for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or any such capital improvement account of the state general fund for fiscal year 2013 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(g) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget, which shall be equal to 70% of the amount estimated by the

director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2013. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2012 and fiscal year 2013 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2013 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2013.

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

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

(h) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2013. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2013 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all

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

(i) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget which shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2013. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2013 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2013.

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

(j) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget which shall be equal to 80% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2013, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2013 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2013.

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

notice thereof.

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

(k) During the fiscal year ending June 30, 2013, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the department of administration to another item of appropriation for fiscal year 2013 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(l) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, the following:

SIBF – state building insurance\$150,000

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

(m) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2013, the following:

CIBF – state building insurance.....\$130,000

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

(n) On July 1, 2012, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the department on aging to the older Americans act long-term care ombudsman federal fund of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2013 shall be equal to and shall not exceed the older Americans act Title VII: ombudsman award and 4.38% of the Kansas older Americans act Title III: part B supportive services award.

(o) (1) On July 1, 2012, notwithstanding the provisions of any other statute, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state general fund and shall record a corresponding credit to the state general fund in the net amount equal to \$32,689,900 minus the amount credited and debited on or before June 30, 2012, pursuant to section 97(n)(10)(D) of chapter 118 of the 2011 Session Laws of Kansas, to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2006, for state agencies.

(2) On or before September 1, 2012, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the

state general fund pursuant to this subsection (o), to reflect all moneys actually transferred and credited to the state general fund during fiscal year 2013.

(3) (A) (i) Prior to August 15, 2012, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has a specific expenditure limitation prescribed for fiscal year 2013 and that is in excess of the amount authorized under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2013.

(ii) On or before June 30, 2013, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has no specific expenditure limitation prescribed for the fiscal year, that is in excess of the amount estimated under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2013, and that is determined by the director of the budget not to be needed for the purpose for which such amount was originally budgeted, including, but not limited to, actual or projected cost savings as a result of completed, canceled or modified projects, programs or operations.

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

(B) Prior to August 15, 2012, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all unanticipated lapses of moneys which were appropriated or reappropriated from the state general fund for fiscal year 2012 and which were not reappropriated for fiscal year 2013, as determined by the director of the budget: *Provided*, That, as used in this subsection (o)(3)(B), "unanticipated lapses of moneys" shall not include any amount lapsed from the state general fund pursuant to explicit language in an appropriation act of the 2012 regular session of the legislature or any amount lapsed from the state general fund for which specific reappropriation language was deliberately not included in any appropriation act of the 2012 regular session of the legislature.

(C) Prior to August 15, 2012, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all amounts of unencumbered balances in accounts of the state general fund that were first encumbered during a fiscal year commencing prior to July 1, 2011, that were released during fiscal year 2012, and that were not specifically reappropriated by an appropriation act of the 2012 regular session of the legislature.

(4) (A) On August 15, 2012, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (o) (3)(A)(i), the appropriation for fiscal year 2013 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2013, by this or other appropriation act of the 2012 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (o)(3) (A)(i).

(B) On June 30, 2013, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (o)(3)

(A)(ii), the appropriation for fiscal year 2013 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2013, by this or other appropriation act of the 2012 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (o)(3) (A)(ii).

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

(6) (A) Prior to August 15, 2012, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection (o): *Provided*, That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection (o). At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

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

(C) On August 15, 2012, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection (o) (6), the appropriation for fiscal year 2013 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2013, by this or other appropriation act of the 2012 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection (o)(6).

(7) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection (o), the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the state agencies for fiscal year 2013.

(8) (A) On or before September 1, 2012, after receipt of each certification by the director of the budget pursuant to this subsection (o), the director of accounts and reports shall transfer and debit to the 27th payroll adjustment account of the state general fund, which is hereby established in the state general fund, by an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (o)(3) and subsection (o)(6) in accordance with such certifications.

(B) On September 1, 2012, the director of accounts and reports shall transfer the balance of the 27th payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however;* That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(C) On September 1, 2012, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o) during fiscal year 2013.

(D) On or before June 30, 2013, after receipt of each certification by the director of the budget pursuant to subsection (o)(3)(A)(ii), the director of accounts and reports shall transfer and debit to the 27th payroll adjustment account of the state general fund, which is hereby established in the state general fund, an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (o)(3)(A)(ii) in accordance with such certifications.

(E) On June 30, 2013, the director of accounts and reports shall transfer the balance of the 27th payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however;* That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(F) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o) during fiscal year 2013.

(G) On June 30, 2013, the director of accounts and reports shall record a credit to the state treasurer's receivables for the state general fund and shall record a corresponding debit to the state general fund in the amount of the outstanding receivable created to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2006.

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

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

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

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

(B) any money held in trust in a trust fund or held in trust in any other special

revenue fund of any state agency;

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

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

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

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

(12) On or after July 1, 2012, notwithstanding the provisions of K.S.A. 75-4209, and amendments thereto, or any other statute, upon specific authorization in an appropriation act of the legislature, the pooled money investment board is authorized and directed to loan an amount of not more than \$6,000,000 to the state general fund to provide financing for any additional amounts required above the moneys otherwise provided by law to repay amounts provided by law to finance the cost of the 27th payroll chargeable to the fiscal year 2006 and to provide for an adequate reserve in the 27th payroll adjustment account. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loan. Such loan shall not bear interest and shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Any such loan shall be repaid from the state general fund and any appropriate special revenue funds in the state treasury.

(p) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund for fiscal year 2013, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the

provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*, That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(q) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any statute or any rules and regulations to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2013 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund for fiscal year 2013, for the secretary of administration to provide parking for state employees on state-owned parking lots located within the state capitol area, as defined by subsection (c) of K.S.A. 75-2240a, and amendments thereto, without charge or cost to such employees for such parking: *Provided*, That this subsection shall not apply to parking garages or other parking structures in such state capitol area or to any state-owned parking lots for which revenues have been pledged to repay bonds issued for the construction of any such parking garage, structure or lot: *Provided further*, That the secretary of administration shall continue otherwise to administer access to state-owned parking lots in accordance with policies and procedures adopted as provided by law, including use of hang tags and waiting lists for specific parking lots, in order to ensure orderly parking procedures: *And provided further*, That the secretary of administration shall make expenditures from moneys appropriated from the state buildings operating fund or any other special revenue funds for the purpose of maintaining the state-owned parking lots.

(r) (1) 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 or fiscal year 2013, as authorized by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 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 or fiscal year 2013 for operating expenditures to abolish 70% of all vacant positions in each state agency that are vacant for more than 120 calendar days as of June 30, 2012, in accordance with this subsection.

(2) On or before June 30, 2012, the head of each state agency and the director of the budget shall consult and shall jointly certify to the secretary of administration the number of vacant positions in the state agency that are vacant for more than 120 calendar days as of June 30, 2012, and which vacant positions constitute the 70% of such vacant positions that shall be abolished for the state agency, in accordance with this subsection: *Provided*, That, upon receipt of each such certification, the secretary of administration shall abolish the certified vacant positions on or before July 30, 2012: *Provided further*, That, at the same time as such certification is transmitted to the secretary of administration, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(3) As used in this subsection, "state agency" means each state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of

the 2012 regular session of the legislature, except that "state agency" shall not include: The legislature or any agency of the legislative branch of state government; the judicial branch or any agency of the judicial branch of state government; the department of corrections; the juvenile justice authority; the Kansas highway patrol; the Kansas department of wildlife, parks and tourism; the Kansas bureau of investigation; the state board of regents; state educational institutions, as defined in K.S.A. 76-711, and amendments thereto; or institutions, as defined in K.S.A. 76-12a01, and amendments thereto.

(s) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget which shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2013. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2013 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act revenues fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2013.

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

Sec. 73.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings office fund.....No limit
Provided, That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$100.

Sec. 74.

STATE COURT OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$965,176
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

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

fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Duplicating fees fund.....\$5,000
 - COTA filing fee fund.....\$1,026,435
- Sec. 75.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

- Operating expenditures.....\$16,079,378

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Sand royalty fund.....No limit
- Division of vehicles operating fund.....\$46,981,886

Provided, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or of any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

- Vehicle dealers and manufacturers fee fund.....No limit
 - Kansas qualified agricultural ethyl alcohol producer incentive fund.....No limit
 - Kansas qualified biodiesel fuel producer incentive fund.....No limit
 - Division of vehicles modernization fund.....No limit
 - Kansas retail dealer incentive fund.....No limit
 - Local report fee fund.....No limit
 - Conversion of materials and equipment fund.....No limit
 - Forfeited property fee fund.....No limit
 - Setoff services revenue fund.....No limit
 - Publications fee fund.....No limit
 - State bingo regulation fund.....No limit
 - Child support enforcement contractual agreement fund.....No limit
 - County treasurers' vehicle licensing fee fund.....No limit
 - Tax amnesty recovery fund.....No limit
 - Reappraisal reimbursement fund.....No limit
- Provided*, That all moneys received for the costs incurred for conducting appraisals

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

Special training fund.....No limit

Provided, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*, That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*, That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.

Recovery fund for enforcement actions and attorney fees.....No limit

Federal commercial motor vehicle safety fund.....No limit

State homeland security program federal fund.....No limit

Earned income tax credits – TANF – federal fund.....No limit

Central stores fund.....No limit

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

Performance/registration information systems management federal fund.....No limit

Commercial vehicle information systems/network federal fund.....No limit

Temporary assistance – needy families federal fund.....No limit

Highway planning construction federal fund.....No limit

Immigration MOU federal fund.....No limit

Commercial drivers licensing state program federal fund.....No limit

Real ID program federal fund.....No limit

Microfilming fund.....No limit

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

Miscellaneous trust bonds fund.....No limit

Oil and gas valuation depletion trust fund.....No limit

Liquor excise tax guarantee bond fund.....No limit

Non-resident contractors cash bond fund.....No limit

Bond guaranty fund.....No limit

Interstate motor fuel user cash bond fund.....No limit

Motor fuel distributor cash bond fund.....	No limit
Special county mineral production tax fund.....	No limit
State emergency fund – business restoration assistance.....	No limit
State emergency fund – southeast Kansas business recovery assistance.....	No limit
County drug tax fund.....	No limit
Escheat proceeds suspense fund.....	No limit
Privilege tax refund fund.....	No limit
Suspense fund.....	No limit
Cigarette tax refund fund.....	No limit
Motor-vehicle fuel tax refund fund.....	No limit
Cereal malt beverage tax refund fund.....	No limit
Income tax refund fund.....	No limit
Sales tax refund fund.....	No limit
Compensating tax refund fund.....	No limit
Alcoholic liquor tax refund fund.....	No limit
Cigarette/tobacco products regulation fund.....	No limit
Motor carrier tax refund fund.....	No limit
Car company tax fund.....	No limit
Protested motor carrier taxes fund.....	No limit
Tobacco products refund fund.....	No limit
Transient guest tax refund fund established by K.S.A. 12-1694a.....	No limit
Interstate motor fuel taxes clearing fund.....	No limit
Motor carrier permits escrow clearing fund.....	No limit
Bingo refund fund.....	No limit
Transient guest tax refund fund established by K.S.A. 12-16,100.....	No limit
Interstate motor fuel taxes refund fund.....	No limit
Interfund clearing fund.....	No limit
Local alcoholic liquor clearing fund.....	No limit
International registration plan distribution clearing fund.....	No limit
Rental motor vehicle excise tax refund fund.....	No limit
International fuel tax agreement clearing fund.....	No limit
Mineral production tax refund fund.....	No limit
Special fuels tax refund fund.....	No limit
LP-gas motor fuels refund fund.....	No limit
Local alcoholic liquor refund fund.....	No limit
Sales tax clearing fund.....	No limit
Rental motor vehicle excise tax clearing fund.....	No limit
VIPS/CAMA technology hardware fund.....	No limit

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

County and city retailers sales tax clearing fund – county and city sales tax.....	No limit
City and county compensating use tax clearing fund.....	No limit
County and city transient guest tax clearing fund.....	No limit

Automated tax systems fund.....	No limit
Dyed diesel fuel fee fund.....	No limit
Electronic databases fee fund.....	No limit

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

Photo fee fund.....	No limit
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Provided, That, notwithstanding the provisions of K.S.A. 2011 Supp. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of administering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and identification cards.

Estate tax abatement refund fund.....	No limit
Distinctive license plate fund.....	No limit
Repossessed certificates of title fee fund.....	No limit
Hazmat fee fund.....	No limit
Intra-governmental service fund.....	No limit
Community improvement district sales tax administration fund.....	No limit
Community improvement district sales tax refund fund.....	No limit
Community improvement district sales tax clearing fund.....	No limit
Drivers license first responders indicator federal fund.....	No limit
Byrne grant national motor vehicle title information systems federal fund.....	No limit
Enforcing underage drinking federal fund.....	No limit
FDA tobacco program federal fund.....	No limit
Commercial vehicle administrative system fund.....	No limit

(c) On July 1, 2012, October 1, 2012, January 1, 2013, and April 1, 2013, the director of accounts and reports shall transfer \$11,745,472 from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2012, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund of the department of administration to the setoff services revenue fund of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 *et seq.*, and amendments thereto.

(e) On August 1, 2012, the director of accounts and reports shall transfer \$20,400 from the social welfare fund and \$39,600 from the federal child support enforcement fund of the Kansas department for children and families to the child support enforcement contractual agreement fund of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the

agreement.

(f) On July 1, 2012, the director of accounts and reports shall transfer \$576,271 from the state emergency fund-business restoration assistance program of the department of revenue to the state general fund.

(g) On July 1, 2012, the director of accounts and reports shall transfer \$1,289,451 from the state emergency fund-southeast Kansas business recovery assistance of the department of revenue to the state general fund.

(h) On July 1, 2012, notwithstanding the provisions of K.S.A. 2011 Supp. 8-299, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$6,056,000 from the photo fee fund of the department of revenue to the state general fund.

(i) On July 1, 2012, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or of any other statute, the director of accounts and reports shall transfer \$2,098,254 from the VIPS/CAMA technology hardware fund of the department of revenue to the state general fund.

(j) On July 1, 2012, notwithstanding the provisions of K.S.A. 75-5159, and amendments thereto, or of any other statute, the director of accounts and reports shall transfer \$6,751,952 from the division of vehicles modernization fund of the department of revenue to the state general fund.

Sec. 76.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection, an amount of not less than \$4,500,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2012, and on or before the 15th of each month thereafter through June 15, 2013: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund to the state gaming revenues fund and shall credit such amount to the state gaming revenues fund for the fiscal year ending June 30, 2013: *Provided, however*; That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2013 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15th of each month through June 15, 2013, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,500,000: *Provided further*; That the amounts certified by the executive director of the Kansas lottery to the director of

accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2013 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2013 is equal to or more than \$71,300,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2013 pursuant to this subsection shall be equal to or more than \$71,300,000: *And provided further*, That the transfers prescribed by this subsection shall be made in lieu of transfers under subsection (d) of K.S.A. 74-8711, and amendments thereto, for fiscal year 2013.

(c) Notwithstanding the provisions of K.S.A. 79-4801, and amendments thereto, or any other statute and in addition to the requirements of subsection (b) of this section, on or after June 15, 2013, upon certification by the executive director of the lottery, the director of accounts and reports shall transfer from the lottery operating fund to the state gaming revenues fund the amount of total profit attributed to the special veterans benefits game under K.S.A. 2011 Supp. 74-8724, and amendments thereto, during fiscal year 2013: *Provided*, That the director of accounts and reports shall transfer immediately thereafter such amount of total profit attributed to the special veterans benefits game from the state gaming revenues fund to the state general fund: *Provided further*, That, on or before June 25, 2013, the executive director of the lottery shall certify to the director of accounts and reports the amount equal to the amount of total profit attributed to the special veterans benefits game under K.S.A. 2011 Supp. 74-8724, and amendments thereto, during fiscal year 2013: *And provided further*, That, at the same time as such certification is transmitted to the director of accounts and reports, the executive director of the lottery shall transmit a copy of such certification to the director of the budget and the director of legislative research.

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

(e) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$5,000,000 from the expanded lottery act revenues fund to the state general fund within 10 days after such moneys are credited to the expanded lottery act revenues fund: *Provided*, That the transfer of such amounts shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law: *Provided further*, That the moneys transferred from the expanded lottery act revenues fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of revenue, and other state agencies, by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 77.

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, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund.....No limit
Provided, That expenditures from the state racing fund for official hospitality shall not exceed \$2,500.

Racing reimbursable expense fund.....No limit
Racing applicant deposit fund.....No limit
Kansas horse breeding development fund.....No limit
Kansas greyhound breeding development fund.....No limit

Provided, That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to subsection (b) of K.S.A. 2011 Supp. 74-8767, and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds which win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*, That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with subsection (b) of K.S.A. 2011 Supp. 74-8767, and amendments thereto.

Racing investigative expense fund.....No limit
Horse fair racing benefit fund.....No limit
Tribal gaming fund.....No limit

Provided, That expenditures from the tribal gaming fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$1,500.

Expanded lottery regulation fund.....No limit
Provided, That expenditures from the expanded lottery regulation fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$2,500.

Live horse racing purse supplement fund.....No limit
Live greyhound racing purse supplement fund.....No limit
Greyhound promotion and development fund.....No limit
Gaming background investigation fund.....No limit
Education and training fund.....No limit

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

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 which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further,* That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2012, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided,* That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2013 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund of the Kansas racing and gaming commission during fiscal year 2013 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2013, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with subsection (b) of K.S.A. 75-5516, and amendments thereto, pursuant to bills which are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund for fiscal year 2013 for the Kansas racing and gaming commission by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 2013 for the state gaming agency regulatory oversight of class III gaming, including but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming, which are hereby authorized.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from

the Kansas greyhound breeding development fund of the Kansas racing and gaming commission to the greyhound tourism fund of the department of wildlife, parks and tourism that is directed to be made on or before June 30, 2013, by subsection (b)(1) of K.S.A. 74-8831, and amendments thereto, and shall transfer on or before June 30, 2013, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2013, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from the parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*; That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee, projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund.

Sec. 78.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Employment incentive for persons with a disability.....\$500,000

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Older Kansans employment program.....\$281,202

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the older Kansans employment program account is hereby reappropriated for fiscal year 2013.

Rural opportunity zones program.....\$1,829,838

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2013.

Senior community service employment program.....\$8,075

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the senior community service employment program account is hereby reappropriated for fiscal year 2013.

Strong military bases program.....\$100,000

Governor's council of economic advisors.....\$186,104

Innovation growth program.....\$3,022,805

Creative industries commission.....\$700,000
 Operating grant (including official hospitality).....\$9,194,964
Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, 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:

Job creation program fund.....	No limit
Kan-grow engineering fund – KU.....	\$3,500,000
Kan-grow engineering fund – KSU.....	\$3,500,000
Kan-grow engineering fund – WSU.....	\$3,500,000
Kansas creative arts industries commission special gifts fund.....	No limit
Governor's council of economic advisors private operations fund.....	No limit
Publication and other sales fund.....	No limit
Conversion of equipment and materials fund.....	No limit
Conference registration and disbursement fund	No limit
Reimbursement and recovery fund.....	No limit
Community development block grant – federal fund.....	No limit
National main street center fund.....	No limit
IMPACT program services fund.....	No limit
IMPACT program repayment fund.....	No limit
Kansas partnership fund.....	No limit

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

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

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

Athletic fee fund.....	No limit
WIA adult – federal fund.....	No limit
WIA youth activities – federal fund.....	No limit
WIA dislocated workers – federal fund.....	No limit
Trade adjustment assistance – federal fund.....	No limit
Disabled veterans outreach program – federal fund.....	No limit
Local veterans employment representative program – federal fund.....	No limit
Wagner Peyser employment services – federal fund.....	No limit
Senior community service employment program – federal fund.....	No limit
Indirect cost – federal fund.....	No limit
State affordable airfare fund.....	No limit
<i>Provided</i> , That the regional economic area partnership, hereinafter referred to as "REAP", shall submit an annual report to the legislature on or before May 1, 2013: <i>Provided further</i> ; That the annual report shall be delivered and REAP shall appear in person to the house committee on commerce and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding such annual report: <i>And provided further</i> ; That the secretary of commerce shall conduct an independent review of the financial reports submitted by REAP and an analysis of the data used by REAP: <i>And provided further</i> ; That the secretary of commerce shall submit a report and appear in person to the house committee on commerce and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding these matters: <i>And provided further</i> ; That the secretary of commerce shall develop and implement the necessary procedures to conduct such a review.	
Temporary labor certification foreign workers – federal fund.....	No limit
Work opportunity tax credit – federal fund.....	No limit
American job link alliance – federal fund.....	No limit
American job link alliance job corps – federal fund.....	No limit
Early childhood associate apprenticeship program – federal fund.....	No limit
Registered apprenticeship works – federal fund.....	No limit
Green jobs grant – federal fund.....	No limit
Enterprise facilitation fund.....	No limit
Unemployment insurance – federal fund.....	No limit
State small business credit initiative – federal fund.....	No limit
Second chance act – federal fund.....	No limit
SBA step grant – federal fund.....	No limit
H-1B technical skills training grant – federal fund.....	No limit
Creative industries commission gifts, grants and bequests – federal fund.....	No limit
Energy efficiency revolving loan – federal fund.....	No limit
State broadband data development – federal fund.....	No limit
Transition assistance program – federal fund.....	No limit
Veteran workforce investment program – federal fund.....	No limit
Health profession opportunity – federal fund.....	No limit
Health care workforce planning – federal fund.....	No limit
Kansas creative arts industries commission checkoff fund.....	No limit

Creative industries fund.....No limit

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2013, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from such special revenue funds of the department of commerce for fiscal year 2013, in accordance with the provisions of this or other appropriation act of the 2012 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund for fiscal year 2013 for the department of commerce as authorized by this or other appropriation act of the 2012 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund for fiscal year 2013 for official hospitality.

(f) On or after July 1, 2012, the secretary of commerce shall certify to the director of the budget and to the director of accounts and reports a report of the activities of the regional economic area partnership (REAP) and the progress attained by REAP during the fiscal year 2012 to develop and implement the program to provide more air flight options, more competition for air travel and affordable air fares for Kansas, including a regional airport in western Kansas. At the same time as such certification is transmitted to the director of accounts and reports and the director of the budget, the secretary of commerce shall transmit a copy of such certification to the director of the legislative research department. Upon receipt of such certification from the secretary of commerce, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$5,000,000 from the state economic development initiatives fund to the state affordable airfare fund of the department of commerce.

(g) Any unencumbered balance of the engineering expansion grants account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(h) Any unencumbered balance of the small technology pilot program account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(i) Any unencumbered balance of the entrepreneurial centers account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(j) Any unencumbered balance of the centers of excellence account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(k) Any unencumbered balance of the MAMTC account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(l) Any unencumbered balance of the air service incentive fund account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(m) On July 1, 2012, the governor's economic council private operations fund of the department of commerce is hereby redesignated as the governor's council of economic advisors private operations fund of the department of commerce.

Sec. 79.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund.....No limit

Provided, That all expenditures from the state housing trust fund shall be made by the Kansas housing resources corporation for the purposes of administering and supporting housing programs of Kansas housing resources corporation.

Sec. 80.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$383,069

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2013, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-5413 *et seq.*, and 75-4321 *et seq.*, and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

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

fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen's compensation fee fund.....	\$10,681,804
Occupational health and safety – federal fund.....	No limit
Boiler inspection fee fund.....	No limit
Employment security interest assessment fund.....	No limit
Special employment security fund.....	No limit

Provided, That expenditures may be made from the special employment security fund for payment of communications costs: *Provided further*, That expenditures from this fund for payment of communications costs shall not exceed \$10,000.

Employment security administration fund.....	No limit
Wage claims assignment fee fund.....	No limit
Employment security computer systems institute fund.....	No limit
Department of labor special projects fund.....	No limit
Federal indirect cost offset fund.....	\$316,149
Employment security fund.....	No limit
Labor force statistics federal fund.....	No limit
Compensation and working conditions federal fund.....	No limit
Employment services Wagner-Peyser funded activities federal fund.....	No limit
Dispute resolution fund.....	No limit

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

(c) In addition to the other purposes for which expenditures may be made by the department of labor from the employment security fund for fiscal year 2013 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2013 from the employment security fund from moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of debt service on a bond issued for the rewrite of the unemployment insurance benefit system: *Provided*, That expenditures from the employment security fund during fiscal year 2013 of moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of such debt service shall not exceed \$2,642,600.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2013, expenditures may be made by the above agency from the special employment security fund for fiscal year 2013 for the following capital improvement purposes: Payment on the master lease agreement for the renovation of the Eastman building on the Topeka west complex: *Provided*, That expenditures from this fund for fiscal year 2013 for such capital improvement purposes shall not exceed \$18,874: *Provided further*, That all

expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitation imposed on the special employment security fund for fiscal year 2013.

Sec. 81.

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, 2013, the following:

- Operating expenditures – veteran services.....\$1,216,059
Provided, That any unencumbered balance in the operating expenditures – veterans services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.
- Operations – state veterans cemeteries\$536,229
Provided, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,200.
- Operating expenditures – Kansas soldiers' home.....\$1,862,404
Provided, That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
- Operating expenditures – Kansas veterans' home.....\$2,255,375
Provided, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
- Scratch lotto – Kansas veterans' home.....\$99,850
- Scratch lotto – veterans services.....\$326,090
- Scratch lotto – Kansas soldiers' home.....\$73,232
- Scratch lotto – veterans cemeteries.....\$156,839
- Operating expenditures – administration.....\$392,970
Provided, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,500.
- Veterans claim assistance program – service grants.....\$576,000
Provided, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided, however*; That no expenditures shall be made by the Kansas commission on veterans affairs from the veterans claim assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund.....	\$1,746,487
Soldiers' home benefit fund.....	No limit
Soldiers' home work therapy fund.....	No limit
Soldiers' home medicare fund.....	No limit
Soldiers' home medicaid fund.....	No limit
Soldiers' home canteen fund.....	No limit
Veterans' home medicare fund.....	No limit
Veterans' home medicaid fund.....	No limit
Veterans' home fee fund.....	\$3,297,286
Veterans' home canteen fund.....	No limit
Veterans' home benefit fund.....	No limit
Soldiers' home outpatient clinic fund.....	No limit
State veterans cemeteries fee fund.....	No limit
State veterans cemeteries donations and contributions fund.....	No limit
Outpatient clinic patient federal reimbursement fund – federal.....	No limit
VA burial reimbursement fund – federal.....	\$124,923
Veterans home federal fund.....	\$3,611,932
Soldiers home federal fund.....	\$2,408,862
Commission on veterans affairs federal fund.....	\$210,739
Kansas veterans memorials fund.....	No limit
Vietnam war era veterans' recognition award fund.....	No limit
Kansas hometown heroes fund.....	No limit

(c) (1) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 73-1231, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or K.S.A. 2011 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) As used in this subsection (c), "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.

(d) During the fiscal year ending June 30, 2013, 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, 2013, 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 2013 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.

Sec. 82.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$3,826,174

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account of the department of health and environment – division of health in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Operating expenditures (including official hospitality) – health.....\$3,296,900

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Office of the inspector general.....\$79,722

Provided, That any unencumbered balance in the office of the inspector general account of the department of health and environment – division of health care finance in excess of \$100 as of June 30, 2012, is hereby reappropriated to the office of the inspector general account of the above agency for fiscal year 2013.

Vaccine purchases.....\$732,897

Provided, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Aid to local units.....\$4,805,709

Provided, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary health projects.....\$7,877,649

Provided, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchase of drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs at not-for-profit or publicly-funded primary care clinics, including federally qualified community health centers and federally qualified community health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care services, offer sliding fee

discounts based upon household income and serve any person regardless of ability to pay: *And provided further*, That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted.

Aid to local units – women's wellness.....\$94,296

Provided, That any unencumbered balance in the aid to local units – family planning account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the aid to local units – women's wellness account for fiscal year 2013: *Provided further*, That all expenditures from the aid to local units – women's wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs.....\$447,418

Provided, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Breast cancer screening program.....\$219,336

Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Ryan White matching funds.....\$47,682

Provided, That any unencumbered balance in the Ryan White matching funds account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Pregnancy maintenance initiative.....\$338,846

Provided, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Cerebral palsy posture seating.....\$105,537

Provided, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

PKU treatment.....\$199,274

Provided, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Teen pregnancy prevention activities.....\$338,846

Provided, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, 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:

Medical assistance – federal fund.....No limit

Substance abuse and mental health services administration – federal fund.....No limit

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

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

Provided, That expenditures may be made from the health and environment training

fee fund – health for acquisition and distribution of division of health program literature and films and for participation in or conducting training seminars for training employees of the division of health of the department of health and environment, for training recipients of state aid from the division of health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2013, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2013 for agency operations for the division of health.

Health facilities review fund.....	No limit
Insurance statistical plan fund.....	No limit
Health and environment publication fee fund – health.....	No limit
<i>Provided</i> , That expenditures from the health and environment publication fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.	
District coroners fund.....	No limit
Sponsored project overhead fund – health.....	No limit
Tuberculosis elimination and laboratory – federal fund.....	No limit
Maternity centers and child care facilities licensing fee fund.....	No limit
Child care and development block grant – federal fund.....	No limit
Federal supplemental funding for tobacco prevention and control – federal fund....	No limit
Coordinated chronic disease prevention and health promotion program – federal fund.....	No limit
Office of rural health – federal fund.....	No limit
Emergency medical services for children – federal fund.....	No limit
Primary care offices – federal fund.....	No limit
Injury intervention – federal fund.....	No limit
Oral health workforce activities – federal fund.....	No limit
Rural hospital flex program – federal fund.....	No limit
Hospital bioterrorism preparedness – federal fund.....	No limit
Kansas coalition against sexual and domestic violence – federal fund.....	No limit
ARRA migrant health – federal fund.....	No limit
ARRA child care development – federal fund.....	No limit
ARRA Kansas health information exchange project – federal fund.....	No limit
ARRA epidemiology and lab capacity – federal fund.....	No limit

ARRA immunization and vaccines for children – federal fund.....	No limit
ARRA women infants and children – federal fund	No limit
ARRA primary care offices – federal fund.....	No limit
ARRA collaborative component I – federal fund.....	No limit
ARRA collaborative component III – federal fund.....	No limit
ARRA ambulatory surgical center ASC/HAI medicare – federal fund.....	No limit
ARRA prevention of healthcare associated infections – federal fund.....	No limit
Medicare – federal fund.....	No limit
<i>Provided</i> , That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2013 pursuant to a contract which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.	
Migrant health program – federal fund.....	No limit
Refugee health – federal fund.....	No limit
Strengthen public health immunization infrastructure – federal fund.....	No limit
Healthy homes and lead poisoning prevention – federal fund.....	No limit
Children's mercy hospital lead program – federal fund.....	No limit
Women, infants and children health program – federal fund.....	No limit
WIC health program fund – senior farmer's market – federal.....	No limit
Assistance for firefighters grant program – federal fund	No limit
Immunization and vaccines for children grants – federal fund.....	No limit
Home visiting grant – federal fund.....	No limit
Preventive health block grant – federal fund.....	No limit
Maternal and child health block grant – federal fund.....	No limit
National center for health statistics – federal fund.....	No limit
Title X family planning services program – federal fund.....	No limit
Comprehensive STD prevention systems – federal fund.....	No limit
Children with special health care needs – federal fund.....	No limit
Make a difference information network – federal fund.....	No limit
Ryan White Title II – federal fund.....	No limit
Bicycle helmet distribution – federal fund.....	No limit
Bicycle helmet revolving fund.....	No limit
SSA fee fund.....	No limit
Lead certification cooperation agreement – federal fund.....	No limit
Childhood lead poisoning prevention program – federal fund	No limit
State implementation projects for prevention of secondary conditions – federal fund	No limit
Title IV-E – federal fund.....	No limit
HIV prevention projects – federal fund	No limit
HIV/AIDS surveillance – federal fund	No limit
Infants & toddlers Title 1 – federal fund.....	No limit
Universal newborn hearing screening – federal fund.....	No limit
State loan repayment program – federal fund	No limit
Opt-out testing initiative – federal fund	No limit
Kansas system for early registration of volunteers – federal fund	No limit

Cardiovascular health programs – federal fund	No limit
Adult lead surveillance data – federal fund	No limit
Medical reserve corps contract – federal fund	No limit
Trauma fund.....	No limit

Provided, That expenditures may be made by the department of health and environment for fiscal year 2013 from the trauma fund of the department of health and environment – division of health for the stroke prevention project: *Provided further*; That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.

Homeland security – federal fund	No limit
Homeland security real ID – federal fund	No limit
Special education state grants – federal fund.....	No limit
Refugee assistance – federal fund.....	No limit
Personal responsibility education program – federal fund.....	No limit
Mammography quality standards act – federal fund.....	No limit
Education, training, and enhanced services to end violence	
against and abuse of women with disabilities – federal fund	No limit
Diagnostic x-ray program – federal fund	No limit
HRSA small hospital improvement grant program – federal fund	No limit
State indoor radon grant – federal fund	No limit
HUD lead hazard control program of Kansas City – federal fund.....	No limit
Gifts, grants and donations fund – health.....	No limit
Special bequest fund – health.....	No limit
Civil registration and health statistics fee fund.....	No limit
Power generating facility fee fund	No limit
Nuclear safety emergency preparedness special revenue fund.....	No limit

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

Radiation control operations fee fund.....	No limit
Lead-based paint hazard fee fund.....	No limit
Strengthening public health infrastructure – federal fund.....	No limit
Improving minority health – federal fund	No limit
Abstinence education – federal fund.....	No limit
Affordable care act – federal fund	No limit
Carbon monoxide detector/fire injury prevention – federal fund.....	No limit
Health information exchange – federal fund.....	No limit
Kansas newborn screening fund.....	No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Healthy start.....	\$237,914
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Provided, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Infants and toddlers program.....	\$5,700,000
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Provided, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year

2013.

Smoking prevention.....\$1,000,000
Provided, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Newborn hearing aid loaner program.....\$47,161
Provided, That any unencumbered balance in the newborn hearing aid loaner program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

SIDS network grant.....\$96,374
Provided, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Newborn screening.....\$233,190
Provided, That any unencumbered balance in the newborn screening account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(d) On July 1, 2012, and on other occasions during fiscal year 2013 when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of health or of the department of health and environment – division of environment, to the sponsored project overhead fund – health of the department of health and environment – division of health.

(e) On July 1, 2012, October 1, 2012, January 1, 2013, and April 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$559,307 from the child care/development block grant federal fund of the Kansas department for children and families to the child care and development block grant – federal fund of the department of health and environment – division of health.

(f) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of health, which have available moneys, to the sponsored project overhead fund – health of the department of health and environment – division of health for expenditures, as the case may be, for administrative expenses.

(g) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of health from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the department of health and environment – division of health from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 for up to four full-time equivalent positions in the unclassified service under the Kansas civil service act in the division of health: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, all such additional full-time equivalent positions in the unclassified service under the Kansas civil service act shall be in addition to other positions within the department of health and environment in the unclassified service as prescribed by

law and shall be established by the secretary of health and environment within the position limitation established for the department of health and environment on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2013 made by this or other appropriation act of the 2012 regular session of the legislature: *Provided, however*; That the authority to establish such additional positions in the unclassified service shall not affect the classified service status of any person who is an employee of the department of health and environment in the classified service under the Kansas civil service act.

(h) During the fiscal year ending June 30, 2013, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of health to the sponsored project overhead fund – health of the department of health and environment – division of health pursuant to this section may include amounts equal to up to 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(i) During the fiscal year ending June 30, 2013, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of health from moneys appropriated from the district coroners fund for fiscal year 2013, as authorized by this or other appropriation act of the 2012 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment – division of health from such moneys appropriated from the district coroners fund for fiscal year 2013 pursuant to K.S.A. 22a-242, and amendments thereto.

(k) During the fiscal year ending June 30, 2013, subject to any applicable requirements of federal statutes, rules, regulations or guidelines, any expenditures or grants of money by the department of health and environment – division of health 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: *Provided*, That, as used in this subsection "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.

Sec. 83.

DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION

OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Health policy operating expenditures\$11,743,027

Provided, That any unencumbered balance in the operating expenditures account of the Kansas health policy authority in excess of \$100 as of June 30, 2012, is hereby reappropriated to the health policy operating expenditures account of the above agency for fiscal year 2013: *Provided further*, That expenditures shall be made from the health policy operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Other medical assistance \$634,870,000

Provided, That any unencumbered balance in the other medical assistance account of the Kansas health policy authority in excess of \$100 as of June 30, 2012, is hereby reappropriated to the other medical assistance account of the above agency for fiscal year 2013: *Provided further*, That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And provided further*, That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the joint committee on health policy oversight prior to the start of the regular session of the legislature in 2013.

Children's health insurance program.....\$19,293,612

Provided, That any unencumbered balance in the children's health insurance program account of the Kansas health policy authority in excess of \$100 as of June 30, 2012, is hereby reappropriated to the children's health insurance program account of the above agency for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Preventive health care program fund\$671,552

Cafeteria benefits fundNo limit

Provided, That expenditures from the cafeteria benefits fund for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$1,920,129.

State workers compensation self-insurance fund..... No limit

Provided, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$3,698,812.

Dependent care assistance program fund No limit

Provided, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$430,916.

Non-state employer group benefit fund\$153,313

Division of health care finance special revenue fund No limit

Provided, That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed

\$1,000.

Health committee insurance fund.....	\$305,571
Health care database fee fund	No limit
Association assistance plan fund.....	No limit
Medical programs fee fund	\$64,826,805
Health benefits administration clearing fund – remit admin service org	No limit
<i>Provided</i> , That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$7,854,305.	
Health insurance premium reserve fund.....	No limit
Other state fees fund	\$627,912
Health care access improvement fund.....	No limit
Children's health insurance program federal fund	No limit
State planning – health care – uninsured fund	No limit
Medicaid infrastructure grant – disability employment federal fund	No limit
HIV care formula grant federal fund.....	No limit
Medical assistance program federal fund.....	No limit
Quality care fund.....	\$0
Quality based community assessment fund.....	No limit
Medicaid management information system and data analysis fund.....	\$1,000,000

Provided, That all moneys in the medicaid management information system and data analysis fund shall be used for the purpose of implementing and updating the medicaid management information system and to obtain and monitor data from contractors, upon approval of the waiver application for the purpose of implementing medicaid managed care programs under any global managed care system by the federal centers for medicare and medicaid services: *Provided further*, That such system shall enable the measurement and reporting of outcomes quality and efficiency for individuals receiving medicaid benefits.

(c) During the fiscal year ending June 30, 2013, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June 30, 2013, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

Sec. 84.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....	\$6,347,161
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account of the department of health and environment – division of environment in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, 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:

- Mined-land conservation and reclamation fee fund.....No limit
- Publication fee fund – environment.....No limit
- Solid waste management fund.....No limit

Provided, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2013, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.

- Public water supply fee fund.....No limit
- Voluntary cleanup fund.....No limit
- Storage tank fee fund.....No limit
- Air quality fee fund.....No limit
- Hazardous waste collection fund.....No limit
- Health and environment training fee fund – environment.....No limit

Provided, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2013, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2012 for agency operations for the division of environment.

- Driving under the influence equipment fund.....No limit
- Waste tire management fund.....No limit
- Health and environment publication fee fund – environment.....No limit

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

Local air quality control authority regulation services fund.....	No limit
Surface mining fee fund.....	No limit
Environmental response fund.....	No limit
Sponsored project overhead fund – environment.....	No limit
Chemical control fee fund.....	No limit
QuantiFERON TB laboratory fund.....	No limit
Resource conservation and recovery act – federal fund.....	No limit
Superfund state cooperative agreements – federal fund.....	No limit
Water supply – federal fund.....	No limit
Air quality section 103 – federal fund.....	No limit
EPA – core support – federal fund.....	No limit
Network exchange grant – federal fund.....	No limit
ARRA Kansas clean diesel assistance program grant – federal fund.....	No limit
Performance partnership grants – federal fund.....	No limit
Kansas clean diesel grant – federal fund.....	No limit
Air quality program – federal fund.....	No limit
Section 106 monitoring initiative – federal fund.....	No limit
Air quality section 105 – federal fund.....	No limit
Leaking underground storage tank trust – federal fund.....	No limit
Surface mining control and reclamation act – federal fund.....	No limit
Abandoned mined-land – federal fund.....	No limit
Department of defense and state cooperative agreement – federal fund.....	No limit
EPA non-point source – federal fund.....	No limit
Pollution prevention program – federal fund.....	No limit
EPA operator expense reimbursement for drinking water – federal fund.....	No limit
EPA water monitoring – federal fund.....	No limit
Gifts, grants and donations fund – environment.....	No limit
Special bequest fund – environment.....	No limit
Aboveground petroleum storage tank release trust fund.....	No limit
Underground petroleum storage tank release trust fund.....	No limit
Drycleaning facility release trust fund.....	No limit
Public water supply loan fund.....	No limit
Public water supply loan operations fund.....	No limit
Kansas water pollution control revolving fund.....	No limit
<i>Provided</i> , That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L.92-500) shall be credited to the Kansas water pollution control revolving fund: <i>Provided further</i> , That expenditures from this fund shall be made to provide for the payment of such matching grants.	
Kansas water pollution control operations fund.....	No limit
Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds.....	No limit
Surcharge fund for Kansas water pollution control revolving fund revenue bonds.....	No limit

Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds.....	No limit
Debt service reserve fund.....	No limit
EPA water related grants – federal fund.....	No limit
<i>Provided</i> , That no moneys from any grant that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year shall be deposited to the credit of the EPA water related grants – federal fund.	
Subsurface hydrocarbon storage fund.....	No limit
Natural resources damages trust fund.....	No limit
Hazardous waste management fund.....	No limit
Brownfields revolving loan program – federal fund.....	No limit
Mined-land reclamation fund.....	No limit
Operator outreach training program – federal fund.....	No limit
Underground storage tank – federal fund.....	No limit
EPA underground injection control – federal fund.....	No limit
Laboratory medicaid cost recovery fund – environment.....	No limit
EPA state response program – federal fund.....	No limit
Environmental use control fund.....	No limit
Environmental response remedial activity specific sites – federal fund.....	No limit
Emergency environmental response – nonspecific sites federal fund.....	No limit
Medicare program – environment – federal fund.....	No limit
EPA pollution prevention – federal fund.....	No limit
Inspections Kansas infrastructure projects – federal fund.....	No limit
Marais Des Cygnes targeted watershed project – federal fund.....	No limit
Healthy watershed initiative – federal fund.....	No limit
Salt solution mining well plugging fund.....	No limit
UST redevelopment fund.....	No limit
(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the state water plan project or projects specified as follows:	
Contamination remediation.....	\$775,000
<i>Provided</i> , That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
TMDL initiatives and use attainability analysis.....	\$200,000
<i>Provided</i> , That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Watershed restoration and protection plan.....	\$625,000
<i>Provided</i> , That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Local environmental protection program.....	\$800,000
<i>Provided</i> , That any unencumbered balance in the local environmental protection program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	

Nonpoint source program.....\$296,761

Provided, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, for the project specified as follows:

Newborn screening.....\$1,187,081

(e) During the fiscal year ending June 30, 2013, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2013 from the state water plan fund for the department of health and environment – division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(f) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund of the department of health and environment which are directed to be made on or before the 10th day of each month by K.S.A. 65-3024, and amendments thereto.

(g) On July 1, 2012, and on other occasions during fiscal year 2013 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of health or of the department of health and environment – division of environment, to the sponsored project overhead fund – environment of the department of health and environment – division of environment.

(h) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of environment, which have available moneys, to the sponsored project overhead fund – environment of the department of health and environment – division of environment or to the sponsored project overhead fund – health of the department of health and environment – division of health, as the case may be, for expenditures for administrative expenses.

(i) During the fiscal year ending June 30, 2013, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to

the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) During the fiscal year ending June 30, 2013, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of environment to the sponsored project overhead fund – environment of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

Sec. 85.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Administration.....\$551,026
Provided, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,748.

Administration – assessments.....\$36,296
Provided, That any unencumbered balance in the administration – assessments account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – assessments – Level II care.....\$44,042
Provided, That any unencumbered balance in the administration – assessments – Level II care account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – assessments – Level I care.....\$363,826
Provided, That any unencumbered balance in the administration – assessments – Level I care account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – medicaid.....\$1,481,510
Provided, That any unencumbered balance in the administration – medicaid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – medicaid MFP – admin match.....\$2,821
Provided, That any unencumbered balance in the administration – medicaid MFP – admin match account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – older Americans act match.....\$171,349
Provided, That any unencumbered balance in the administration – older Americans act match account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Senior care act.....\$2,667,848
Provided, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2012 by the area agency on

aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2012: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2013 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2012: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition – state match.....\$3,845,725

Provided, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2012 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2012: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2013 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2012: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – TCM/FE.....\$2,512,895

Provided, That any unencumbered balance in the LTC – medicaid assistance – TCM/FE account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from the LTC – medicaid assistance – TCM/FE account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – HCBS/FE.....\$32,023,028

Provided, That any unencumbered balance in the LTC – medicaid assistance – HCBS/FE account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from the LTC – medicaid assistance – HCBS/FE account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – NF.....\$175,661,600

Provided, That any unencumbered balance in the LTC – medicaid assistance – NF account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That all people receiving or applying for services that are

funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures: *And provided further*, That, notwithstanding the provisions of K.S.A. 2011 Supp. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary for aging and disability services shall institute trending methods to provide rate increases for nursing facilities for fiscal year 2013.

LTC – medicaid assistance – PACE.....\$2,458,943

Provided, That any unencumbered balance in the LTC – medicaid assistance – PACE account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures made from the LTC – medicaid assistance – PACE account shall be for the PACE program: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Nursing facilities regulation.....\$464,221

Provided, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Nursing facilities regulation – title XIX.....\$1,011,379

Provided, That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Any unencumbered balance in the LTC – medicaid assistance – MFP account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Health occupational credentialing.....\$645,573

State operations.....\$11,231,497

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the state operations account for fiscal year 2013: *Provided further*, That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse services grants.....\$1,811,703

Provided, That any unencumbered balance in the alcohol and drug abuse services grants account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the alcohol and drug abuse services grant account of the above agency for fiscal year 2013.

Mental health and retardation services aid and assistance.....\$181,327,163

Provided, That any unencumbered balance in the mental health and retardation services aid and assistance account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the mental health and retardation services aid and assistance account of the above agency for fiscal year 2013.

Kansas neurological institute – operating expenditures.....\$10,322,454

Provided, That any unencumbered balance in the Kansas neurological institute – operating expenditures account of the department of social and rehabilitation services in

excess of \$100 as of June 30, 2012, is hereby reappropriated to the Kansas neurological institute – operating expenditures account of the above agency for fiscal year 2013: *Provided, however;* That expenditures from the Kansas neurological institute – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150: *Provided further;* That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating expenditures.....\$31,734,072

Provided, That any unencumbered balance in the Larned state hospital – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Larned state hospital – operating expenditures account of the above agency for fiscal year 2013: *Provided, however;* That expenditures from the Larned state hospital – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150: *Provided further;* That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further;* That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital – sexual predator treatment program.....\$16,631,179

Provided, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Larned state hospital – sexual predator treatment program account of the above agency for fiscal year 2013.

Osawatomie state hospital – operating expenditures\$14,648,181

Provided, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Osawatomie state hospital – operating expenditures account of the above agency for fiscal year 2013: *Provided however;* That expenditures from the Osawatomie state hospital – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150.

Parsons state hospital and training center – operating expenditures.....\$10,200,226

Provided, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Parsons state hospital and training center – operating expenditures account of the above agency for fiscal year 2013: *Provided, however;* That expenditures from the Parsons state hospital and training center – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150: *And provided further;* That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Parsons state hospital

and training center with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Rainbow mental health facility – operating expenditures.....\$4,470,110
Provided, That any unencumbered balance in the Rainbow mental health facility – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Rainbow mental health facility – operating expenditures account of the above agency for fiscal year 2013: *Provided, however*; That expenditures from the Rainbow mental health facility – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150.

Children's mental health initiative.....\$335,210
Provided, That any unencumbered balance in the children's mental health initiative account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the children's mental health initiative account of the above agency for fiscal year 2013: *Provided, however*; That no expenditures shall be made from the children's mental health initiative account of the above agency for inpatient hospital beds for children.

Community based services.....\$89,181,531
Provided, That any unencumbered balance in the community based services account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the community based services account of the above agency for fiscal year 2013.

Other medical assistance.....\$126,577,754
Provided, That any unencumbered balance in the other medical assistance account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the other medical assistance account of the above agency for fiscal year 2013.

Community mental health centers supplemental funding.....\$2,500,000
Provided, That any unencumbered balance in the community mental health centers supplemental funding account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the community mental health centers supplemental funding account of the above agency for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund.....\$47,323,202
Provided, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and retardation services may be credited to the title XIX fund: *Provided further*; That moneys in the title XIX

fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance.

Kansas neurological institute fee fund.....\$1,569,143

Kansas neurological institute – foster grandparents program – federal fund.....\$382,909

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

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

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

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

Kansas neurological institute – conferences fees fund.....No limit

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

Larned state hospital fee fund.....\$4,466,618

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

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

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

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

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

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

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

Osawatomie state hospital – canteen fund.....No limit

Osawatomie state hospital – patient benefit fund.....No limit

Osawatomie state hospital – work therapy patient benefit fund.....No limit

Osawatomie state hospital – motor pool revolving fund.....No limit

Osawatomie state hospital – training fee revolving fund.....No limit

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

Osawatomie state hospital fee fund.....\$9,200,303

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall

be credited to the video teleconferencing fee account of the Osawatomie state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomie state hospital: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomie state hospital fee fund.

Parsons state hospital and training center – canteen fund.....No limit
 Parsons state hospital and training center – patient benefit fund.....No limit
 Parsons state hospital and training center – work therapy
 patient benefit fund.....No limit
 Parsons state hospital and training center fee fund.....\$1,354,867

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

Rainbow mental health facility fee fund.....\$2,424,365
 Rainbow mental health facility – patient benefit fund.....No limit
 Rainbow mental health facility – work therapy patient benefit
 fund.....No limit
 AoA demonstration lifespan respite project.....No limit
 Community putting prevention to work.....No limit
 Special program for aging IIIB – federal fund.....No limit
 Special program for aging IIIC – federal fund.....No limit
 Special program for aging IIID – federal fund.....No limit
 National family caregiver support program IIIE – federal fund.....No limit
 Special program for aging IV & II – federal fund.....No limit
 Special program for aging VII-2 – federal fund.....No limit
 Special program for aging VII-3 – federal fund.....No limit
 Alzheimer's disease fund.....No limit
 Survey & certification – federal fund.....No limit
 Center for medicare/medicaid service – federal fund.....No limit
 Money follows the person grant – federal fund.....No limit
 Medicaid assistance program – federal fund.....No limit

Provided, That transfers of moneys from the title XIX fund – federal to the state fire marshal may be made during fiscal year 2013 pursuant to a contract which is hereby authorized to be entered into by the secretary for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Social service block grant fund.....\$4,500,000

Provided, That each grant agreement with an area agency on aging for a grant from

the social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2012 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2012: *Provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2013 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2012: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services which are determined to be the most economical services available.

- Nutrition service incentive program fund – federal.....No limit
- National bioterrorism hospital preparedness program – federal fund.....No limit
- Senior citizen nutrition check-off fund.....No limit
- Conferences and workshops attendance and publications fees fund.....No limit

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

- Health policy nursing facility quality care fund.....No limit

Provided, That the secretary for aging and disability services, acting as the agent of the Kansas health policy authority, is hereby authorized to collect the quality care assessment under K.S.A. 2011 Supp. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 2011 Supp. 75-7435, and amendments thereto, 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. 2011 Supp. 75-7435, and amendments thereto.

- State licensure fee fund.....No limit
- General fees fund.....No limit

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

aging and disability services.

Gifts and donations fund.....No limit

Provided, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

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

Provided, That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury and in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund and expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *Provided further*, That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes 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 medical resources and collection fund and expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

SHICK fund – grants – federal.....No limit

Senior services fund.....No limit

Long-term care loan and grant fund.....No limit

Intergovernmental transfer administration fund.....\$0

Non-government grant fund.....No limit

Health facilities review fund.....No limit

Medicare enrollment assistance program fund – federal.....No limit

Medical assistance program – federal fund.....No limit

DADS social welfare fund.....\$222,900

Other state fees fund.....No limit

Substance abuse/mental health services federal fund.....No limit

Community mental health block grant federal fund.....No limit

Prevention/treatment substance abuse federal fund.....No limit

Problem gambling and addictions grant fund.....No limit

Alternatives to psych. resid. treatment facilities for children

federal fund.....No limit

Substance abuse performance outcome grant federal fund.....No limit

ADAS data collection grant federal fund.....No limit

Money follows the person rebalancing demonstration federal

fund.....No limit

Temporary assistance for needy families – fed funds.....No limit

Public health/social services emergency response federal fund.....No limit

Assistance in transition from homelessness federal fund.....No limit

Developmental disabilities basic support federal fund.....No limit

Olmstead fellowship program.....No limit

Medicare fund.....No limit

Medicare fund – oasis.....No limit

Nonfederal reimbursements fund.....No limit
Provided, That all nonfederal reimbursements received by the Kansas department for aging and disability services shall be deposited in the state treasury and credited to the nonfederal reimbursements fund.

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Family centered system of care.....	\$4,750,000
Children's mental health waiver.....	\$3,800,000

Provided, That any unencumbered balance in the children's mental health waiver account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the children's mental health waiver account of the above agency for fiscal year 2013.

(d) On July 1, 2012, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital – canteen fund to the Osawatomie state hospital – patient benefit fund.

(e) On July 1, 2012, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center – canteen fund to the Parsons state hospital and training center – patient benefit fund.

(f) On July 1, 2012, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital – canteen fund to the Larned state hospital – patient benefit fund.

(g) During the fiscal year ending June 30, 2012, no moneys paid by the Kansas department for aging and disability services from the mental health and retardation services aid and assistance account of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit, or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2013, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2013 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of

health from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2013 for the department of health and environment – division of health, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the secretary for children and families and the secretary of health and environment for fiscal year 2013 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2013: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2013 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2013 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(j) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer the amounts specified by the director of the budget from the LTC – medicaid assistance – NF account of the state general fund of the Kansas department for aging and disability services to the LTC – medicaid assistance – HCBS/FE account of the state general fund of the Kansas department for aging and disability services or to the community based services account of the Kansas department for aging and disability services: *Provided*, That such amounts to be transferred shall be certified by the director of the budget on December 1, 2012, and on June 1, 2013, to reflect the nursing facility rate paid for persons moving from a nursing facility to the home and community-based services waiver for the physically disabled or the frail elderly for the six months preceding the date of certification: *Provided further*, That each of the individuals transferred must meet the requirements described in a policy jointly developed by the secretary for aging and disability services and the secretary for children and families governing the operations of this transfer: *And provided further*, That the director of the budget shall transmit a copy of each such certification to the director of legislative research: *And provided further*, That the Kansas department for aging and disability services shall report to the legislature at the beginning of the regular session in 2013 with expenditure data regarding this program.

(k) On July 1, 2012, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund of the health care stabilization fund board of governors to the health facilities review fund of the Kansas department for aging and disability services for the purpose of financing a review of records of licensed medical

care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 *et seq.*, and amendments thereto.

(l) During the fiscal year ending June 30, 2013, in addition to other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the Kansas department for aging and disability services from the state general fund or from any special revenue fund or funds for fiscal year 2013, to contract for mental health education, outreach and advocacy services with keys for networking, the national alliance on mental illness, and the consumer advisory council in an amount not less than \$150,000 for each contract for such mental health education, outreach and advocacy services.

Sec. 86.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

State operations.....\$94,621,395

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from the state operations account for official hospitality shall not exceed \$500.

Youth services aid and assistance.....\$103,188,486

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Vocational rehabilitation aid and assistance.....\$6,162,641

Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *Provided, however*; That all such expenditures for durable equipment or assistive technology devices shall require a \$1 for \$1 match from non-state sources: *And provided further*, That expenditures may be made from this account by the secretary for children and families for the purchase of worker's compensation insurance for consumers of vocational rehabilitation services and assessments at work site and job tryout sites throughout the state.

Cash assistance.....\$30,133,787

Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Nonfederal reimbursements fund.....No limit

Provided, That all nonfederal reimbursements received by the Kansas department for children and families shall be deposited in the state treasury and credited to the nonfederal reimbursements fund.

Social services clearing fund.....	No limit
Social welfare fund.....	\$28,680,312
Other state fees fund.....	No limit
Child welfare services state grants federal fund.....	No limit
Social services block grant – federal fund.....	No limit
Child care/development block grant federal fund.....	No limit
Temporary assistance to needy families federal fund.....	No limit
Promoting safe/stable families federal fund.....	No limit
Title IV-E foster care federal fund.....	No limit
Medical assistance program federal fund.....	No limit
Rehabilitation services – vocational rehabilitation federal fund.....	No limit
Enhance child safety – parental substance abuse federal fund.....	No limit
SRS enterprise fund.....	No limit
SRS trust fund.....	No limit
Child support enforcement federal fund.....	No limit
Energy assistance block grant federal fund.....	No limit
Family and children trust account – family and children	

investment fund..... No limit
Provided, That expenditures from the family and children trust account – family and children investment fund for official hospitality shall not exceed \$1,500.

Low-income home energy assistance federal fund.....	No limit
Commodity supp food program federal fund.....	No limit
Social security – disability insurance federal fund.....	No limit
Supplemental nutrition assistance program federal fund.....	No limit
Emergency food assistance program federal fund.....	No limit
Child care and development mandatory and matching	
federal fund.....	No limit
Community-based child abuse prevention grants federal fund.....	No limit
Chafee education and training vouchers program federal fund.....	No limit
Title IV-E FDF federal fund.....	No limit
Adoption incentive payments federal fund.....	No limit
State sexual assault and domestic violence coalitions	
grants federal fund.....	No limit
National bioterrorism hospital preparedness program federal fund.....	No limit
Assistance in transition from homelessness federal fund.....	No limit
Adoption assistance federal fund.....	No limit
Chafee foster care independence program federal fund.....	No limit
Refugee and entrant assistance federal fund.....	No limit
Head start federal fund.....	No limit
Developmental disabilities basic support federal fund.....	No limit
Children's justice grants to states federal fund.....	No limit
Child abuse and neglect state grants federal fund.....	No limit
Independent living state grants federal fund.....	No limit
Independent living services for older blind federal fund.....	No limit

Supported employment for individuals with severe disabilities federal fund.....	No limit
Rehabilitation training – general training federal fund.....	No limit
CMS research, demonstration and evaluations federal fund.....	No limit
Administrative matching grants for food assistance program federal fund.....	No limit
Temporary assistance for needy families emergency funds federal fund.....	No limit
Rehabilitation services – vocational rehabilitation – ARRA federal fund.....	No limit
Independent living older blind – ARRA federal fund.....	No limit
Prevention fellowship program grant federal fund.....	No limit
Federal Olmstead grant federal fund.....	No limit
Child care discretionary federal fund	No limit
Supplemental security income federal fund.....	No limit
Child support enforcement research federal fund	No limit
Child abuse and neglect discretionary federal fund.....	No limit
(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:	
Children's cabinet accountability fund.....	\$519,325
<i>Provided</i> , That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Child care.....	\$5,033,679
<i>Provided</i> , That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Early head start.....	\$66,584
<i>Provided</i> , That any unencumbered balance in the early head start account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Family preservation.....	\$2,154,357
<i>Provided</i> , That any unencumbered balance in the family preservation grant account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Quality initiative infants & toddlers.....	\$500,000
<i>Provided</i> , That any unencumbered balance in the quality initiative infants & toddlers account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Early childhood block grant.....	\$18,179,410
<i>Provided</i> , That any unencumbered balance in the early childhood block grant account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Reading roadmap program.....	\$256,637
<i>Provided</i> , that any unencumbered balance in the reading roadmap program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
(d) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2013, the following:	
Children's cabinet administration.....	\$264,126
(e) During the fiscal year ending June 30, 2013, the secretary for children and families, 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, 2013, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2013 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) During the fiscal year ending June 30, 2013, the secretary for children and families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the nonfederal reimbursements fund to the social welfare fund the amount specified by the secretary for children and families.

(h) During the fiscal year ending June 30, 2013, all moneys received by the secretary for children and families, to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund, shall be deposited in the state treasury to the credit of the family and children endowment account of the family and children investment fund.

(i) During the fiscal year ending June 30, 2013, to the extent it is determined by the secretary for children and families to be cost effective, the secretary for children and families shall apply for and accept donations from private sources to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund. During the fiscal year ending June 30, 2013, upon receipt of one or more donations of moneys from private sources for deposit to the credit of the family and children endowment account of the family and children investment fund, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from any moneys appropriated from the state general fund or any special revenue fund or funds for the fiscal year 2013, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the Kansas department for children and families from any such moneys appropriated for fiscal year 2013 for payments into the family and children endowment account of the family and children investment fund that match the aggregate amount of all such donations and that are equal to the aggregate amount of moneys donated to and credited to the family and children endowment account of the family and children investment fund during fiscal year 2013.

(j) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2013 for the Kansas department for children and families as authorized by this or other appropriation act of the 2012 regular session of the legislature,

expenditures shall be made by the secretary for children and families for fiscal year 2013 to fix, charge and collect fees from parents for services provided to their children by an institution or program of the Kansas department for children and families: *Provided*, That all moneys received by the Kansas department for children and families for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the social welfare fund.

(k) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 for the Kansas department for children and families as authorized by this or any other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the secretary for children and families for fiscal year 2013 to develop and present a proposal for a program which would expand the Kansas foster child educational assistance program to allow attendance by eligible foster children at private colleges located in Kansas: *Provided*, That the secretary shall present such proposal to the house of representatives committee on appropriations and the senate committee on ways and means at the beginning of the 2013 legislative session.

(l) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or the child care/development block grant federal fund or any other special revenue fund or funds for fiscal year 2013, expenditures shall be made by the above agency for fiscal year 2013 from the state general fund or the child care/development block grant federal fund or any other special revenue fund or funds in an amount of not less than \$11,223,189 to provide funding for the early head start program.

Sec. 87.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Kansas guardianship program.....\$1,157,539

Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Sec. 88.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$11,004,144

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Special education services aid.....\$427,717,630

Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures shall not be made from the special education

services aid account for the provision of instruction for any homebound or hospitalized child unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: *And provided further*, That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-983, and amendments thereto: *And provided further*, That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing proviso, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-978, and amendments thereto.

General state aid.....\$1,957,322,270

Provided, That any unencumbered balance in the general state aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Supplemental general state aid.....\$339,212,000

Provided, That any unencumbered balance in the supplemental general state aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Discretionary grants.....\$322,457

Provided, That the above agency shall make expenditures from the discretionary grants account during the fiscal year 2013, in the amount not less than \$125,000 for after school programs for middle school students in the sixth, seventh and eighth grade: *Provided further*, That the after school programs may also include fifth and ninth grade students, if they attend a junior high: *And provided further*, That such discretionary grants shall be awarded to after school programs that operate for a minimum of two hours a day, every day that school is in session, and a minimum of six hours a day for a minimum of five weeks during the summer: *And provided further*, That the discretionary grants awarded to after school programs shall require a \$1 for \$1 local match: *And provided further*, That the aggregate amount of discretionary grants awarded to any one after school program shall not exceed \$25,000.

School food assistance.....\$2,510,486

School safety hotline.....\$10,000

Mentor teacher program grants.....\$484,337

Moving Expenses.....\$700,000

Technical education transportation.....\$500,000

Technical education promotion.....\$50,000

KPERS – employer contributions.....\$332,095,628

Provided, That any unencumbered balance in the KPERS – employer contributions account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures from the KPERS – employer contributions account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939, and amendments thereto: *And provided further*, That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

Educable deaf-blind and severely handicapped children's programs aid.....\$110,000

School district juvenile detention facilities and Flint Hills job corps center grants.....\$6,012,355

Provided, That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: Provided further, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-8187, and amendments thereto.

Any unencumbered balance in the governor's teaching excellence scholarships and awards account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: Provided further, That all expenditures from the governor's teaching excellence scholarships and awards account for teaching excellence scholarships shall be made in accordance with K.S.A. 72-1398, and amendments thereto: And provided further; That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: And provided further; That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: And provided further; That all moneys received by the department of education for repayment of grants for governor's teaching excellence scholarships shall be deposited in the state treasury and credited to the governor's teaching excellence scholarships program repayment fund.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State school district finance fund.....No limit
School district capital improvements fund.....No limit

Provided, That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-6761, and amendments thereto.

School district capital outlay state aid fund.....\$0
Conversion of materials and equipment fund.....No limit
State safety fund.....No limit
School bus safety fund.....No limit
Motorcycle safety fund.....No limit
Federal indirect cost reimbursement fund.....No limit
Teacher and administrator fee fund.....No limit
Food assistance – federal fund.....No limit
Education jobs fund – federal.....No limit
Food assistance – school breakfast program – federal fund.....No limit
Food assistance – national school lunch program – federal fund.....No limit
Food assistance – child and adult care food program – federal fund.....No limit
Elementary and secondary school aid – federal fund.....No limit
Elementary and secondary school aid – educationally deprived

children – federal fund.....	No limit
Educationally deprived children – state operations – federal fund.....	No limit
Elementary and secondary school – educationally deprived	
children – LEA's fund.....	No limit
ESEA chapter II – state operations – federal fund.....	No limit
Education of handicapped children fund – federal.....	No limit
Education of handicapped children fund – state operations –	
federal fund.....	No limit
Education of handicapped children fund – preschool – federal	
fund.....	No limit
Education of handicapped children fund – preschool state	
operations – federal.....	No limit
Elementary and secondary school aid – federal fund – migrant	
education fund.....	No limit
Elementary and secondary school aid – federal fund – migrant	
education – state operations.....	No limit
Vocational education amendments of 1968 – federal fund.....	No limit
Vocational education title II – federal fund.....	No limit
Vocational education title II – federal fund – state operations.....	No limit
Educational research grants and projects fund.....	No limit
Drug abuse fund – department of education – federal.....	No limit
Drug abuse funds – federal – state operations fund.....	No limit
Federal K-12 fiscal stabilization fund.....	No limit
Inservice education workshop fee fund.....	No limit
<i>Provided</i> , That expenditures may be made from the inservice education workshop fee	
fund for operating expenditures, including official hospitality, incurred for inservice	
workshops and conferences: <i>Provided further</i> , That the state board of education is	
hereby authorized to fix, charge and collect fees for inservice workshops and	
conferences: <i>And provided further</i> , That such fees shall be fixed in order to recover all	
or part of such operating expenditures incurred for inservice workshops and	
conferences: <i>And provided further</i> , That all fees received for inservice workshops and	
conferences shall be deposited in the state treasury in accordance with the provisions of	
K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice	
education workshop fee fund.	
Private donations, gifts, grants and bequests fund.....	No limit
Interactive video fee fund.....	No limit
<i>Provided</i> , That expenditures may be made from the interactive video fee fund for	
operating expenditures incurred in conjunction with the operation and use of the	
interactive video conference facility of the department of education: <i>Provided further</i> ,	
That the state board of education is hereby authorized to fix, charge and collect fees for	
the operation and use of such interactive video conference facility: <i>And provided</i>	
<i>further</i> , That all fees received for the operation and use of such interactive video	
conference facility shall be deposited in the state treasury in accordance with the	
provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the	
interactive video fee fund.	
Reimbursement for services fund.....	No limit
Communities in schools program fund.....	No limit

Governor's teaching excellence scholarships program repayment fund.....No limit

Provided, That all expenditures from the governor's teaching excellence scholarships program repayment fund shall be made in accordance with K.S.A. 72-1398, and amendments thereto: Provided further; That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: And provided further; That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: And provided further; That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor's teaching excellence scholarships program repayment fund.

Elementary and secondary school aid – federal fund – reading first.....No limit

Elementary and secondary school aid – federal fund – reading first – state operations.....No limit

State grants for improving teacher quality – federal fund.....No limit
State grants for improving teacher quality – federal fund –

state operations.....No limit
21st century community learning centers – federal fund.....No limit

State assessments – federal fund.....No limit
Rural and low-income schools program – federal fund.....No limit

Language assistance state grants – federal fund.....No limit
Service clearing fund.....No limit

Helping schools license plate program fund.....No limit
(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Pre-K program.....\$4,799,812
Parent education program.....\$7,237,635

Provided, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount which is equal to not less than 65% of the grant.

(d) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund of the Kansas department for children and families to the communities in schools program fund of the department of education.

(e) On March 30, 2013, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$750,000 from the state safety fund to the state general fund: Provided, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: Provided further; That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state

general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of education by other state agencies which receive appropriations from the state general fund to provide such services.

(f) On June 30, 2013, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$750,000 from the state safety fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*; That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of education by other state agencies which receive appropriations from the state general fund to provide such services.

(g) On July 1, 2012, and quarterly thereafter, the director of accounts and reports shall transfer \$73,259 from the state highway fund of the department of transportation to the school bus safety fund of the department of education.

(h) On July 1, 2012, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund of the department of education to the motorcycle safety fund of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to subsection (b)(2) of K.S.A. 8-272, and amendments thereto.

Sec. 89.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$1,575,755

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$941.

Grants to libraries and library systems.....\$3,101,865

Provided, That any unencumbered balance in the grants to libraries and library systems account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That, of the moneys appropriated in the grants to libraries and library systems account, \$1,480,465 shall be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555, and amendments thereto, \$1,230,084 shall be distributed for interlibrary loan development grants and \$391,316 shall be paid according to contracts with the subregional libraries of the Kansas talking book services.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund.....No limit

Federal library services and technology act – fund.....No limit
 Grants and gifts fund.....No limit
 Sec. 90.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$5,138,348

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped.....\$133,847

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....No limit

Reserve fund.....No limit

Local services reimbursement fund.....No limit

Provided, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*; That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund.....No limit

Special bequest fund.....No limit

Gift fund.....No limit

Technology lending library – federal fund.....No limit

Nine month payroll clearing fund.....No limit

Food assistance – cash for commodities – federal fund.....No limit

Food assistance – breakfast – federal fund.....No limit

Food assistance – lunch – federal fund.....No limit

Chapter I handicapped – federal fund.....No limit

Education improvement – federal fund.....No limit

Elementary and secondary education act – federal fund.....No limit

Special education assistance – ARRA – federal fund.....No limit

E-rate grant – federal fund.....No limit

Preparation and mentoring of teachers of the blind and visually impaired – federal fund.....No limit

Improve teacher quality grant – federal fund.....No limit

School breakfast program – federal fund.....No limit

Special education preschool grants – federal fund.....No limit

Sec. 91.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$8,600,122

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- General fees fund.....No limit
- Reserve fund.....No limit
- Local services reimbursement fund.....No limit

Provided, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

- Student activity fees fund.....No limit
- Elementary and secondary education act – federal fund.....No limit
- Elementary and secondary education act 2009 ARRA – federal fund.....No limit
- Vocational education fund – federal.....No limit
- School lunch program – federal fund.....No limit
- Special bequest fund.....No limit
- Special workshop fund.....No limit
- Gift fund.....No limit
- Nine month payroll clearing fund.....No limit
- Special education state grants – federal fund.....No limit
- Special education state grants ARRA – federal fund.....No limit
- Special education preschool ARRA – federal fund.....No limit
- Improve teacher quality grant – federal fund.....No limit
- School breakfast program – federal fund.....No limit
- National school lunch program ARRA – federal fund.....No limit
- Special education preschool grants – federal fund.....No limit

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

- Operating expenditures.....\$4,734,199

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

- Kansas humanities council.....\$60,886

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Credit card clearing fund.....No limit
- Vehicle repair and replacement fund.....No limit
- General fees fund.....No limit
- Archeology fee fund.....No limit

Provided, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

- Conversion of materials and equipment fund.....No limit
- Soil/water conservation fund.....No limit
- Microfilm fees fund.....No limit

Provided, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

- Records center fee fund.....No limit

Provided, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the records center fee fund.

- Historic properties fee fund.....No limit
- Historic preservation grants in aid fund.....No limit
- Historic preservation overhead fees fund.....No limit
- National historic preservation act fund – local.....No limit
- Private gifts, grants and bequests fund.....No limit
- Museum and historic sites visitor donation fund.....No limit
- Insurance collection replacement/reimbursement fund.....No limit
- Heritage trust fund.....No limit

Provided, That expenditures from the heritage trust fund for state operations shall not exceed \$94,548.

- Land survey fee fund.....No limit

Provided, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2013 for operating expenditures that are not related to administering the land survey program.

- National trails fund.....No limit
- State historical society facilities fund.....No limit
- Historic properties fund.....No limit
- Law enforcement memorial fund.....No limit

Highway planning/construction fund.....No limit
 Save America's treasures fund.....No limit
 Property sale proceeds fund.....No limit
Provided, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

Sec. 93.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$32,306,519

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Master's-level nursing capacity.....\$133,101

Kansas wetlands education center at Cheyenne bottoms.....\$262,155

Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas academy of math and science.....\$728,011

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; performing arts center services; farm income; choral music clinic; yearbook; off-campus tours; memorial union activities; student activity (unallocated); Leader (newspaper); conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be

deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

- Education opportunity act – federal fund.....No limit
- Service clearing fund.....No limit

Provided, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

- Commencement fees fund.....No limit
- Health fees fund.....No limit

Provided, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

- Student union fees fund.....No limit

Provided, That expenditures may be made from the student union fee fund for official hospitality.

- Kansas career work study program fund.....No limit
- Economic opportunity act – federal fund.....No limit
- Kansas comprehensive grant fund.....No limit
- Faculty of distinction matching fund.....No limit
- Nine month payroll clearing account fund.....No limit
- Federal Perkins student loan fund.....No limit
- Housing system revenue fund.....No limit

Provided, That expenditures may be made from the housing system revenue fund for official hospitality.

- Institutional overhead fund.....No limit
- Oil and gas royalties fund.....No limit
- Housing system suspense fund.....No limit
- Housing system operations fund.....No limit
- Housing system repairs, equipment and improvement fund.....No limit
- Sponsored research overhead fund.....No limit
- Kansas distinguished scholarship fund.....No limit
- University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such

insurance: *Provided further*, That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund to the federal Perkins student loan fund.
Sec. 94.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$102,538,863
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Midwest institute for comparative stem cell biology.....\$129,833
Provided, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit
Faculty of distinction matching fund.....No limit
General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund.....No limit
Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; flight services; human resources management system; computer services; copy centers; standardized test fees; placement center; recreational services; college of technology and aviation; motor pool; music; professorships; student activities fees; army and aerospace uniforms; aerospace uniform augmentation; biology sales and services; chemistry; field camps; state department of education; physics storeroom; sponsored research, instruction, public service, equipment and facility grants; chemical engineering; nuclear engineering; contract-post office; library collections; civil engineering; continuing education; sponsored construction or improvement projects; attorney, educational and personal development, human resources; student financial assistance; application for undergraduate programs; speech and hearing fees; gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; student identification card; auditorium receipts; catalog sales; emission spectroscopy fees;

interagency consulting; sales and services of educational programs; transcript fees; facility use fees; human ecology storeroom; college of human ecology sales; family resource center fees; human movement performance; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; other specifically designated receipts not available for general operations of the university: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further,* That expenditures may be made from this fund for official hospitality.

Kansas career work study program fund.....No limit
 Service clearing fund.....No limit

Provided, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research overhead fund.....No limit

Provided, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Housing system suspense fund.....No limit

Housing system operations fund.....No limit

Provided, That expenditures may be made from the housing system operations fund for official hospitality.

Housing system repairs, equipment and improvement fund.....No limit

Mandatory retirement annuity clearing fund.....No limit

Student health fees fund.....No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Scholarship funds fund.....	No limit
Perkins student loan fund.....	No limit
Board of regents – U.S. department of education awards fund.....	No limit
State agricultural university fund.....	No limit
Federal extension civil service retirement clearing fund.....	No limit
Salina – student union fees fund.....	No limit
Salina – housing system operation fund.....	No limit
Kansas distinguished scholarship fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Temporary deposit fund.....	No limit
Business procurement card clearing fund.....	No limit
Suspense fund.....	No limit
Voluntary tax shelter annuity clearing fund.....	No limit
Agency payroll deduction clearing fund.....	No limit
Payroll clearing fund.....	No limit
Pre-tax parking clearing fund.....	No limit
Salina student life center revenue fund.....	No limit
Child care facility revenue fund.....	No limit
University federal fund.....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Johnson county education research triangle fund.....	No limit
Energy conservation improvements fund.....	No limit
Animal health research fund.....	No limit
National bio agro-defense facility fund.....	No limit

Provided, That all expenditures from the national bio agro-defense facility fund shall be expended in accordance with the governor's national bio agro-defense facility steering committee's plan and shall be approved by the president of Kansas state university.

Kan-grow engineering fund – KSU.....	No limit
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(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed \$100,000 from the general fees fund to the Perkins student loan fund.

Sec. 95.

**KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS**

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Cooperative extension service (including official hospitality).....	\$18,563,311
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Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby

reappropriated for fiscal year 2013.

Agricultural experiment stations (including official hospitality).....\$29,694,858

Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy – Ashland farm; KSU agricultural research center – Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy – general; agronomy – experimental field crop sales; entomology sales; grain science and industry – Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation – construction; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2013: *And provided further*, That expenditures may be made from this fund for official hospitality.

Fertilizer research fund.....No limit

Sponsored research overhead fund.....No limit

Provided, That expenditures may be made from this fund for official hospitality.

Federal extension fund.....No limit

Federal experimental station fund.....No limit

Federal awards – advance payment fund.....No limit

Smith-Lever special program grant – federal fund.....No limit

Faculty of distinction matching fund.....No limit
 Agricultural land use-value fund.....No limit
 University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Agricultural experiment stations.....\$299,581

(d) During the fiscal year ending June 30, 2013, no moneys appropriated from the state general fund or any special revenue fund or funds for Kansas state university or Kansas state university extension systems and agriculture research programs shall be expended on or after the effective date of this act by Kansas state university or Kansas state university extension systems and agriculture research programs, directly or indirectly, for (1) any financial aid or other support for any 4-H competitive events or activities at county fairs for which the minimum age for participants is increased from 7 years of age to 9 years of age, or (2) any financial aid or other support for any 4-H organization or unit that sponsors competitive events at county fairs and that is planning to increase or has increased the minimum age for participants in such events from 7 years of age to 9 years of age.

Sec. 96.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$9,854,049

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Operating enhancement.....\$5,000,000

Provided, That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for rural Kansas.....\$400,000

Provided, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Veterinary medicine teaching hospital revenue fund.....No limit

Faculty of distinction matching fund.....No limit

Hospital and diagnostic laboratory improvement fund.....No limit
 Restricted fees fund.....No limit
Provided, That restricted fees shall be limited to receipts for the following accounts:
 Sponsored research, instruction, public service, equipment and facility grants;
 sponsored construction or improvement projects; technology equipment; pathology
 fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary
 medicine receipts; gifts; application for postbaccalaureate programs; professorship;
 embryo transfer unit; swine serology; rapid focal fluorescent inhibition test;
 comparative medicine; storerooms; departmental receipts for all sales, refunds and other
 collections; other specifically designated receipts not available for general operation of
 the Kansas state university veterinary medical center: *Provided, however*; That the state
 board of regents, with the approval of the state finance council acting on this matter
 which is hereby characterized as a matter of legislative delegation and subject to the
 guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto,
 may amend or change this list of restricted fees: *Provided further*; That all restricted fees
 shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-
 4215, and amendments thereto, and shall be credited to the appropriate account of the
 restricted fees fund and shall be used solely for the specific purpose or purposes for
 which collected: *And provided further*; That expenditures may be made from this fund to
 purchase insurance for equipment purchased through research and training grants only
 if such grants include money for and authorize the purchase of such insurance: *And
 provided further*; That expenditures may be made from this fund for official hospitality.

Sponsored research overhead fund.....No limit
Provided, That expenditures may be made from this fund for official hospitality.
 Health professions student loan fund.....No limit
 University federal fund.....No limit
Provided, That expenditures may be made by the above agency from the university
 federal fund to purchase insurance for equipment purchased through research and
 training grants only if such grants include money for and authorize the purchase of such
 insurance.

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of
 accounts and reports shall transfer an amount specified by the president of Kansas state
 university of not to exceed a total of \$15,000 from the general fees fund to the health
 professions student loan fund.

Sec. 97.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the
 fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$30,794,530
Provided, That any unencumbered balance in the operating expenditures (including
 official hospitality) account in excess of \$100 as of June 30, 2012, is hereby
 reappropriated for fiscal year 2013.
 Reading recovery program.....\$214,896
 Nat'l Board Cert/Future Teacher Academy.....\$129,050

(b) There is appropriated for the above agency from the following special revenue
 fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter
 lawfully credited to and available in such fund or funds, except that expenditures shall

not exceed the following:

Parking fees fund.....No limit
Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....No limit
Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal school fund fund.....No limit
Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund.

Service clearing fund.....No limit
Provided, That the service clearing fund shall be used for the following service activities: Telecommunications services; office supplies inventory; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; data processing center; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund.....No limit
Kansas career work study program fund.....No limit
Student health fees fund.....No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Faculty of distinction matching fund.....No limit

Bureau of educational measurements fund.....	No limit
National direct student loan fund.....	No limit
Economic opportunity act – work study – federal fund.....	No limit
Educational opportunity grants – federal fund.....	No limit
Basic opportunity grant program – federal fund.....	No limit
Research and institutional overhead fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund.....	No limit
Kansas distinguished scholarship fund.....	No limit
University federal fund.....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership federal fund.....No limit

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Emporia state university of not to exceed \$30,000 from the general fees fund to the national direct student loan fund.

Sec. 98.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$33,587,377

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

School of construction.....\$748,806

Polymer science program.....\$500,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund.....No limit

Provided, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*; That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*; That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts:

Computer services; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Midwest Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further*; That expenditures may be made from this fund for official hospitality.

Service clearing fund.....	No limit
<i>Provided</i> , That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.	
Hospital and student health fees fund.....	No limit
<i>Provided</i> , That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: <i>Provided further</i> ; That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.	
Suspense fund.....	No limit
Faculty of distinction matching fund.....	No limit
Perkins student loan fund.....	No limit
Sponsored research overhead fund.....	No limit
College work study fund.....	No limit
Nursing student loan fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Kansas distinguished scholarship program fund	No limit
University federal fund.....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Perkins student loan fund; nursing student loan fund.

Sec. 99.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$131,031,704

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Geological survey.....\$5,883,407

Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Umbilical cord matrix project.....\$130,900

Provided, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities revenue fund.....No limit

Faculty of distinction matching fund.....No limit

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund.....No limit

Sponsored research overhead fund.....No limit

Law enforcement training center fund.....No limit

Provided, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program.

Law enforcement training center fees fund.....No limit

Provided, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts:

Institute for policy and social research; technology equipment; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

- Service clearing fund.....No limit
 - Provided*, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.
 - Health service fund.....No limit
 - Kansas career work study program fund.....No limit
 - Student union fund.....No limit
 - Federal Perkins loan fund.....No limit
 - Health professions student loan fund.....No limit
 - Housing system suspense fund.....No limit
 - Housing system operations fund.....No limit
 - Housing system repairs, equipment and improvement fund.....No limit
 - Educational opportunity act – federal fund.....No limit
 - Loans for disadvantaged students fund.....No limit
 - Prepaid tuition fees clearing fund.....No limit
 - Kansas comprehensive grant fund.....No limit
 - Fire service training fund.....No limit
 - University federal fund.....No limit
 - Johnson county education research triangle fund.....No limit
 - Kan-grow engineering fund – KU.....No limit
 - Medical resident FICA recovery fund.....No limit
- (c) On July 1, 2012, or as soon thereafter as moneys are available, the director of

accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Federal Perkins student loan program account of the national direct student loan fund; federal supplemental educational opportunity program account of the national direct student loan fund; federal disadvantaged student loan program account of the national direct student loan fund; health professions student loan fund.

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the water plan project or projects specified, the following:

Geological survey.....\$26,841

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the geological survey account is hereby reappropriated for fiscal year 2013.

Sec. 100.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$101,581,046

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans.....\$4,488,171

Provided, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Faculty of distinction matching fund.....No limit

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to the following accounts: Technology equipment; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate

medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special revenue fund.....	No limit
Kansas breast cancer research fund.....	No limit
Sponsored research overhead fund.....	No limit
Parking fund – Wichita campus.....	No limit
Services to hospital authority fund.....	No limit
Direct medical education reimbursement fund.....	No limit
Service clearing fund.....	No limit
<i>Provided</i> , That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; instructional services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.	
Educational nurse faculty loan program fund.....	No limit
Federal college work study fund.....	No limit
AMA education and research grant fund.....	No limit
Federal health professions/primary care student loan fund.....	No limit
Federal nursing student loan fund.....	No limit
Suspense fund.....	No limit
Federal student educational opportunity grant fund.....	No limit
Federal Pell grant fund.....	No limit
Federal Perkins student loan fund.....	No limit
Medical loan repayment fund.....	No limit
<i>Provided</i> , That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund.	
Medical student loan programs provider assessment fund.....	No limit
Graduate medical education administration reserve fund.....	No limit
University of Kansas medical center private practice	

foundation reserve fund.....	No limit
Robert Wood Johnson award fund.....	No limit
Federal scholarship for disadvantaged students fund.....	No limit
University federal fund.....	No limit
Leveraging educational assistance partnership federal fund.....	No limit
Graduate medical education support fund.....	No limit
Johnson county education research triangle fund	No limit
Cancer center research fund.....	No limit

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following funds: Federal Perkins student loan fund; federal nursing student loan fund; federal student education opportunity grant fund; federal college work study fund; educational nurse faculty loan program fund; federal health professions/primary care student loan fund.

(d) During the fiscal year ending June 30, 2013, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for medical students enrolled at the university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

Sec. 101.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$65,056,930

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is

hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund.....No limit
Provided, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunication; computer service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Faculty of distinction matching fund.....No limit
 Kansas career work study program fund.....No limit
 Scholarship funds fund.....No limit
 Sponsored research overhead fund.....No limit
 Economic opportunity act – federal fund.....No limit
 Education opportunity grant – federal fund.....No limit
 Matching education opportunity grant fund.....No limit
 Health professions student assistance program – loans fund.....No limit
 Nine month payroll clearing account fund.....No limit
 Pell grants fund.....No limit
 Housing system suspense fund.....No limit
 Housing system operations fund.....No limit
 Housing system renovation principal and interest fund.....No limit
 Housing system renovation and bond reserve fund.....No limit
 WSU housing system depreciation and replacement fund.....No limit
 Perkins loan fund.....No limit
 Kansas distinguished scholarship fund.....No limit
 Kansas comprehensive grant fund.....No limit
 WSU housing systems revenue fund.....No limit
 University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership – federal fund.....No limit
 Center of innovation for biomaterials in orthopaedic research – Wichita
 state university fund.....No limit
 Aviation research.....No limit

Kan-grow engineering fund – WSU.....No limit

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Aviation infrastructure.....\$4,981,537

Provided, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That during the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2013 by Wichita state university by this or other appropriation act of the 2012 regular session of the legislature, the moneys appropriated in the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2013 may only be expended for training and equipment expenditures of the national center for aviation training.

(d) During the fiscal years ending June 30, 2012, and June 30, 2013, in addition to the other purposes for which expenditures may be made by Wichita state university from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2012 or fiscal year 2013 by chapter 118 of the 2011 Session Laws of Kansas, or by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Wichita state university from the state general fund or from any special revenue fund or funds for fiscal year 2012 and fiscal year 2013, after consultation with the national institute for aviation research, to provide for the establishment of a technical training board: *Provided*, That, except as otherwise provided in this subsection (d), such board shall be similar in composition to the aviation research board and shall advise the president of Wichita state university, and others representing Wichita state university, on all expenditures from the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2012 and fiscal year 2013: *Provided further*, That such board shall review and evaluate all such expenditures: *And provided further*, That the executive director of the national institute for aviation research shall be the administrator for the technical training board: *And provided further*, That the membership of the technical training board shall include representatives of Sedgwick county and representatives of the Wichita area technical college as ex-officio, nonvoting members: *And provided further*, That the technical training board shall prepare and submit a report to the legislature, which shall be presented to the education budget committee of the house of representatives and to the appropriate subcommittee of the ways and means committee of the senate, not later than the first calendar day of the 2013 regular session of the legislature, detailing the findings of the technical training board regarding the expenditures by Wichita state university from the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2012 and fiscal year 2013.

Sec. 102.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$3,376,048

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby

reappropriated for fiscal year 2013: *Provided further*, That, during fiscal year 2013, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2013 by the state board of regents as authorized by this or other appropriation act of the 2012 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2013 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2013, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2013 by the state board of regents as authorized by this or other appropriation act of the 2012 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2013 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education commission.....\$95,000
 State scholarship program.....\$1,065,919

Provided, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 72-6816, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*, That, of the total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program.....\$15,758,338

Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Ethnic minority scholarship program.....\$296,498

Provided, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas work-study program.....\$496,813

Provided, That any unencumbered balance in the Kansas work-study program

account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 *et seq.*, and amendments thereto: *And provided further*, That all moneys transferred from this account to the Kansas career work study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships.....\$175,335
Provided, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Military service scholarships.....\$470,314
Provided, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *provided further*, That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 2011 Supp. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program.....\$1,846,320
Provided, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

National guard educational assistance.....\$870,869
Provided, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Vocational scholarships.....\$114,075
Provided, That any unencumbered balance in the vocational scholarships account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Nursing student scholarship program.....\$417,255
Provided, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Optometry education program.....\$107,089
Provided, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Municipal university operating grant.....\$11,130,920
 Adult basic education.....\$1,457,031
 Postsecondary tiered technical education state aid.....\$54,943,658

Provided, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2013, in the postsecondary tiered technical education state aid account is greater than the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2012, in the postsecondary tiered technical education state aid account, then the difference between the amount of moneys appropriated for the fiscal year 2013 and the amount of moneys appropriated for the above agency fiscal year 2012 shall be distributed based on each eligible institution's calculated gap,

according to the postsecondary tiered technical education state aid act, K.S.A. 2011 Supp. 71-1801 through 71-1810, and amendments thereto, as determined by the state board of regents: *Provided further*, That no eligible institution shall receive an amount of money from the postsecondary tiered technical education state aid account in fiscal year 2013 that is less than the amount such eligible institution received from such account in fiscal year 2012, unless the amount of moneys appropriated for the above agency 2012 in the postsecondary tiered technical education state aid account for fiscal year 2013 is less than the amount of moneys appropriated for the above agency for fiscal year 2012 in the postsecondary tiered technical education state aid account: *And provided further*, That if the amount of moneys appropriated for the above agency for fiscal year 2013 is less than the amount of moneys appropriated for the above agency for fiscal year 2012 in the postsecondary tiered technical education state aid account, then each eligible institution shall receive an amount of moneys as determined by the state board of regents.

Non-tiered course credit hour grant.....\$79,853,632
 Technology equipment at community colleges and Washburn university.....\$398,475

Provided, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Vocational education capital outlay aid.....\$71,585
 Payment to KPERS.....\$1,750,905
 Tuition waivers.....\$84,657
 Nurse educator grant program.....\$188,126

Provided, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies grant program.....\$1,787,193

Provided, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas postsecondary education institutions from the nursing faculty and supplies grant program account for expansion of nursing faculty and consumable laboratory supplies: *And provided further*, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nurse faculty and supplies grant program account for \$1 from the state educational institution receiving the grant: *And provided further*, That not less than \$94,064 in such grants shall be made to accredited private postsecondary educational institutions in Kansas.

Postsecondary technical education authority.....\$681,785

Provided, That, in addition to the other purposes for which expenditures may be made by the above agency from the postsecondary technical education authority account for fiscal year 2013, expenditures shall be made by the above agency from the postsecondary technical education authority account for fiscal year 2013 to develop a

report on the participation in technical education courses that lead to high-wage, high-demand technical occupations and result in Kansas board of regents approved industry credentials: *Provided further*, That such report shall be made available to the house of representatives committee on appropriations and the senate committee on ways and means no later than the first day of the 2013 regular legislative session.

Southwest Kansas access project.....\$243,000

Provided, That any unencumbered balance in the Southwest Kansas access project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship repayment fund.....No limit

Vocational education scholarship discontinued attendance fund.....No limit

Regents' scholarship gift fund.....No limit

Provided, That expenditures may be made from the regents' scholarship gift fund for scholarships awarded to Kansas residents who are attending institutions of postsecondary education in Kansas which are authorized under the laws of this state to award academic degrees and who meet academic and other eligibility criteria established by the state board of regents by rules and regulations: *Provided, however*; That a financial needs test shall not be one of the eligibility criteria established by the state board of regents for such scholarships: *Provided further*; That no scholarship awarded from this fund shall exceed \$2,000 per academic year: *And provided further*; That any recipient of a scholarship awarded from this fund may also receive either a state scholarship under K.S.A. 72-6810 through 72-6816, and amendments thereto, or a tuition grant under K.S.A. 72-6107 through 72-6111, and amendments thereto, or both: *And provided further*; That there shall be no reduction of any scholarship awarded from this fund for the amount of any such state scholarship or tuition grant received.

KAN-ED fund.....No limit

Provided, That expenditures may be made from the KAN-ED fund for official hospitality for the purposes of the KAN-ED act.

Health profession opportunity grant – federal.....No limit

Rigorous program of study – federal.....No limit

Earned indirect costs fund – federal.....No limit

Faculty of distinction program fund.....No limit

Paul Douglas teacher scholarship fund – federal.....No limit

GED credentials processing fees fund.....No limit

Proprietary school fee fund.....No limit

Provided, That expenditures may be made from the proprietary school fee fund for official hospitality.

Tuition waiver gifts, grants and reimbursements fund.....No limit

Adult basic education – federal fund.....No limit

Truck driver training fund.....No limit

No child left behind federal fund.....No limit

Comprehensive grant program discontinued attendance fund.....No limit

State scholarship discontinued attendance fund.....No limit

Kansas ethnic minority fellowship program fund.....	No limit
Private postsecondary educational institution degree authorization expense reimbursement fee fund.....	No limit
Substance abuse education fund – federal.....	No limit
Nursing service scholarship program fund.....	No limit
Clearing fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Teacher scholarship program fund.....	No limit
Motorcycle safety fund.....	No limit
Financial aid services fee fund.....	No limit
<i>Provided</i> , That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: <i>Provided further</i> , That the chief executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications and other activities related to student financial assistance programs administered by the state board of regents: <i>And provided further</i> , That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: <i>And provided further</i> , That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.	
Inservice education workshop fee fund.....	No limit
Optometry education repayment fund.....	No limit
Teacher scholarship repayment fund.....	No limit
Advanced registered nurse practitioner service scholarship program fund.....	No limit
Nursing service scholarship repayment fund.....	No limit
Nurse educator service scholarship repayment fund.....	No limit
ROTC service scholarship program fund.....	No limit
ROTC service scholarship repayment fund.....	No limit
Carl D. Perkins vocational and technical education – federal fund.....	No limit
College access challenge grant program.....	No limit
Kansas national guard educational assistance program repayment fund.....	No limit
Carl D. Perkins technical preparation – federal fund.....	No limit
Grants fund.....	No limit
Workforce development loan fund.....	No limit
Regents clearing fund.....	No limit
Private and out-of-state postsecondary educational institution fee fund.....	No limit
Statewide data systems ARRA – unifying data systems to support systemic changes fund.....	No limit
Distance learning/telemedicine federal grant.....	No limit
Statewide data systems federal fund.....	No limit
USAC E-rate program federal fund.....	No limit
WIA youth activities federal fund.....	No limit
WIA adult set-aside federal fund.....	No limit

- WIA dislocated workers set-aside federal fund.....No limit
- Incentive for technical education fund.....No limit
- Tuition for technical education fund.....No limit

(c) During the fiscal year ending June 30, 2013, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2013, to another item of appropriation in an account of the state general fund for fiscal year 2013. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, "account": (1) Means the operating expenditures (including official hospitality) account of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university; and (2) includes each other account of the state general fund of the state board of regents.

(d) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 for such state educational institution as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2013: *Provided, however*; That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further*; That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*; That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*; That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal or greater than the cost of debt service on such bonds: *And*

provided further, That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection (d)(1) at the beginning of the 2013 regular session of the legislature.

(2) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

SEDIF – vocational education capital outlay aid.....\$2,547,726

Provided, That expenditures from the SEDIF – vocational education capital outlay aid account for each grant of vocational education capital outlay aid shall be matched by the postsecondary institution awarded such grant in an amount which is equal to 50% of the grant: *Provided further*, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the SEDIF – vocational education capital outlay aid account is hereby reappropriated for fiscal year 2013.

SEDIF – technology innovation and internship program.....\$179,284

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2013.

SEDIF – EPSCOR.....\$993,265

Community and technical college competitive grants.....\$500,000

Provided, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*, That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1 for \$1 basis and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

(f) During the fiscal year ending June 30, 2013, notwithstanding any provisions of subsection (f) of K.S.A. 2011 Supp. 66-2010, and amendments thereto, as such subsection existed prior to June 30, 2009, to the contrary, the amount of \$3,749,909 shall be certified before July 1, 2013, by the chief executive officer of the state board of regents to the administrator of the KUSF and the administrator of the KUSF shall pay such amount from the Kansas universal service fund of the state corporation commission to the KAN-ED fund of the state board of regents during the fiscal year 2013 in accordance with the provisions of subsections (f)(1) and (f)(2) of K.S.A. 2011 Supp. 66-2010, and amendments thereto, as such subsections existed prior to June 30, 2009.

Sec. 103.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures\$24,360,048

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013:

Provided, however; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Community corrections.....\$17,583,912

Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2013 which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Local jail payments.....\$347,060

Provided, That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under subsection (b) of K.S.A. 19-1930, and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs.....\$49,784,426

Provided, That any unencumbered balance in the treatment and programs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Topeka correctional facility – facilities operations.....\$13,447,541

Provided, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility – facilities operations.....\$29,867,666

Provided, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility – facilities operations.....\$38,757,256

Provided, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility – facilities operations.....\$12,992,683

Provided, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility – facilities operations.....\$12,424,217

Provided, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the

Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility – facilities operations.....\$14,966,808

Provided, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility – facilities operations.....\$23,946,444

Provided, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility – facilities operations.....\$10,133,075

Provided, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Facilities operations.....\$13,761,662

Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Labette facility operations.....\$2,200,000

Any unencumbered balance in excess of \$100 as of June 30, 2012, in each of the following accounts is hereby reappropriated for fiscal year 2013: Department of corrections forensic psychologist fund.

Any unencumbered balance in the DUI treatment services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for the fiscal year 2013: *Provided further*; That expenditures may be made from the DUI treatment services account for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal flexible fiscal stabilization fund.....	No limit
Supervision fees fund.....	No limit
Residential substance abuse treatment – federal fund.....	No limit
Department of corrections forensic psychologist fund.....	No limit
Victim assistance fund.....	No limit
Ed Byrne memorial justice assistance grants – federal fund.....	No limit
Violence against women – federal fund.....	No limit
Sex offender management grant – federal fund.....	No limit
Recovery act justice assistance – federal fund.....	No limit
Department of corrections state asset forfeiture fund.....	No limit

Chapter I – federal fund.....	No limit
Victims of crime act – federal fund	No limit
Correctional industries fund.....	No limit
<i>Provided</i> , That expenditures may be made from the correctional industries fund for official hospitality.	
Ed Byrne state and local law assistance – federal fund.....	No limit
Safeguard community grants – federal fund.....	No limit
Workforce investment act – federal fund.....	No limit
Workplace and community transition training – federal fund.....	No limit
USMS reimbursement – federal fund.....	No limit
Corrections training and staff development – federal fund.....	No limit
Second chance act – federal fund.....	No limit
Alcohol and drug abuse treatment fund.....	No limit
<i>Provided</i> , That expenditures may be made from the alcohol and drug abuse fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.	
State of Kansas – department of corrections inmate benefit fund.....	No limit
Department of corrections – alien incarceration grant fund – federal.....	No limit
Department of corrections – general fees fund.....	No limit
<i>Provided</i> , That expenditures may be made from the department of corrections – general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: <i>Provided further</i> ; That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: <i>And provided further</i> ; 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: <i>And provided further</i> ; That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.	
JEHT reentry program fund.....	No limit
Sedgwick county program fund.....	No limit
Topeka correctional facility – community development block grant – federal fund.....	No limit
Topeka correctional facility – bureau of prisons contract – federal fund.....	No limit
Topeka correctional facility – general fees fund.....	No limit
Topeka correctional facility – laundry equipment depreciation reserve fund.....	No limit
Hutchinson correctional facility – general fees fund.....	No limit
Federal flexible fiscal stabilization fund – Hutchinson correctional facility.....	No limit
Lansing correctional facility – general fees fund.....	No limit
Ellsworth correctional facility – general fees fund.....	No limit
Winfield correctional facility – general fees fund.....	No limit
Federal flexible fiscal stabilization fund – Winfield correctional facility.....	No limit
Norton correctional facility – general fees fund.....	No limit

Federal flexible fiscal stabilization fund – Norton correctional facility.....	No limit
El Dorado correctional facility – general fees fund.....	No limit
Larned correctional mental health facility – general fees fund.....	No limit
Correctional services special revenue fund.....	No limit
Community corrections supervision fund.....	No limit
Community corrections special revenue fund.....	No limit

(c) During the fiscal year ending June 30, 2013, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2013 from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account of the state general fund during fiscal year 2013 for costs pursuant to subsection (b) of K.S.A. 19-1930, and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund during fiscal year 2013 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2012, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2013.

(f) On July 1, 2012, October 1, 2012, January 1, 2013, and April 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$233,750 from the correctional industries fund to the department of corrections – general fees fund.

(g) During the fiscal year ending June 30, 2013, 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.

(h) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and additions grant fund of the Kansas department for aging and disability services to the community corrections special revenue fund of the department of corrections.

Sec. 104.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$3,420,954

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Management information systems.....\$844,087

Provided, That any unencumbered balance in the management information systems account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas juvenile correctional complex facility operations.....\$16,945,460

Provided, That any unencumbered balance in the Kansas juvenile correctional complex facility operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739, and amendments thereto.

Larned juvenile correctional facility operations.....\$8,719,451

Provided, That any unencumbered balance in the Larned juvenile correctional facility operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Purchase of services.....\$23,524,240

Provided, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Prevention and graduated sanctions community grants.....\$21,383,874

Provided, That any unencumbered balance in the intervention and graduated sanctions community grants account in excess of \$100 as of June 30, 2012, are hereby reappropriated to the prevention and graduated sanctions community grants account for fiscal year 2013: *Provided further*; 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.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, 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:

Medical assistance program – federal fund.....No limit

Title IV-E fund.....	No limit
Juvenile accountability incentive block grant – federal fund.....	No limit
Juvenile justice delinquency prevention – federal fund.....	No limit
Juvenile detention facilities fund.....	No limit
Juvenile justice fee fund – central office.....	No limit
Juvenile justice federal fund – Larned juvenile correctional facility.....	No limit
Juvenile justice federal fund – Kansas juvenile correctional complex.....	No limit
Juvenile justice federal fund.....	No limit
Byrne grant – federal fund – Kansas juvenile correctional complex.....	No limit
Kansas juvenile delinquency prevention trust fund.....	No limit
Byrne grant – federal fund.....	No limit
Prisoner reentry initiative demonstration – federal fund.....	No limit
Comprehensive approaches to sex offender management discretionary grant – federal fund.....	No limit
Part E – developing, testing, and demonstrating promising new programs – federal fund.....	No limit
Title V – delinquency prevention program – federal fund.....	No limit
Block grants for prevention and treatment of substance abuse – federal fund.....	No limit
Promoting safe and stable families – federal fund.....	No limit
Title I program for neglected and delinquent children – federal fund.....	No limit
Improving teacher quality state grants – federal fund.....	No limit
Kansas juvenile correctional complex – juvenile accountability block grant – federal fund.....	No limit
Workforce investment act – federal fund – Kansas juvenile correctional complex.....	No limit
National school lunch program – federal fund – Kansas juvenile correctional complex.....	No limit
National school lunch program – federal fund – Larned juvenile correctional facility.....	No limit
Atchison youth residential center fee fund.....	No limit
Larned juvenile correctional facility fee fund.....	No limit
Larned juvenile correctional facility – title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Larned juvenile correctional facility.....	No limit
Dev/test/demo new prgs – Larned juvenile correctional facility – federal fund.....	No limit
Kansas juvenile correctional complex fee fund.....	No limit
Kansas juvenile correctional complex – title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Kansas juvenile correctional complex.....	No limit

Kansas juvenile correctional complex – gifts, grants, and donations fund.....No limit
 Dev/test/demo new prgs – Kansas juvenile correctional complex – federal fund.....No limit

Comprehensive approach to sex offender management discretionary grant – Kansas juvenile correctional complex – federal fund.....No limit

(c) During the fiscal year ending June 30, 2013, the commissioner of juvenile justice, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to another item of appropriation for fiscal year 2013 from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice. The commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) In addition to the other purposes for which expenditures may be made by the juvenile justice authority from the juvenile detention facilities fund for fiscal year 2013, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, the juvenile justice authority is hereby authorized and directed to make expenditures from the juvenile detention facilities fund for fiscal year 2013 for purchase of services.

Sec. 105.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$4,587,104
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,250.

Disaster relief.....\$6,028,703
Provided, That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Incident management team.....\$16,202
Provided, That any unencumbered balance in the incident management team account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Civil air patrol – operating expenditures.....\$34,507
 Military activation payments.....\$15,807
Provided, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 2011 Supp. 75-3228, and amendments thereto: *Provided further*, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas military emergency relief\$9,881
Provided, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered

into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Conversion of materials and equipment fund – military division.....	No limit
Adjutant general expense fund.....	No limit
State asset forfeiture fund.....	No limit
Emergency management – federal fund matching – administration	
fund.....	No limit
State emergency fund.....	No limit
State emergency fund weather disasters 5/4/2007.....	No limit
State emergency fund weather disasters 12/06, 7/07.....	No limit
Disaster reimbursement fund.....	No limit
Disaster grants – public assistance federal fund.....	No limit
National guard military operations/maintenance federal fund	No limit
Intra-agency hazardous mitigation trn/pl federal fund.....	No limit
Econ adjustment/military installation federal fund.....	No limit
Public safety partnership/community policing federal fund.....	No limit
Disaster assistance to individual/household federal fund.....	No limit
Interoperability communication equipment fund.....	No limit
Homeland security FFY05 int federal fund.....	No limit
State homeland security program federal fund.....	No limit
Nuclear safety emergency management fee fund.....	No limit

Provided, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2013 pursuant to agreements which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 *et seq.*, and amendments thereto.

Military fees fund – federal.....No limit

Provided, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.

Armories and units general fees fund.....	No limit
Emergency systems for advanced registration for volunteer health professionals – federal fund.....	No limit
Civil air patrol – grants and contributions – federal fund.....	No limit
Emergency management performance grant – federal fund.....	No limit
NG – federal forfeiture fund.....	No limit
Inaugural expense fund.....	No limit
Kansas military emergency relief fund.....	No limit

Provided, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

Emergency management assistance compact federal fund.....	No limit
Public safety interoperable communications grant program federal fund.....	No limit
Military construction national guard federal fund.....	No limit
National guard civilian youth opportunities federal fund.....	No limit
Hazard mitigation grant federal fund.....	No limit
Citizen corps federal fund.....	No limit
Law enforcement terrorism prevention program federal fund.....	No limit
Safe and drug-free schools and communities national programs federal fund.....	No limit
National guard museum assistance fund.....	No limit

Provided, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35th infantry division museum and education center facility.

Great plains joint regional training center fee fund.....	No limit
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Provided, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training

center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to other positions within the adjutant general's department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*; That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2013 made by this or other appropriation act of the 2012 regular session of the legislature.

Sec. 106.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund.....	\$3,620,954
<i>Provided</i> , That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$500.	
Gifts, grants and donations fund.....	No limit
Hazardous material program fund.....	\$373,962
Intragovernmental service fund.....	No limit
State fire marshal liquefied petroleum gas fee fund.....	\$189,297
Hazardous materials emergency fund.....	\$250,000

Provided, That expenditures may be made by the state fire marshal from the hazardous materials emergency fund for fiscal year 2013 for the purposes of responding to specific incidences of emergencies related to hazardous materials without prior approval of the state finance council: *Provided, however*, That expenditures from the hazardous materials emergency fund during fiscal year 2013 for the purposes of responding to any specific incidence of an emergency related to hazardous materials

without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session.

- Fire safety standard and firefighter protection act enforcement fund.....No limit
- Cigarette fire safety standard and firefighter protection act fund.....No limit
- Non-fuel flammable or combustible liquid aboveground storage tank system fund.....No limit
- Homeland security grant – federal fund.....No limit

(b) On July 1, 2012, and January 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$186,981 from the fire marshal fee fund of the state fire marshal to the hazardous material program fund of the state fire marshal.

(c) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund to the hazardous materials emergency fund of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. *Provided*, That the aggregate amount of such transfers for the fiscal year ending June 30, 2013, shall not exceed \$50,000.

(d) During the fiscal year ending June 30, 2013, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund during fiscal year 2013, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2013 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2013 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the hazardous materials emergency fund to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2013 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(e) During the fiscal year ending June 30, 2013, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund and any other resources available to the fire marshal fee fund during the fiscal year 2013, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2012 are insufficient to meet in full the estimated expenditures for fiscal year 2013 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash

flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2013: *Provided*, That the aggregate amount of such transfers during fiscal year 2013 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection is transmitted to the director of accounts and reports during fiscal year 2012, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 107.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
<i>Provided</i> , That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law.	
For patrol of Kansas turnpike fund.....	No limit
<i>Provided</i> , That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.	
Highway patrol motor vehicle fund.....	No limit
Department of justice – federal recovery act – Edward J. Byrne	
memorial justice assistance grant program – federal fund.....	No limit
Kansas highway patrol state forfeiture fund.....	No limit
Disaster grants – public assistance – federal fund.....	No limit
Edward Byrne memorial assistance grant – state and local	
law enforcement – federal fund.....	No limit
Bulletproof vest partner – federal fund.....	No limit
Performance registration information system management –	
federal fund.....	No limit
Commercial vehicle information system network – federal fund.....	
Highway planning and construction – federal fund.....	No limit
Public safety interoperability grant – federal fund.....	No limit
Citizen corps – federal fund.....	No limit
Emergency management performance grants – federal fund.....	No limit

Safety data improvement project – federal fund.....No limit
 Interoperability communication equipment – federal fund.....No limit
 Edward Byrne memorial assistance grant – federal fund –
 federal American recovery and reinvestment act.....No limit
 Cops grant – federal fund.....No limit
 KHP federal forfeiture – federal fund.....No limit
 Law enforcement terrorism prevention – federal fund.....No limit
 High intensity drug trafficking areas – federal fund.....No limit
 State domestic preparedness equipment sprt – federal fund.....No limit
 Metro med response system – federal fund.....No limit
 Homeland security program – federal fund.....No limit
 Buffer zone protection program – federal fund.....No limit
 Rural law enforcement assistance grant – federal fund –
 federal American recovery and reinvestment act.....No limit
 Edward Byrne memorial justice assistance grant – federal fund.....No limit
 Emergency ops cntr – federal fund.....No limit
 State and community highway safety – federal fund.....No limit
 Gifts and donations fund.....No limit
Provided, That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.
 Motor carrier safety assistance program state fund.....No limit
Provided, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.
 National motor carrier safety assistance program – federal fund.....No limit
Provided, That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.
 Aircraft fund – on budget.....No limit
 Highway safety fund.....No limit
 Capitol area security fund.....No limit
 Vehicle identification number fee fund.....No limit
 Motor vehicle fuel and storeroom sales fund.....No limit
Provided, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.
 Kansas highway patrol operations fund.....\$53,249,854
Provided, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: *Provided further*, That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian

clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *And provided further*; That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto: *And provided further*; That the superintendent shall make expenditures from the Kansas highway patrol operations fund of not more than \$627,766 for the purpose of paying the overtime and holiday compensation to highway patrol officers and troopers who have accumulated such overtime and holiday pay that remained unpaid: *And provided further*; That such payment shall be made during fiscal year 2013: *And provided further*; That, of the \$627,766 for such compensation payment purpose, any amount not expended or encumbered during fiscal year 2013 for such purpose shall be lapsed on July 1, 2013.

Highway patrol training center fund.....No limit

Provided, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*; That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*; That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*; That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft fund.....No limit

Provided, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*; That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*; That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund.

1122 program clearing fund.....No limit

(b) On or before the 10th of each month during the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2012, and January 1, 2013, or as soon after each date as moneys are available the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$650,000 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program state fund

of the Kansas highway patrol.

(d) On July 1, 2012, and January 1, 2013, or as soon after each date as moneys are available, the director of accounts and reports shall transfer \$26,293,380.50 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2013 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2013 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$287,000 from the state highway fund of the department of transportation to the highway safety fund of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the state highway fund of the department of transportation to the general fees fund of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2012, and January 1, 2013, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 74-2136, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$300,000 from the highway patrol motor vehicle fund of the Kansas highway patrol to the aircraft fund – on budget of the Kansas highway patrol.

(h) On July 1, 2012, the director of accounts and reports shall transfer \$627,766 from the state general fund to the Kansas highway patrol operations fund of the Kansas highway patrol.

Sec. 108.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$15,546,134

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the operating expenditures account for fiscal year 2013: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup.....\$450,000

Provided, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *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.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state forfeiture fund.....No limit
Provided, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

Federal forfeiture fund.....No limit
Provided, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

High intensity drug trafficking area – federal fund.....No limit
 Federal grants – marijuana eradication – federal fund.....No limit
 Criminal justice information system line fund.....\$751,740
 DNA database fund.....No limit
 Kansas bureau of investigation motor vehicle fund.....No limit

Provided, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*; That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials fee fund.....No limit
Provided, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation: *Provided, however*; That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by subsection (e) of K.S.A. 28-176, and amendments thereto: *Provided further*; That all fees received for such laboratory tests, including all moneys received pursuant to subsection (a) of K.S.A. 28-176, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

General fees fund.....No limit
Provided, That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however*; That the director of the Kansas bureau of investigation is

hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter *Provided*, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further*; That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures.

Record check fee fund.....No limit

Provided, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further*; That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.

- Intergovernmental service fund.....No limit
- Agency motor pool fund.....No limit
- National criminal history improvement program federal fund.....No limit
- Public safety partnership and community policing federal fund.....No limit
- Forensic DNA backlog reduction federal fund.....No limit
- Coverdell forensic sciences improvement federal fund.....No limit
- Anti-gang initiative federal fund.....No limit
- Homeland security federal fund.....No limit
- State homeland security program federal fund.....No limit
- Convicted/arrestee DNA backlog reduction federal fund.....No limit
- Disaster grants – public assistance federal fund.....No limit
- Ed Byrne memorial justice assistance federal fund.....No limit
- Ed Byrne state/local law enforcement federal fund.....No limit
- Violence against women – ARRA federal fund.....No limit

AWA implementation grant program federal fund.....	No limit
Ed Byrne memorial JAG – ARRA federal fund.....	No limit
Convicted offender/arrestee DNA backlog reduction federal fund.....	No limit
KBI-FBI reimbursement federal fund.....	No limit
Project safe neighborhoods fund.....	No limit
Social security administration reimbursement – federal fund.....	No limit

Sec. 109.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Rural health options grant fund.....	No limit
Rural access to emergency devices grant – federal fund.....	No limit
Emergency medical services operating fund.....	\$1,343,842

Provided, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*, That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*, That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant payment fund.....	No limit
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Provided, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund.....	No limit
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Provided, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*, That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*, That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2013.

National bioterrorism hospital preparedness – federal fund.....	No limit
Highway safety – federal fund.....	No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the board of emergency medical services

operating fund for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2013 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants, instructor-coordinators and training officers: *Provided further*, That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants, instructor-coordinators and training officers: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants, instructor-coordinators and training officers who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund for the emergency medical services board for fiscal year 2013, as authorized by this or any other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund for the emergency medical services board for fiscal year 2013 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in the EMS region are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to such EMS region for the operation of the education and training of emergency medical attendants in such EMS region.

(d) On July 1, 2012, and January 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund to the educational incentive grant payment fund of the emergency medical services board.

(e) During the fiscal year ending June 30, 2013, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2013, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2013 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2013 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and

transfers from the emergency medical services operating fund for the remainder of fiscal year 2013 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2013, if any EMS regional council enters into a grant agreement with the emergency medical service board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2013.

Sec. 110.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$681,549

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Substance abuse treatment programs.....\$6,338,396

Provided, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....No limit

Statistical analysis – federal fund.....No limit

Drug abuse fund – federal.....No limit

Sec. 111.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers' standards and training fund.....\$560,000

Provided, That expenditures from the Kansas commission on peace officers' standards and training fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$500.

Local law enforcement training reimbursement fund.....No limit

Sec. 112.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$10,283,733

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the operating expenditures account for fiscal year 2013: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$10,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dairy fee fund.....	No limit
Meat and poultry inspection fee fund.....	No limit
Wheat quality survey fund.....	No limit
Plant protection fee fund.....	No limit
Laboratory equipment fund.....	No limit
Water structures – state highway fund.....	\$114,415
Soil amendment fee fund.....	No limit
Agricultural liming materials fee fund.....	No limit
Weights and measures fee fund.....	No limit
Water appropriation certification fund.....	No limit
Water resources cost fund.....	No limit

Provided, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 2011 Supp. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

Agriculture seed fee fund.....	No limit
Chemigation fee fund.....	No limit
Agriculture statistics fund.....	No limit
Petroleum inspection fee fund.....	No limit
Water transfer hearing fund.....	No limit
Grain commodity commission services fund.....	No limit
Kansas agricultural remediation fund.....	No limit
Warehouse fee fund.....	No limit
U.S. geological survey cooperative gauge agreement grants fund.....	No limit

Provided, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*; That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*; That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Computer services fund.....	No limit
Agricultural chemical fee fund.....	No limit
Feeding stuffs fee fund.....	No limit
Fertilizer fee fund.....	No limit
Plant pest emergency response fund.....	No limit

Pesticide use fee fund.....	No limit
Geographic information system fee fund.....	No limit
Egg fee fund.....	No limit
Water structures fund.....	\$112,176
Meat and poultry inspection fund – federal.....	No limit
EPA pesticide performance partnership grant – federal fund.....	No limit
FEMA dam safety – federal fund.....	No limit
FEMA – hazard mitigation map federal fund.....	No limit
FEMA stream mapping – federal fund.....	No limit
Pest detection and survey – federal fund.....	No limit
State trade and export promotion – federal fund.....	No limit
FDA tissue residue – federal fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Trademark fund.....	No limit
Market development fund.....	No limit

Provided, That expenditures may be made from the market development fund for official hospitality: *Provided further*, That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary: *And provided further*, That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.

Reimbursement and recovery fund.....	No limit
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Provided, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Conference registration and disbursement fund.....	No limit
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Provided, That expenditures may be made from the conference registration and disbursement fund for official hospitality.

Buffer participation incentive fund.....	No limit
Targeted watershed grants – federal fund.....	No limit
Agency motor pool fund.....	No limit
Land reclamation fee fund.....	No limit
Animal health protection fund.....	No limit
Animal donation fund.....	No limit
Livestock and pseudorabies indemnity fund.....	No limit
County option brand fee fund.....	No limit
Livestock brand emergency revolving fund.....	No limit
Livestock brand fee fund.....	No limit

Provided, That expenditures from the livestock brand fee fund for official hospitality shall not exceed \$250.

Livestock market brand inspection fee fund.....	No limit
Veterinary inspection fee fund.....	No limit
Animal dealers fee fund.....	No limit

Provided, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300: *Provided further*, That expenditures shall be made from the

animal dealers fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets.

Animal disease control fundNo limit
Provided, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Meat poultry egg production inspection – federal fund.....No limit
Market protection promotion – federal fund.....No limit
Health and human services retail food audit – federal fundNo limit
USDA cooperative – federal fund.....No limit
Specialty crop block grant – federal fund.....No limit
Publications fee fund.....No limit

Provided, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*; That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*; That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*; That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

Homeland security grant – federal fund.....No limit
USDA national agricultural statistics services – federal fund.....No limit
FDA food protection conference grant – federal fund.....No limit
Retail food good manufacturing practice management –

federal fund.....No limit
Medicated feed and FDA BSE inspection – federal fund.....No limit

National floodplain insurance assistance (CAP) – federal fund.....No limit
Environmental quality incentive program – federal fundNo limit
Disease control fund – federal.....No limit
National dam safety program – federal fund.....No limit
Cooperating technical partners – federal fund.....No limit
Plant and animal disease & pest control – federal fund.....No limit
Country of origin labeling (COOL) – federal fund.....No limit
USDA Kansas forestry service – federal fund.....No limit
USDA pesticide recordkeeping – federal fund.....No limit
Civil litigation fee fund.....No limit

Provided, That the above agency is authorized to make expenditures from the civil litigation fee fund for costs or other expenses associated with investigation and

litigation regarding fraudulent meat sales: *Provided further*, That a portion of the moneys received by the state from fines and other moneys collected as a result of the settlement of fraudulent meat sales cases, as determined by the secretary of agriculture and the attorney general, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the civil litigation fee fund.

Food safety fee fund.....No limit
Gifts and donations fund.....No limit

Provided, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the secretary of agriculture is hereby authorized to fix, charge and collect fees in order to recover all or part of the costs incurred for such regulatory program activities and for official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for the regulatory program activity or official hospitality for which such fees are imposed: *And provided further*, That all amounts received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Lodging fee fund.....No limit
Watershed protect approach/WTR RSRCE MGT fund.....No limit
NRCS contribution agreement farm bill – federal fund.....No limit
Licensing online transition fund.....No limit

Provided, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2013 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, 2013.

Grain warehouse inspection fund.....No limit

Provided, That during the fiscal year ending June 30, 2013, the above agency 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, 2013.

Feral swine eradication fund.....No limit
Livestock market reporting fund.....No limit
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 2013, 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.

Laboratory testing services fee fund.....No limit

Provided, That all expenditures from the laboratory testing services fee fund shall be for the purposes of providing laboratory testing of samples upon request: *Provided further*, That the secretary of agriculture is hereby authorized to fix, charge and collect fees for such laboratory testing: *And provided further*, That such fees shall be fixed in order to recover all or part of the costs incurred to provide the services and any other necessary and incidental expenses incurred in conjunction with such laboratory testing: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the laboratory testing services fee fund.

Arkansas river gaging fund.....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the water plan project or projects specified, the following:

Water resources cost share.....\$2,008,700

Provided, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2013 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise and/or 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 budget amount for fiscal year 2012 for the water resources cost share account.

Nonpoint source pollution assistance.....\$2,008,691

Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Conservation district aid.....\$2,260,000

Provided, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Watershed dam construction.....\$625,000

Provided, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Lake restoration.....\$190,000

Provided, That any unencumbered balance in the lake restoration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas water quality buffer initiatives.....\$270,000

Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *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 2013 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and wetland program.....\$165,000
Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Basin management.....\$667,551
Provided, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Water use.....\$60,000
Provided, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Interstate water issues.....\$481,511
Provided, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Water transition assistance program/conservation reserve enhancement program.....\$672,281

Provided, That any unencumbered balance in the water transition assistance program/conservation reserve enhancement program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That, in addition, fiscal year 2013 expenditures, from the water transition assistance program/conservation reserve enhancement program account, are authorized to be made by the division of conservation of the Kansas department of agriculture for the conservation reserve enhancement program: *And provided further*, That all expenditures under the water transition assistance program/conservation reserve enhancement program, referred to as CREP in this subsection, are subject to the following criteria: (1) The total number of acres enrolled in Kansas in CREP for the six fiscal years 2008, 2009, 2010, 2011, 2012, and 2013 shall not exceed 40,000 acres; (2) the number of acres eligible for enrollment in CREP in Kansas shall be limited to one-half of the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the CREP area, except that if federal law permits the land enrolled in the CREP program to be used for agricultural purposes such as planting of agricultural commodities, including, but not limited to, grains, cellulosic or biomass materials, alfalfa, grasses, legumes or other cover crops then the number of acres eligible for enrollment shall be limited to the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the CREP area; (3) lands enrolled in the conservation reserve program as of January 1, 2008, shall not be eligible for enrollment in CREP; (4) no more than 25% of the acreage in CREP may be in any one county; (5) no water right that is owned by a governmental entity, except a groundwater management district, shall be purchased or retired by the state or federal government pursuant to CREP; and (6) only water rights in good standing are eligible for inclusion under CREP: *And provided further*, That to be a water right in good standing the following criteria must be met: (A) At least 50% of the maximum annual quantity authorized to be diverted under the water right has been used in any three years from

2001 through 2005; (B) in the years 2001 through 2005 the water rights used for the acreage in CREP shall not have exceeded the maximum annual quantity authorized to be diverted and shall not have been the subject of enforcement sanctions by the division of water resources in the last four years; and (C) the water right holder has submitted the required annual water use report required by K.S.A. 82a-732, and amendments thereto, for each of the most recent 10 years; *And provided further*, That the Kansas department of agriculture shall submit a CREP report to the senate committee on natural resources and the house committee on agriculture and natural resources at the beginning of the 2013 regular session of the legislature which shall contain a description of program activities and shall include: (i) The total water rights, measured in acre feet, retired in CREP during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and fiscal year 2013, to date, (ii) the acreage enrolled in CREP during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and in fiscal year 2013, to date, (iii) the dollar amounts received and expended for CREP during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and in fiscal year 2013, to date, (iv) the economic impact of the CREP, (v) the change in groundwater levels in the CREP area during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and fiscal year 2013, to date, (vi) the annual amount of water usage in the CREP area during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and fiscal year 2013, to date, (vii) an assessment of meeting each of the program objectives identified in the agreement with the farm service agency, and (viii) such other information as the Kansas department of agriculture shall specify.

(d) During the fiscal year ending June 30, 2013, the secretary of agriculture, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2012, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$112,234 from the state highway fund of the department of transportation to the water structures – state highway fund of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Agriculture marketing program.....\$627,530

Provided, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture therefor under the agricultural value added center program.

Sec. 113.

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund.....No limit
Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.

State fair federal transfer fund.....No limit
State fair special cash fund.....No limit
State fair debt service special revenue fund.....No limit

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

State fair debt service.....\$854,331

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Enhanced marketing promotion.....\$25,000

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$400,000 from the state economic development initiatives fund to the state fair capital improvements fund of the state fair board.

Sec. 114.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Water resources operating expenditures.....\$1,322,371

Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$250.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Local water project match fund.....No limit

Provided, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*; That all moneys credited to this fund shall be used to match state funds or federal funds, or both for water projects.

Water supply storage assurance fund.....No limit

Provided, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2013, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 *et seq.*, and amendments thereto, to supply water to users which is not held under contract in such reservoirs.

Water supply storage acquisition fund.....No limit

Provided, That, on July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$120 from the water supply storage acquisition fund to the state general fund.

- State conservation storage water supply fund.....No limit
- Water marketing fund.....No limit
- EPA wetland grant – federal fund.....No limit
- General fees fund.....No limit

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

- Indirect cost fund.....No limit
- Motor pool vehicle replacement fund.....No limit
- Reservoir storage beneficial use fund.....No limit

Provided, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

- Arkansas river water conservation projects fund.....No limit
- Republican river water conservation projects – Nebraska moneys fund.....No limit
- Republican river water conservation projects – Colorado moneys fund.....No limit
- Lower Smoky Hill water supply access fund.....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the state water plan project or projects specified, the following:

- Assessment and evaluation.....\$540,000

Provided, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

- GIS data base development.....\$170,000

Provided, That any unencumbered balance in the GIS data base development account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

- MOU – storage operations and maintenance.....\$360,364

Provided, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

- Stream gaging.....\$448,663

Provided, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

- Suspended sediment monitoring.....\$100,000

Provided, That any unencumbered balance in the suspended sediment monitoring

account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Technical assistance to water users.....\$413,000

Provided, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Water resource education.....\$40,000

Provided, That any unencumbered balance in the water resource education account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Wichita aquifer storage and recovery project.....\$500,000

Provided, That any unencumbered balance in the Wichita aquifer recovery project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Weather modification program.....\$200,000

Provided, That any unencumbered balance in the weather modification program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That any unencumbered balance in the weather modification program account in excess of \$100 as of June 30, 2011, is hereby reappropriated for fiscal year 2012: *And provided further*, That, during fiscal year 2013, the above agency shall be authorized to expend no more than \$20,000 for each county that enrolls in the weather modification program: *And provided further*, That, during fiscal year 2013, no more than ten counties may enroll in the weather modification program: *Provided, however*, That, if less than ten counties enroll in the weather modification program during fiscal year 2013, then \$20,000 for each county less than ten, is hereby lapsed.

Any unencumbered balance in each of the following accounts in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: Neosho river basin issues.

(d) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

Wichita aquifer storage and recovery project.....\$500,000

Provided, That any unencumbered balance in the Wichita aquifer recovery project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(e) During the fiscal year ending June 30, 2013, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(f) During the fiscal year ending June 30, 2013, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient

amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(g) During the fiscal year ending June 30, 2013, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(h) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2013, from the water marketing fund to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 *et seq.*, and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(i) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general

fund or from any special revenue fund or funds for fiscal year 2013, to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

Sec. 115.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) Any unencumbered balance in the state parks operating expenditures account of the state general fund in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$3,446,884

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,000: *Provided further*; That, in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account for fiscal year 2013, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2013 to include a provision on the calendar year 2013 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members: *And provided further*; That all moneys received as voluntary contributions to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating expenditures.....\$2,300,871

Provided, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Travel and tourism operating expenditures.....\$1,858,634

Provided, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Reimbursement for annual licenses issued to national guard members.....\$36,342

Provided, That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2013 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses: *Provided, however*; That no other hunting or fishing licenses or permits shall

be eligible to be paid from this account: *Provided further*, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Reimbursement for annual park permits issued to national guard members.....\$17,922

Provided, That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2013 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided, however*, That not more than one annual park vehicle permit per family shall be eligible to be paid from this account: *Provided further*; That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Reimbursement for annual licenses issued to Kansas disabled veterans.....\$39,827

Provided, That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2013 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however*, That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service connected disability is equal to or greater than 30%: *Provided further*; That no other hunting or fishing licenses or permits shall be eligible to be paid from this account: *And provided further*; That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(c) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

Cabin loan payoff.....\$1,785,473

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund.....\$24,676,963

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2013 for the purposes of compensating federal aid program expenditures if

necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2013: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Parks fee fund.....\$5,645,583

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2013 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2013: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund.....\$1,061,904

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 2013 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2013: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Central aircraft fund.....No limit

Provided, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies, and for the purchase of state aircraft insurance: *Provided further*, That the secretary of wildlife, parks and tourism is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*, That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*, That all fees received for such services shall be credited to the central aircraft fund.

Department access roads fund.....\$1,102,436

Wildlife, parks and tourism nonrestricted fund.....No limit

Prairie spirit rails-to-trails fee fund.....No limit

Plant and animal disease and pest control fund.....No limit

Nongame wildlife improvement fund.....No limit

Wildlife conservation fund.....No limit

Federally licensed wildlife areas fund.....No limit

State agricultural production fund.....No limit

Land and water conservation fund – state.....No limit

Land and water conservation fund – local.....No limit

Development and promotions fund.....No limit

Department of wildlife and parks private gifts and donations fund.....No limit

Fish and wildlife restitution fund.....	No limit
Parks restitution fund.....	No limit
Nonfederal grants fund.....	No limit
Disaster grants – public assistance fund.....	No limit
Soil/water conservation fund	No limit
Navigation projects fund.....	No limit
Recreation resource management fund.....	No limit
Cooperative endangered species conservation fund.....	No limit
Landowner incentive program fund.....	No limit
Bulletproof vest partnership fund.....	No limit
Recreational trails program fund.....	No limit
Highway planning/construction fund.....	No limit
Plant/animal disease and pest control fund.....	No limit
Americorps – ARRA fund	No limit
Cooperative forestry assistance fund.....	No limit
North America wetland conservation fund.....	No limit
Wildlife services fund.....	No limit
Fish/wildlife management assistance fund.....	No limit
Fish/wildlife core act fund	No limit
Watershed protection/flood prevention fund.....	No limit
Suspense fund.....	No limit
Employee maintenance deduction clearing fund.....	No limit
Cabin revenue fund.....	No limit
Feed the hungry fund.....	No limit
State wildlife grants fund	No limit
Boating safety financial assistance fund.....	No limit
Wildlife restoration fund.....	No limit
Sport fish restoration fund.....	No limit
Outdoor recreation acquisition, development and planning fund.....	No limit
Publication and other sales fund.....	No limit

Provided, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2013, expenditures may made from such fund for the purpose of compensating federal aid program expenditures if necessary in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2013: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Free licenses and permits fund	No limit
Enforce underage drinking law fund.....	No limit
Migratory bird monitoring.....	No limit
Voluntary public access.....	No limit

(e) In addition to other purposes for which expenditures may be made by the Kansas department of wildlife, parks and tourism from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 by this or

other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the Kansas department of wildlife, parks and tourism from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 to negotiate and enter into contracts for promotional advertising services for the performance of the powers, duties and functions of the Kansas department of wildlife, parks and tourism: *Provided*, That all such contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Sec. 116.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund.....No limit
Provided, That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.

Special city and county highway fund.....No limit
 County equalization and adjustment fund.....\$2,500,000
 Highway special permits fund.....No limit
 Highway bond debt service fund.....No limit
 Rail service improvement fund.....No limit
 Transportation revolving fund.....No limit
 Rail service assistance program loan guarantee fund.....No limit
 Railroad rehabilitation loan guarantee fundNo limit

Provided, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount which the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2013, in satisfaction of liabilities arising from the unconditional guarantee of payment which was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor vehicle fuel sales fund.....No limit

Provided, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas highway patrol: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to the Kansas highway patrol: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be credited to the interagency motor vehicle fuel sales fund.

Coordinated public transportation assistance fund.....No limit
 Public use general aviation airport development fund.....No limit
 Highway bond proceeds fund.....No limit
 Communication system revolving fund.....No limit
 Traffic records enhancement fund.....No limit

Other federal grants fund.....No limit
 Kansas intermodal transportation revolving fund.....No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2013, from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2013 other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Agency operations.....\$284,549,681

Provided, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: *Provided further*, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto: *And provided further*, That, if 2012 House Bill No. 2757 or any other legislation which provides for the naming of the SP4 Michael T. Martin and SGT Joseph A Zutterman Jr. Memorial Bridges is not passed by the legislature during the 2012 regular session and enacted into law, then on July 1, 2012 of the \$284,549,681 appropriated for the above agency for the fiscal year ending June 30, 2013 by this section from the state highway fund in the agency operations account, the sum of \$3,840 is hereby lapsed.

Conference fees.....No limit

Provided, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: *Provided further*, That such fees shall be deposited in the state treasury and credited to the conference fees account of the state highway fund: *And provided further*, That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance.....No limit

ClaimsNo limit

Payments for city connecting links.....\$3,360,000

Federal local aid programs.....No limit

Bond services fees.....No limit

Construction, remodeling and special maintenance projects for buildings.....\$0

Provided, That expenditures may be made from the construction, remodeling and special maintenance projects for buildings account of the state highway fund of amounts in unexpended balances as of June 30, 2012, in capital improvement project accounts of projects approved for prior fiscal years: *Provided further*, That expenditures from this account of amounts in such unexpended balances shall be in addition to any expenditure limitation imposed on this account for fiscal year 2013.

Other capital improvements.....No limit

Provided, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2013 for the following capital improvement

project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair	\$3,374,157
Buildings – reroofing.....	\$368,826
Buildings – other construction, renovation and repair.....	\$3,031,432

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2013, expenditures may be made by the above agency from the state highway fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2013 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2012, subject to the provisions of section (d): *Provided further*, That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2013.

(d) During the fiscal year ending June 30, 2013, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2013 from the state highway fund for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2013 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2013, the director of accounts and reports shall transfer from the motor pool service fund of the department of administration to the state highway fund of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2013, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund, the director of accounts and reports shall transfer from the state highway fund to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2013, from the state highway fund to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2013.

(h) For the fiscal year ending June 30, 2013, the department of transportation shall prepare and submit along with the documents required under K.S.A. 75-3717, and amendments thereto, additional documents that present the revenues, transfers, and expenditures that are considered to be in support of the transportation works for Kansas program (T-WORKS) authorized by K.S.A. 68-2314b *et seq.*, and amendments thereto: *Provided*, That documents shall include both reportable as well as nonreportable and off-budget items that reflect the revenues, transfers and expenditures associated with the comprehensive transportation program.

(i) During the fiscal year ending June 30, 2013, no expenditures shall be made by the above agency from any moneys appropriated from the state general fund or any

special revenue fund or funds for the fiscal year ending June 30, 2013, to participate in TIGER IV grant programs.

Sec. 117.

Position limitations. (a) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2013, made in this or other appropriation act of the 2012 regular session of the legislature for the following agencies shall not exceed the following, except upon approval of the state finance council or pursuant to subsection (b):

Attorney General.....	106.50
Secretary of State.....	51.00
State Treasurer.....	46.50
Insurance Department.....	122.36
<i>Provided,</i> That any attorney positions established in the insurance department for the purpose of defense of the workers compensation fund shall be in addition to any limitation imposed on the full-time and regular part-time equivalent number of positions, excluding seasonal and temporary positions, paid from appropriations made for fiscal year 2013 for the department of insurance.	
Department of Commerce.....	238.00
Health Care Stabilization Fund Board of Governors.....	18.00
Judicial Council.....	5.00
Kansas Human Rights Commission.....	23.00
State Corporation Commission.....	209.00
Citizens' Utility Ratepayer Board.....	6.00
Department of Administration.....	542.25
Office of Administrative Hearings.....	13.00
State Court of Tax Appeals.....	19.00
Department of Revenue.....	994.00
Kansas Lottery.....	96.00
Kansas Racing and Gaming Commission – state racing operations and expanded gaming regulation division.....	74.00
Kansas Racing and Gaming Commission – state gaming agency.....	24.00
Department of Labor.....	489.00
Kansas Commission on Veterans Affairs.....	333.00
Department of Health and Environment – Division of Health.....	536.93
Department of Health and Environment – Division of Environment.....	404.63
Kansas Department for Aging and Disability Services.....	277.25
Kansas Department for Children and Families.....	2,987.63
Kansas Neurological Institute.....	469.70
Larned State Hospital.....	889.20
Osawatomie State Hospital.....	386.40
Parsons State Hospital and Training Center.....	437.20
Rainbow Mental Health Facility.....	109.20
Kansas Guardianship Program.....	10.00
State Library	24.00
Kansas State School for the Blind.....	82.50

Kansas State School for the Deaf.....	150.50
State Historical Society.....	117.00
State Board of Regents.....	62.50
Department of Corrections.....	3,058.00

Provided, That, if 2012 Senate Bill No. 434, or any other legislation which grants the secretary of corrections the authority to purchase the St. Francis Boy's Home in Ellsworth County, Kansas, is not passed by the legislature during the 2012 regular session and enacted into law, then on July 1, 2012, the position limitation for the above agency for the fiscal year ending June 30, 2013, by this section is hereby decreased from 3,058.0 to 3,043.0.

Juvenile Justice Authority.....	468.50
Adjutant General.....	197.00
State Fire Marshal.....	48.00
Attorney General – Kansas Bureau of Investigation.....	218.00
Emergency Medical Services Board.....	14.00
Kansas Sentencing Commission.....	8.00
Kansas Commission on Peace Officers' Standards and Training.....	7.00
Kansas Department of Agriculture.....	352.49
State Fair Board.....	25.00
Kansas Water Office.....	21.00
Kansas Department of Wildlife, Parks and Tourism.....	418.50
Department of Transportation.....	2,829.50

(b) During the fiscal year ending June 30, 2013, the secretary of aging and disability services may increase the position limitation for the Kansas department for aging and disability services or for any institution or facility under the general supervision and management of the secretary of aging and disability services by making a corresponding decrease in the position limitation for either the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary of aging and disability services. The secretary of aging and disability services shall certify each such increase and corresponding decrease to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(c) During the fiscal year ending June 30, 2013, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions, for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2013 made in this or other appropriation act of the 2012 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2013 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

Sec. 118.

(a) On and after the effective date of this act, during the fiscal year ending June 30, 2012, notwithstanding the provisions of K.S.A. 20-1a11, and amendments thereto, or any other statute, the director of accounts and reports is hereby authorized and directed to transfer \$600,000 from the judicial branch education fund to the judicial branch surcharge fund.

(b) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 20-3207, and amendments thereto, or any other statute, the state treasurer is hereby authorized and directed to transfer \$107,002 from the judicial performance fund of the judicial council to the judicial branch surcharge fund of the judicial branch.

(c) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 20-3207, and amendments thereto, or any other statute, the state treasurer is hereby authorized and directed to transfer \$600,000 from the judicial performance fund of the judicial council to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the judicial performance fund to the state general fund as prescribed by law: *Provided further*; That the amount transferred from the judicial performance fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to provide such services.

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

Judiciary operations.....\$500,000

Sec. 119. (a) During the fiscal year ending June 30, 2013, no state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2013, from the state general fund or in any special revenue fund or funds for such state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, for acquisition of a new or used passenger car or truck as a replacement for a passenger car or truck owned by the state agency, unless:

(1) The passenger car or truck being replaced has an unadjusted odometer reading of 180,000 miles or more; or

(2) the passenger car or truck being replaced requires repairs which are estimated to cost more than the amount equal to 30.0 % of the replacement value of a new or used passenger car or truck of the same class, as the case may be, including parts and labor, in order to be safe to drive.

(b) As used in this section:

(1) "State agency" means each state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature, except that state agency shall not include the Kansas highway patrol;

(2) "passenger car" has the meaning ascribed thereto in K.S.A. 8-1445, and amendments thereto; and

(3) "truck" has the meaning ascribed thereto in K.S.A. 8-1481, and amendments thereto.

Sec. 120. (a) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2013, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2013 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a, and amendments thereto, an aggregate amount of allowance: (A) Equal to \$354.15 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2012 and for each of the 14 ensuing two-week periods thereafter; and (B) equal to \$354.15 for the two-week period which coincides with the biweekly payroll period which includes March 31, 2013, which is chargeable to fiscal year 2012 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2013, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (a) and which are chargeable to fiscal year 2013.

Sec. 121. Except as otherwise provided in this section, during one year after the date of implementation of the managed care system or any managed care oversight, no state agency named in this or any other appropriation act of the 2012 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal years 2013 and 2014 as authorized by this or any other appropriation act of the 2012 regular session of the legislature, to provide services through the home and community based waiver for individuals with developmental disabilities or targeted case management for individuals with developmental disabilities under any managed care system or any managed care oversight or any function that is determined to be a managed care oversight during fiscal year 2013 and fiscal year 2014: *Provided*, That during fiscal year 2013 and fiscal year 2014, any state agency named in this or any other appropriation act of the 2012 regular session of the legislature may expend moneys appropriated from the state general fund or any special revenue fund or funds to develop and offer pilot programs for the demonstration, testing and evaluation of the delivery of services through the home and community based waiver for individuals with developmental disabilities or targeted case management for individuals with developmental disabilities under any managed care system or any managed care oversight or any function that is determined to be a managed care oversight: *Provided further*, That, on and after such year of implementation, any state agency named in this or other appropriation act of the 2012 regular session of the legislature may expend moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year ending June 30, 2014, as authorized by this or other appropriation act of the 2012 regular session of the legislature, to provide services through the home and community based waiver for individuals with developmental disabilities or targeted case management for individuals with developmental disabilities under any managed care system or any managed care

oversight or any function that is determined to be a managed care oversight during fiscal year 2014.

Sec. 122. (a) During the fiscal year ending June 30, 2012, in addition to the other purposes for which expenditures may be made by any state agency named in this or any other appropriation act of the 2012 regular session of the legislature, from moneys appropriated from the state general fund or any special revenue fund or funds for any such agency for fiscal year 2012, by chapter 118 of the 2011 Session Laws of Kansas, or by this or any other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by any such state agency from the state general fund or any special revenue fund or funds for fiscal year 2012, to increase the financial management system reimbursement rate to \$125 per individual, per month, to the service provider: *Provided*, That, such increase for the financial management system reimbursement rate to the service provider shall be in effect November 1, 2011, through June 30, 2012: *Provided further*, That, the head of any such agency shall certify the effective reimbursement rate for dates of service between November 1, 2011, through June 30, 2012, for such purposes to the director of the budget on June 30, 2012: *And provided further*, That, if such reimbursement rate certified by such agency head is less than the \$125 per individual, per month, to the service provider, as determined by the director of the budget, the director of the budget shall certify the difference and send a copy of the certification to the director of legislative research and the director of accounts and reports.

(b) On June 30, 2012, for fiscal year 2012, the director of accounts and reports upon receiving such certification of a rate difference in any account of the state general fund or any special revenue fund or funds for any such agency shall cause the additional appropriation for the increase of the financial management system reimbursement rate amount to be lapsed from the following state general fund accounts for the department on aging: the sum of \$99,634 in the LTC medicaid assistance – HCBE/FE account; and the department of social and rehabilitation services: the sum of \$91,429 in the mental health and retardation services aid and assistance account; and the sum of \$194,815 in the community based services account.

Sec. 123.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Undermarket pay adjustment fund.....\$8,534,972

Provided, That all moneys in the undermarket pay adjustment fund shall be used for the purpose of paying the proportionate share of the cost to the state general fund, state economic development initiatives fund, children's initiative fund, and state water plan fund of the salary market adjustments, including associated employer contributions, for executive branch classified employees in positions in job classifications that are reassigned under the market adjustment component during fiscal year 2013 and, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the undermarket pay adjustment fund by the director of accounts and reports, who is hereby authorized and directed to make such transfers in

accordance with each such approval, to the proper accounts created by state general fund, state economic development initiatives fund, children's initiative fund, and state water plan fund appropriations for fiscal year 2013 for which such transfers are so approved under this section.

Medicaid management information system and data analysis.....\$1,000,000

Provided, That, during the fiscal year ending June 30, 2013, no moneys appropriated from the state general fund in the medicaid management information system and data analysis account shall be expended or transferred prior to approval of the: (1) Kansas waiver application for implementation of a global managed care system by the federal centers for medicare and medicaid services; and (2) state finance council acting on this matter which is hereby declared to be a matter of legislative delegation and subject to the guidelines prescribed by subsection (c) of K.S.A. 75-3711c, and amendments thereto: *Provided further*, That, upon such approvals, the state finance council is hereby authorized to approve the transfer of moneys from the medicaid management information system and data analysis account by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with the approval, to the medicaid management information system and data analysis fund of the department of health and environment – division of health care finance: *And provided further*, That all moneys in the medicaid management information system and data analysis account shall be used for the purpose of implementing and updating the medicaid management information system and to obtain and monitor data from contractors, upon approval of the waiver application for the purpose of implementing medicaid managed care programs under any global managed care system by the federal centers for medicare and medicaid services: *And provided further*, That such system shall enable the measurement and reporting of outcomes quality and efficiency for individuals receiving medicaid benefits.

(b) Upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve increases in expenditure limitations on special revenue funds and accounts established for the fiscal year ending June 30, 2013, by the director of accounts and reports, who is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts in accordance with such approval, for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases and other amounts specified in subsection (a) for the undermarket pay adjustment fund for the fiscal year ending June 30, 2013.

(c) The director of the budget, on behalf of the executive branch of state government, shall prepare a budget estimate based upon the most recent payroll information for the salary increases and other amounts specified in subsection (a) for the undermarket pay adjustment fund, and all amendments and revisions of such estimate, and the director of the budget shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the director of legislative research.

Sec. 124. (a) On and after July 1, 2012, notwithstanding the provisions of K.S.A. 74-4927, and amendments thereto, or any other statute, no state agency shall pay to the Kansas public employees retirement system any amounts to the group insurance reserve

fund attributable to the months of April, May and June, 2013, that constitute such state agency's portion of the state's contribution to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto.

(b) (1) On July 1, 2012, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2013, by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, and that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2013, is hereby lapsed from each such account.

(2) On July 1, 2012, the amount in each account of the state economic development initiatives fund of each state agency that is appropriated for the fiscal year ending June 30, 2013, by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, and that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2013, is hereby lapsed from each such account.

(3) On July 1, 2012, the amount in each account of the state water plan fund of each state agency that is appropriated for the fiscal year ending June 30, 2013, by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, and that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2012, is hereby lapsed from each such account.

(4) On July 1, 2012, the amount in each account of the children's initiatives fund of each state agency that is appropriated for the fiscal year ending June 30, 2013, by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, and that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2012, is hereby lapsed from each such account.

(c) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2012, provided by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2013 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 2013 by the amount equal to the amount that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2013, from such special revenue fund, or account thereof.

(d) At the same time as the director of the budget transmits each certification to the director of accounts and reports pursuant to this section, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 125.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities.....\$153,737
Provided, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Judicial center rehabilitation and repair.....\$76,939
Provided, That any unencumbered balance in the judicial center rehabilitation and repair account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Replace Docking chillers.....\$483,885
 National bio and agro-defense facility – debt service.....\$2,780,807
 Kansas department of transportation – CTP – debt service.....\$16,150,775
 Statehouse improvements – debt service.....\$13,502,124
 Capitol complex repair and rehabilitation.....\$2,303,075
 Restructuring debt service.....\$2,220,675

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Statehouse improvements – debt service.....\$9,261,895
 Statehouse parking garage – debt service.....\$10,137,244
 Judicial center improvements – debt service.....\$445,297

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund.....No limit
 State facilities gift fund.....No limit
 Master lease program fund.....No limit
 State buildings depreciation fund.....No limit
 Executive mansion gifts fund.....No limit
 Topeka state hospital cemetery memorial gift fund.....No limit
 Landon state office building repair expense fund.....No limit
 MacVicar avenue assessment expense fund.....No limit
 Capitol area plaza authority planning fund.....No limit

Provided, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2013, expenditures may

be made by the above agency from the following capital improvement account or accounts of the building and ground fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- Motor pool shop – debt service.....No limit
- Paint and grounds shop – debt service.....No limit
- Parking improvements and repair.....No limit

(e) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2013, expenditures may be made by the above agency from the building and ground fund for fiscal year 2013 from any unencumbered balance as of June 30, 2012, in each of the following capital improvement accounts of the building and ground fund: Parking improvements and repair: *Provided*, That the expenditures for fiscal year 2013 from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the building and ground fund for the fiscal year 2013 from the unencumbered balance in any such account shall be in addition to any expenditure limitation imposed on the building and ground fund for the fiscal year 2013.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- State of Kansas facilities projects – debt service.....No limit
- Rehabilitation and repair.....\$400,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 2013.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2013, expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each capital improvement account of the state buildings depreciation fund for one or more projects approved for prior fiscal years: *Provided*, That expenditures from the unencumbered balance in any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from any such account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 2013.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- Memorial hall – debt service.....No limit
- Docking cooling towers replacement – debt serviceNo limit

Eisenhower building purchase and renovation – debt service.....No limit

(i) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Printing plant – debt service.....No limit

(j) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service depreciation reserve fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service depreciation reserve fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair.....\$75,000

(k) 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 for fiscal year 2013 by this or other appropriation act of the 2012 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 for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, to provide additional financing for the capital improvement project to construct, equip, furnish, renovate, reconstruct and repair the state capitol: *Provided*, That such capital improvement project is hereby approved for the department of administration for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the department of administration may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$24,300,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds: *And provided further*, That no such bonds shall be issued by the Kansas development finance authority unless the director of the budget has certified to the department of administration and to the Kansas development finance authority that sufficient moneys will be available to make debt service payments for such bonds.

(l) 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 for fiscal year 2013 by this or other appropriation act of the 2012 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 for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, to provide additional financing for the capital improvement project to construct, equip, furnish, renovate, reconstruct and repair the state capitol: *Provided*, That such capital improvement project is hereby approved for the department of administration for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That the department of administration may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$10,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds: *And provided further*; That no such bonds shall be issued by the Kansas development finance authority unless the director of the budget has certified to the department of administration and to the Kansas development finance authority that sufficient moneys will be available to make debt service payments for such bonds.

Sec. 126.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2013, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – 1430 Topeka facilities.....	\$135,350
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(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services – federal fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser employment services – federal fund during the fiscal year 2013, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair.....	\$80,000
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Sec. 127.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Insurance department rehabilitation and repair fund.....	No limit
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Sec. 128.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....\$1,415,629

Provided, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2013 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*, That expenditures also may be made from this account during fiscal year 2013 for the purposes of rehabilitation and repair for facilities of the Kansas department for aging and disability services other than any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Sexual predator treatment program expansion.....\$202,000

Debt service – new state security hospital\$3,845,025

Debt service – state hospitals rehabilitation and repair.....\$2,593,300

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

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

Sec. 129.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property sale fund.....No limit

Provided, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund for the unemployment insurance program: *Provided, however*, That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(b) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund for fiscal year 2013 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2013 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real

estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*, That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*, That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury to the credit of the employment security administration property sale fund of the department of labor: *And provided further*, That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature except upon approval of the state finance council.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2013, expenditures may be made by the above agency from the special employment security fund for fiscal year 2013 for the following capital improvement projects: Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the special employment security fund for fiscal year 2013 for such capital improvement purposes shall not exceed \$205,597: *Provided further*, That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitation imposed on the special employment security fund for fiscal year 2013.

Sec. 130.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and repair projects.....	\$218,279
Veterans' home rehabilitation and repair projects.....	\$1,021,505

(b) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$455,000 from the veterans cemeteries federal construction fund – federal of the Kansas commission on veterans affairs to the state institutions building fund.

Sec. 131.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$118,882
Security system upgrade project.....	\$110,498
Facilities conservation improvement debt service.....	\$33,519
Health center roof replacement.....	\$59,120

Sec. 132.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$215,000
Roth building repairs.....	\$1,601,188
Facilities conservation improvement debt service.....	\$69,303

Sec. 133.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Rehabilitation and repair projects.....	\$250,000
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Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the national historic preservation act fund – local for fiscal year 2013, expenditures may be made by the above agency from the national historic preservation act fund – local for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the national historic preservation act fund – local: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in each account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the national historic preservation act fund – local for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the national historic preservation act fund – local for fiscal year 2013.

(c) In addition to other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the private gifts, grants and bequests fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Grinter place exterior rest room ADA remodel	\$25,000
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the private gifts, grants and bequests fund for fiscal year 2013.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2013, expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the historic properties fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the historic

properties fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the historic properties fee fund for fiscal year 2013.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2013, expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the state historical facilities fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the state historical facilities fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the state historical facilities fund for fiscal year 2013.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2013, expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the save America's treasures fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the save America's treasures fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the save America's treasures fund for fiscal year 2013.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2013, expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the historical society capital improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the historical society capital improvement fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the historical society capital improvement fund for fiscal year 2013.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2013, expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the historical preservation grant in aid fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance

in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the historical preservation grant in aid fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the historical preservation grant in aid fund for fiscal year 2013.

Sec. 134.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union refurbishing fund.....	No limit
Twin towers project revenue fund.....	No limit
Twin towers bond and interest sinking fund.....	No limit
Twin towers maintenance and equipment reserve fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit

(b) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund or the housing system repairs, equipment and improvement fund during the fiscal years ending June 30, 2012, or June 30, 2013, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund or the housing system repairs, equipment and improvement fund during fiscal year 2012 or fiscal year 2013 for a capital improvement project to plan, construct and remodel Singular/Trusler residence hall: *Provided, however*, That no such expenditures shall be made until the state board of regents has approved such capital improvement projects and has first advised and consulted on any such project with the joint committee on state building construction.

Sec. 135.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation – bond and interest sinking fund.....	No limit
Lewis field renovation – revenue fund.....	No limit
Memorial union renovation debt service fund.....	No limit

Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit
Soccer facility fund	No limit
Wind power generation facility fund.....	No limit
Indoor practice facility.....	No limit

(b) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

Sec. 136.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Engineering complex phase II private gift fund.....	No limit
Ackert hall addition – gifts and grants fund.....	No limit
Student life center – Salina construction debt service fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit
Child care fund.....	No limit

(b) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 as authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to redevelop, renovate and equip the Jardine apartments: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$102,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement

project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the housing system operations fund or any other appropriate special revenue fund or funds of Kansas state university.

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(d) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 to raze building no. 457 (elevator and feed mill), building no. 437 (herdsman house), building no. 10002 (art kiln), building no. 145 (vet surgical instruction), building no. 200 (vet research lab greyhound kennels), building no. 224 (food animal barn and shed) and portions of building no. 025 (seaton court).

(e) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct student housing at Salina: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$6,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such

project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*; That Kansas state university may make provisions for the maintenance of the student housing at Salina.

(f) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct the engineering building expansion: *Provided*, That such capital improvement project is hereby approved for Kansas State university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided however*; That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$40,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*; That Kansas state university may make provisions for the maintenance of the engineering building expansion.

(g) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct student housing food service centers: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in

accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$35,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That Kansas state university may make provisions for the maintenance of student housing food service centers.

Sec. 137.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 2013, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2013 for the following capital improvement project or projects:

Equine education and research center.....	No limit
Grain science center.....	No limit
Southeast research – extension center building.....	No limit

Sec. 138.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Armory/classroom/recreation center debt service.....	\$325,199
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Horace Mann renovation revenue fund.....	No limit
Overman renovation revenue fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit
Student health center – private gifts fund.....	No limit

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the

unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(d) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for parking improvements: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$4,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

(e) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from the state general fund or any special revenue fund or funds for Pittsburg state university for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for student housing improvements and construction: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$22,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys

received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

(f) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from the state general fund or any special revenue fund or funds for Pittsburg state university for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for improvements and construction of the student center, physical education center, and performing arts center: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$24,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

Sec. 139.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified as follows:

School of pharmacy debt service.....	\$1,628,005
School of pharmacy debt service 2009.....	\$2,494,314

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union renovation revenue fund.....	No limit
Student health facility maintenance, repair, and equipment fee fund	No limit

Regents center revenue fund – K DFA D bonds, 1990.....No limit

Parking facilities surplus fund – K DFA G bonds, 1993.....No limit

Provided, That the university of Kansas may transfer moneys during fiscal year 2013

from the parking facilities surplus fund – KDFA G bonds, 1993 to the restricted fees fund.

- Deferred maintenance support fund.....No limit
- Infrastructure maintenance fund.....No limit
- Child care facility operations account fund.....No limit
- Child care facility student fee account fund.....No limit
- Student recreation & fitness center revenue fund.....No limit
- Child care facility addition fund.....No limit

Provided, That the university of Kansas may transfer moneys during fiscal year 2013 from the restricted fees fund or the general fees fund to the child care facility addition fund for the capital improvement project to construct an addition to the child care facility: *Provided further*, That upon completion of the construction project, the university of Kansas may transfer unused moneys from the child care facility addition fund to the general fees fund or the restricted fees fund.

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

Sec. 140.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Parking fund – K.C. campus.....No limit
- Deferred maintenance support fund.....No limit
- Infrastructure maintenance fund.....No limit
- Construct parking facility #4 fund.....No limit

Provided, That the university of Kansas medical center may transfer moneys during fiscal year 2013 from appropriate accounts of the parking fees fund to the construct parking facility #4 fund for such capital improvement project.

(b) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the

above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

Sec. 141.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Aviation research debt service.....\$1,645,500

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

On campus parking reserve account fund – K DFA B bonds.....No limit
 Parking system project – maintenance fund, K DFA revenue bonds.....No limit
 On campus parking principal and interest fund – K DFA B bonds.....No limit
 Parking system project revenue fund – K DFA bonds.....No limit
 WSU housing system surplus fund.....No limit
 Deferred maintenance support fund.....No limit
 Infrastructure maintenance fund.....No limit

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(d) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Wichita state university from moneys appropriated from the state general fund or from the state general fund or funds or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct Rhatigan student center: *Provided*, That such capital improvement project is hereby approved for Wichita state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Wichita state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$33,000,000, plus all amounts

required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds, including, but not limited to, money deposited in such fund or funds, including, but not limited to, money deposited in such fund or funds from amounts derived pursuant to K.S.A. 19-5001 *et seq.*, and amendments thereto.

Sec. 142.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

PEI infrastructure – debt service.....\$5,869,875

Provided, That, during the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund for fiscal year 2013 in the PEI infrastructure – debt service account of the state general fund for fiscal year 2013 after the principal payment has been received for fiscal year 2013 by the state treasurer from the postsecondary institutions that were recipients of the PEI infrastructure bond proceeds, (1) the state board of regents may expend the amount of moneys appropriated for fiscal year 2013 in the PEI infrastructure – debt service account for the principal payment from the PEI infrastructure – debt service account for any other purpose for which moneys are appropriated for fiscal year 2013 from the state general fund for the state board of regents; or (2) the state board of regents may transfer such amount of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2013 to an account or accounts of the state general fund of any institution under the control and supervision of the state board of regents to be expended by the institution for a purpose for which expenditures may be made for fiscal year 2013 from such account or accounts and which is approved by the state board of regents: *Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2013: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Postsecondary educational infrastructure finance KDFA	
2008A revenue fund	No limit
Infrastructure maintenance fund.....	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, 2013, 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:

(d) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education..... \$35,000,000

...*Provided*, That the state board of regents is hereby authorized to transfer moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects approved by the state board of regents: *Provided, however*; That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*; That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account: *And provided further*; That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

Research bond debt service fund.....No limit
Sec. 143.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issue.....\$1,038,663
Debt service payment for the reception and diagnostic unit relocation bond issue.....\$1,403,888

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issues.....\$500,000
Capital improvements – rehabilitation and repair of correctional institutions.....\$4,235,214

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2013 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2013 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

Debt service payment for the prison capacity expansion projects bond issue. \$126,786
Sec. 144.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of juvenile correctional facilities.....\$806,836

Provided, That the commissioner of juvenile justice is hereby authorized to transfer moneys during fiscal year 2013 from the capital improvements – rehabilitation and repair of juvenile correctional facilities account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to an account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to be expended during fiscal year 2013 for capital improvement projects approved by the commissioner of juvenile justice: *Provided further*, That the commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Debt service – Topeka complex and Larned juvenile correctional facility.....\$3,995,513

Sec. 145.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....\$100,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Electric panel replacement.....\$200,000

Sec. 146.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2013, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Rehabilitation and repair – training center – Salina.....\$53,110

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the highway patrol training center fund for fiscal year 2013.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2013, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service – vehicle inspection facility – Olathe.....\$60,656

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the vehicle identification number fee fund for fiscal year 2013.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2013, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service – Topeka fleet service.....	\$371,575
Scale replacement and rehabilitation and repair of buildings.....	\$232,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the Kansas highway patrol operations fund for fiscal year 2013.

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$603,575 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2013 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2013 for support and maintenance of the Kansas highway patrol.

Sec. 147.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service – training center.....	\$723,213
Debt service – armory/classroom/recreation center at PSU.....	\$115,588
Debt service – rehabilitation and repair of the statewide armories.....	\$2,757,012
Rehabilitation and repair projects.....	\$173,397

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Sec. 148.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital improvements fund.....	No limit
State fair fee fund.....	No limit

Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.

(b) On or before the 10th of each month during the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance

of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

State fair bonded debt service.....\$11,182,256
Sec. 149.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) In addition to the other purposes for which expenditures may be made by the above agency from the state general fund for fiscal year 2013, expenditures may be made by the above agency from the state general fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the state general fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the state general fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the state general fund for fiscal year 2013.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service – Kansas City district office.....\$6,600

Provided, That any unencumbered balance in the debt service – Kansas City district office account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund.....No limit

Provided, That, in addition to other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance fund.....No limit

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,804,195 from the state highway fund of the department of transportation to the department access road fund of the Kansas department of wildlife, parks and tourism.

(e) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the Kansas department of wildlife, parks and tourism.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2013, expenditures may be made by the above agency from the following capital

improvement account or accounts of the state agricultural production fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$513,000

(g) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2013, expenditures may be made by the above agency from the parks fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the parks fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the parks fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the parks fee fund for fiscal year 2013.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Kansas City district office.....\$10,400

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 2013.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2013, expenditures may be made by the above agency from the boating fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the boating fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the boating fee fund for fiscal year 2013.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2013, expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the boating safety and financial assistance fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the boating safety and financial assistance fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the boating safety and financial assistance fund for fiscal year

2013.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Federally mandated boating access	\$1,204,000
Public lands major maintenance.....	\$35,000
Debt service – Kansas City office.....	\$43,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 2013.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife fee fund for fiscal year 2013.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife conservation fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife conservation fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife conservation fund for fiscal year 2013.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2013, expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the cabin revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the cabin revenue fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the cabin revenue fund for fiscal year 2013.

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

above agency from the wildlife restoration fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife restoration fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife restoration fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife restoration fund for fiscal year 2013.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition and development.....	\$450,000
Cheyenne bottoms inlet canal renovations.....	\$1,582,912

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife restoration fund for fiscal year 2013.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife restoration fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife restoration fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife restoration fund for fiscal year 2013.

(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 2013, 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 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....	\$600,000
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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 2013.

(s) 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 2013, expenditures may be made by the above agency from the sport fish restoration program

fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the sport fish restoration program fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the sport fish restoration program fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the sport fish restoration program fund for fiscal year 2013.

(t) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition.....\$150,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2013.

(u) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2013, expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the migratory waterfowl propagation and protection fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the migratory waterfowl propagation and protection fund for fiscal year 2013.

(v) In addition to the other purposes for which expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2013, expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the nongame wildlife improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the nongame wildlife improvement fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the nongame wildlife improvement fund for fiscal year 2013.

(w) In addition to the other purposes for which expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2013, expenditures may be made by the above agency from the plant and animal disease

and pest control fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the plant and animal disease and pest control fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the plant and animal disease and pest control fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the plant and animal disease and pest control fund for fiscal year 2013.

(x) In addition to the other purposes for which expenditures may be made by the above agency from the land and water conservation fund – local for fiscal year 2013, expenditures may be made by the above agency from the land and water conservation fund – local for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the land and water conservation fund – local: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the land and water conservation fund – local for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the land and water conservation fund – local for fiscal year 2013.

(y) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the outdoor recreation acquisition, development and planning fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Outdoor	recreation	acquisition/development/	
planning operations and maintenance.....			\$375,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2013.

(z) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2013, expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the outdoor recreation acquisition, development and planning fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the outdoor recreation acquisition, development and

planning fund for fiscal year 2013.

(aa) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the recreational trails program fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program.....\$400,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the recreational trails program fund for fiscal year 2013.

(bb) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2013, expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the recreational trails program fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the recreational trails program fund for fiscal year 2013.

(cc) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$124,190

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the federally licensed wildlife areas fund for fiscal year 2013.

(dd) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2013, expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the federally licensed wildlife areas fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the federally licensed wildlife areas fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the federally licensed wildlife areas fund for fiscal year 2013.

(ee) In addition to the other purposes for which expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for

fiscal year 2013, expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the department of wildlife and parks gifts and donations fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the department of wildlife and parks gifts and donations fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the department of wildlife and parks gifts and donations fund for fiscal year 2013.

(ff) In addition to the other purposes for which expenditures may be made by the above agency from the Tuttle Creek state park mitigation project fund for fiscal year 2013, expenditures may be made by the above agency from the Tuttle Creek state park mitigation project fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the Tuttle Creek state park mitigation project fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the Tuttle Creek state park mitigation project fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the Tuttle Creek state park mitigation project fund for fiscal year 2013.

(gg) In addition to the other purposes for which expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2013, expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the highway planning/construction fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the highway planning/construction fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the highway planning/construction fund for fiscal year 2013.

(hh) In addition to the other purposes for which expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2013, expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the state wildlife grants fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the state wildlife

grants fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the state wildlife grants fund for fiscal year 2013.

(ii) In addition to the other purposes for which expenditures may be made by the above agency from the disaster grants – public assistance for fiscal year 2013, expenditures may be made by the above agency from the disaster grants – public assistance for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the disaster grants – public assistance: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the disaster grants – public assistance for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the disaster grants – public assistance for fiscal year 2013.

Sec. 150.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) In addition to the purposes for which expenditures may be made by the above agency from the other state fees fund for fiscal year 2013, expenditures may be made by the above agency from the other state fees fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Area office rehabilitation and repair.....\$200,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the other state fees fund for fiscal year 2013.

Sec. 151. On July 1, 2012, K.S.A. 2011 Supp. 2-223 is hereby amended to read as follows: 2-223. (a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) On each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities, except that for the fiscal year ending June 30, ~~2012-2013~~, notwithstanding the other provisions of this section, on March 1, ~~2012-2013~~, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$350,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2012-2013~~ from state fair activities and non-fair days activities through March 1, ~~2012-2013~~, except that, subject to approval by the director of the budget prior to March 1, ~~2012-2013~~, after reviewing the amounts credited to the

state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2012-2013~~, the state fair board may certify an amount on March 1, ~~2012-2013~~, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2012-2013~~, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year ~~2012-2013~~. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

(c) On each July 1, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund, an amount equal to the amount certified by the state fair board pursuant to subsection (b), except that: (1) No transfer from the state general fund under this subsection shall exceed \$300,000 in any fiscal year; and (2) no moneys shall be transferred pursuant to this section from the state general fund to the state fair capital improvements fund during the fiscal year ending June 30, ~~2012-2013~~.

Sec. 152. On the effective date of this act, K.S.A. 2011 Supp. 12-5256 is hereby amended to read as follows: 12-5256. (a) All expenditures from the state housing trust fund made for the purposes of K.S.A. 2011 Supp. 12-5253 through 12-5255, and amendments thereto, shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the Kansas housing resources corporation.

(b) ~~On the effective date of this act and on July 1, 2008, and July 1, 2014, the director of accounts and reports shall transfer \$4,000,000 from the state general fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto. (1) On July 1, 2012, and on July 1, 2013, the director of accounts and reports shall transfer \$2,000,000 from the state economic development initiatives fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto. Notwithstanding the provisions of K.S.A. 2011 Supp. 74-8959, and amendments thereto, to the contrary, of the \$2,000,000 transferred to the state housing trust fund for the fiscal year ending June 30, 2013, pursuant to this subsection, \$600,000 shall be expended to pay the bond indebtedness for the water and sewer infrastructure of the city of Harveyville, Kansas. The president of the Kansas housing resources corporation shall implement and administer the provisions of this paragraph to make such payment for such purposes.~~

(2) ~~On July 1, 2012-2014, and on July 1, 2013-2015, the director of accounts and reports shall transfer \$2,000,000 from the state general fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto.~~

(3) ~~On July 1, 2012, the director of accounts and reports shall transfer \$600,000 from the state general fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto.~~

(4) ~~Notwithstanding the provisions of K.S.A. 2011 Supp. 74-8959, and~~

amendments thereto, to the contrary, during fiscal year 2013, except as provided in subsection (b)(1), and fiscal year 2014, moneys in the state housing trust fund shall be used solely for the purpose of loans or grants to cities or counties for infrastructure or housing development in rural areas. During such fiscal years, on or before January 14, 2013, and January 13, 2014, the president of the Kansas housing resources corporation shall submit a report concerning the activities of the state housing trust fund to the house of representatives committee on appropriations and the senate committee on ways and means.

Sec. 153. On July 1, 2012, K.S.A. 2011 Supp. 55-193 is hereby amended to read as follows: 55-193. On July 15, 1996, and on the 15th day of each calendar quarter thereafter before July 1, 2016, the director of accounts and reports shall transfer \$100,000 from the state general fund, \$100,000 from the state water plan fund established by K.S.A. 82a-951, and amendments thereto, and \$100,000 from the conservation fee fund established by K.S.A. 55-143, and amendments thereto, to the abandoned oil and gas well fund established by K.S.A. 55-192, and amendments thereto, except that: (a) No transfers shall be made pursuant to this section from the state general fund to the abandoned oil and gas well fund during ~~state fiscal year 2009, state fiscal year 2010, state fiscal year 2011,~~ state fiscal year 2012 ~~or, state fiscal year 2013 or state fiscal year 2014;~~ (b) ~~the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2009 shall not exceed \$320,000;~~ (c) ~~the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2010 shall not exceed \$288,000;~~ (d) ~~the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2011 shall not exceed \$374,865;~~ and (e) ~~the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2012 shall not exceed \$400,000; and (c) the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2013 shall not exceed \$600,000 and such transfer from the state water plan fund to the abandoned oil and gas well fund shall be made on the 15th day of each calendar quarter during state fiscal year 2013 in substantially equal amounts as determined by the director of accounts and reports.~~

Sec. 154. On July 1, 2012, K.S.A. 2011 Supp. 72-8814 is hereby amended to read as follows: 72-8814. (a) There is hereby established in the state treasury the school district capital outlay state aid fund. Such fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district which levies a tax pursuant to K.S.A. 72-8801 *et seq.*, and amendments thereto, shall be entitled to receive payment from the school district capital outlay state aid fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range

upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp. 72-8814b, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district, except that the state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(5) determine the amount levied by each school district pursuant to K.S.A. 72-8801 *et seq.*, and amendments thereto;

(6) multiply the amount computed under (5), but not to exceed 8 mills, by the applicable state aid percentage factor. The product is the amount of payment the school district is entitled to receive from the school district capital outlay state aid fund in the school year.

(c) The state board shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital outlay state aid fund for distribution to school districts, except that no transfers shall be made from the state general fund to the school district capital outlay state aid fund during the fiscal years ending June 30, ~~2012~~ 2013, or June 30, ~~2013~~ 2014. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund.

(d) Payments from the school district capital outlay state aid fund shall be distributed to school districts at times determined by the state board of education. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the capital outlay fund of the school district to be used for the purposes of such fund.

(e) Amounts transferred to the capital outlay fund of a school district as authorized by K.S.A. 72-6433, and amendments thereto, shall not be included in the computation when determining the amount of state aid to which a district is entitled to receive under this section.

Sec. 155. On July 1, 2012, K.S.A. 2011 Supp. 74-50,107 is hereby amended to read as follows: 74-50,107. (a) (1) The secretary shall determine and from time to time shall redetermine the rate at which moneys shall be credited to the IMPACT program repayment fund in order to satisfy all bond repayment obligations which have been incurred to finance program costs for IMPACT programs, which shall be referred to as

the debt service rate, and the rate at which moneys shall be credited to the IMPACT program services fund in order to finance program costs that are not financed by bonds, which shall be referred to as the direct funding rate. The total of the debt service rate and the direct funding rate shall be the combined rate. Each rate so determined shall be certified to the secretary of revenue. The combined rate determined under this subsection shall not exceed 2%.

(2) Upon receipt of the rates determined and certified under subsection (a)(1), the secretary of revenue shall apply daily the combined rate to that portion of the moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 *et seq.*, and amendments thereto. The amount so determined shall be credited as follows: (A) The portion attributable to the debt service rate shall be credited to the IMPACT program repayment fund; and (B) the remaining portion shall be credited to the IMPACT program services fund.

(3) The aggregate of all amounts credited to the IMPACT program repayment fund under this section during any fiscal year to pay bond repayment obligations on bonds to finance major project investments shall not exceed the amount which results when the rate of 2% is applied to all moneys withheld from the wages of individuals and received under the Kansas withholding and declaration of estimated tax act.

(4) The provisions of this subsection shall remain in effect prior to July 1, 2012.

(b) Commencing July 1, 2012, and on the first day of each month thereafter during fiscal year 2013 and fiscal year 2014, the secretary of revenue shall apply a rate of 2% to that portion of moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 *et seq.*, and amendments thereto. The amount so determined shall be credited on a monthly basis as follows: (1) An amount necessary to meet obligations of the debt services for the IMPACT program repayment fund; and (2) an amount to the IMPACT program services fund as needed for program administration; and (3) any remaining amounts to the job creation program fund created pursuant to K.S.A. 2011 Supp. 74-50,224, and amendments thereto.

(c) Commencing July 1, ~~2012-2014~~, and on an annual basis thereafter, the secretary of revenue shall estimate the amount equal to the amount of net savings realized from the elimination, modification or limitation of any credit, deduction or program pursuant to the provisions of this act as compared to the expense deduction provided for in K.S.A. 2011 Supp. 79-32,143a, and amendments thereto. Whereupon such amount of savings in accordance with appropriation acts shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount to the credit of the job creation program fund created pursuant to K.S.A. 2011 Supp. 74-50,224, and amendments thereto. In addition, such other amount or amounts of money may be transferred from the state general fund or any other fund or funds in the state treasury to the job creation program fund in accordance with appropriation acts.

Sec. 156. On the effective date of this act, K.S.A. 2011 Supp. 74-99b34 is hereby amended to read as follows: 74-99b34. (a) The bioscience development and investment fund is hereby created. The bioscience development and investment fund shall not be a part of the state treasury and the funds in the bioscience development and investment fund shall belong exclusively to the authority.

(b) Distributions from the bioscience development and investment fund shall be for

the exclusive benefit of the authority, under the control of the board and used to fulfill the purpose, powers and duties of the authority pursuant to the provisions of K.S.A. 2011 Supp. 74-99b01 *et seq.*, and amendments thereto.

(c) The secretary of revenue and the authority shall establish the base year taxation for all bioscience companies and state universities. The secretary of revenue, the authority and the board of regents shall establish the number of bioscience employees associated with state universities and report annually and determine the increase from the taxation base annually. The secretary of revenue and the authority may consider any verifiable evidence, including, but not limited to, the NAICS code assigned or recorded by the department of labor for companies with employees in Kansas, when determining which companies should be classified as bioscience companies.

(d) (1) Except as provided in subsection (d)(2) ~~or (h), (d)(3), (h) or (i)~~, for a period of 15 years from the effective date of this act, the state treasurer shall pay annually 95% of withholding above the base, as certified by the secretary of revenue, upon Kansas wages paid by bioscience employees to the bioscience development and investment fund. ~~The state treasurer may make estimated payments to the bioscience authority more frequently based on estimates provided by the secretary of revenue and~~ During the fiscal years ending June 30, 2013, and June 30, 2014, the state treasurer shall make payments to the bioscience authority on July 15, October 15, January 15 and April 15 in equal installments, subject to the limitations established in subsection (h). If on such dates, during fiscal years 2013 and 2014, such payments can not be made in equal amounts, the state treasurer shall make the payment in the amount of moneys that is available on such date and upon the next payment date, the state treasurer shall make the payment in an amount equal to the amount that is to be paid on that date plus any additional amount that is owed from a previous date. During the fiscal years ending June 30, 2015, and following fiscal years thereafter, the state treasurer shall make payments to the bioscience authority on July 15, October 15, January 15 and April 15 based on the certification provided by the secretary of revenue. Such payments shall be reconciled annually. On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the bioscience development and investment fund interest earnings based on:

(A) The average daily balance of moneys in the bioscience development and investment fund for the preceding month; and

(B) the net earnings rate of the pooled money investment portfolio for the preceding month.

(2) (A) For fiscal year ~~2012-2013~~, the first \$1,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees, shall be transferred by the director of accounts and reports from the ~~sales tax refund state general fund of the department of revenue~~ to the following: the center of innovation for biomaterials in orthopaedic research – Wichita state university fund.

(B) There is hereby established in the state treasury the center of innovation for biomaterials in orthopaedic research – Wichita state university fund which shall be administered by Wichita state university. All moneys credited to the fund shall be used for research and development. All expenditures from the center of innovation for biomaterials in orthopaedic research – Wichita state university fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and

reports issued pursuant to expenditures approved by the president of Wichita state university or by the person or persons designated by the president of Wichita state university.

(3) (A) For fiscal year 2013, the next \$5,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees above the first \$1,000,000 certified pursuant to subsection (d)(2)(A), shall be transferred by the director of accounts and reports from the state general fund to the following: The national bio agro-defense facility fund at Kansas state university.

(B) There is hereby established in the state treasury the national bio agro-defense facility fund which shall be administered by Kansas state university in accordance with the strategic plan adopted by the governor's national bio agro-defense facility steering committee. All moneys credited to the fund shall be used in accordance with the governor's national bio agro-defense facility steering committee's plan with the approval of the president of Kansas state university. All expenditures from the national bio agro-defense facility fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the steering committee and the president of Kansas state university or by the person or persons designated by the president of Kansas state university.

(e) The cumulative amounts of funds paid by the state treasurer to the bioscience development and investment fund shall not exceed \$581,800,000.

(f) The division of post audit is hereby authorized to conduct a post audit in accordance with the provisions of the legislative post audit act, K.S.A. 46-1106 *et seq.*, and amendments thereto.

(g) At the direction of the authority, the fund may be held in the custody of and invested by the state treasurer, provided that the bioscience development and investment fund shall at all times be accounted for in a separate report from all other funds of the authority and the state.

(h) During the fiscal years ending June 30, ~~2012-2013~~, and June 30, ~~2013-2014~~, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed \$35,000,000 for each such fiscal year.

(i) During the fiscal year ending June 30, 2012, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed \$12,322,186 for such fiscal year.

Sec. 157. On July 1, 2012, K.S.A. 2011 Supp. 75-2319 is hereby amended to read as follows: 75-2319. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) Subject to the provisions of subsection (f), in each school year, each school district which is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each

school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 5% for contractual bond obligations incurred by a school district prior to the effective date of this act, and 25% for contractual bond obligations incurred by a school district on or after the effective date of this act;

(5) determine the amount of payments in the aggregate that a school district is obligated to make from its bond and interest fund and, of such amount, compute the amount attributable to contractual bond obligations incurred by the school district prior to the effective date of this act and the amount attributable to contractual bond obligations incurred by the school district on or after the effective date of this act;

(6) multiply each of the amounts computed under (5) by the applicable state aid percentage factor; and

(7) add the products obtained under (6). The amount of the sum is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, ~~2012~~ 2013, and June 30, ~~2013~~ 2014, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer

payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

(f) Amounts transferred to the capital improvements fund of a school district as authorized by K.S.A. 72-6433, and amendments thereto, shall not be included in the computation when determining the amount of state aid to which a district is entitled to receive under this section.

Sec. 158. On July 1, 2012, K.S.A. 2011 Supp. 76-775 is hereby amended to read as follows: 76-775. (a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 2011 Supp. 76-774, and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either (1) the endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution, or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsection shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, ~~2012~~ 2013, and June 30, ~~2013~~ 2014, shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund which shall be administered by the state board of regents. All moneys transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such eligible educational institutions. The state board of regents shall pay from the faculty of distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be determined by the director of accounts and reports and shall be the amount of interest earnings that the amount of the qualifying gift certified by the state board of regents would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible

educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section and amendments thereto for a fiscal year is equal to or greater than \$6,000,000 in fiscal year 2009, \$7,000,000 in fiscal year 2010 and \$8,000,000 in fiscal year 2011 and in each fiscal year thereafter.

Sec. 159. On July 1, 2012, K.S.A. 2011 Supp. 76-783 is hereby amended to read as follows: 76-783. (a) (1) The Kansas development finance authority is hereby authorized to issue from time to time bonds on behalf of the board of regents in such principal amounts as the Kansas development finance authority and the board of regents determine to be necessary to provide sufficient funds to finance scientific research and development facilities, including, but not limited to, the payment of interest on such bonds, the establishment of reserves to secure such bonds, costs of issuance, refunding any outstanding bonds, and all other expenditures of the board of regents incident to and necessary or convenient to carry out the powers and functions authorized by this act. The Kansas development finance authority shall not issue any bond or bonds on behalf of the corporation formed by the board of regents under this act. The Kansas development finance authority shall not issue bonds under this act for more than \$120,000,000, in the aggregate, plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such scientific research and development facilities and any required reserves for payment of principal and interest on any such bond.

(2) Except as may otherwise be expressly provided by the board of regents, every obligation of the board of regents with respect to such bonds shall be an obligation of the board of regents payable out of any revenues or moneys of the board of regents derived from annual appropriations of the legislature. Subject only to any agreements with holders of particular bonds pledging any particular revenues, the board of regents shall use moneys derived from scientific research and development facilities to provide funds sufficient to pay principal and interest on any bonds issued pursuant to this act commencing after the date a project is completed and has been accepted by the board of regents. Subject to the provisions of appropriation acts, payment of principal and interest on the bonds shall be made by the state board of regents from annual appropriations by the legislature from such revenues as are furnished by the board of regents, or from any other available funds, in amounts sufficient to pay principal and interest on the bonds until the bonds are finally paid.

(3) Upon acceptance by the board of regents of each project initiated and completed under this act and upon a determination by the board of regents that the period for repayment of debt for such project is to commence, the board of regents shall certify to the director of accounts and reports that principal and interest payments for such project are to commence and the dates and amounts of all principal and interest payments for such project. Pursuant to each such certification and commencing on or after July 1, 2004, the director of accounts and reports shall transfer, from the state general fund to the debt service fund or funds at a state educational institution as specified in the certification for such project, the amount certified on or before the respective payment

date therefor. Transfers shall be made under this section pursuant to any such certification on or after July 1, 2004. All such transfers during the fiscal years ending June 30, ~~2012~~ 2013, and June 30, ~~2013~~ 2014, shall be considered to be revenue transfers from the state general fund. The aggregate of all such transfers from the state general fund during any fiscal year shall not exceed \$10,000,000 and the aggregate of all such transfers from the state general fund under this section shall not exceed \$50,000,000. The Kansas development finance authority and the board of regents shall enter into contracts with respect to the scientific research and development facilities financed under this act prescribing the obligation of the board of regents and the state educational institutions to provide for repayment of amounts of bond debt service in addition to those amounts provided for by transfers under this section from the state general fund.

(b) (1) The bonds shall be authorized by a resolution adopted by the board of directors of the Kansas development finance authority.

(2) Except as otherwise provided in this act, bonds issued by the Kansas development finance authority under authority of this act shall be subject to the provisions of K.S.A. 74-8901 *et seq.*, and amendments thereto.

(c) Any resolution authorizing the board of regents to incur any obligation with respect to bonds issued by the Kansas development finance authority may contain such provisions as deemed appropriate by the board of regents for the purpose of carrying out the purposes of this act and securing such bonds, which shall be a part of the contract with the holders thereof, including, but not limited to, provisions:

(1) Pledging all or any part of the revenues of the board of regents derived from scientific research and development facilities to secure the payment of the bonds or of any issue thereof, subject to such agreements with bondholders as may then exist;

(2) the setting aside of reserves or sinking funds and the regulation and disposition thereof;

(3) limitations on the issuance of additional bonds or other obligations, the terms upon which additional bonds or obligations may be issued and secured, and the refunding of outstanding or other bonds;

(4) defining the acts or omissions to act which shall constitute a default in the obligations and duties of the board of regents to the Kansas development finance authority, the applicable bond trustee or the holders of the bonds, except that such rights and remedies shall not be inconsistent with the general laws of this state and the other provisions of this act; and

(5) any other matters, of like or different character, which in any way affect the security or protection of the holders of the notes or bonds.

(d) Any of the provisions relating to any bonds described in this section may be set forth in a trust indenture, loan agreement, lease agreement or other financing document authorized by a resolution of the board of regents or the board of directors of the Kansas development finance authority.

(e) The bonds of each issue may, in the discretion of the board of directors of the Kansas development finance authority, be made redeemable before maturity at such prices and under such terms and conditions as may be determined by the board of directors of the Kansas development finance authority. Bonds issued on behalf of the board of regents shall mature at such time, not exceeding 30 years from their date of issue, as may be determined by the board of regents and the board of directors of the Kansas development finance authority. The bonds may be issued as serial bonds

payable in annual installments or as term bonds or as a combination thereof. The bonds shall bear interest at such rate either fixed or variable, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment and at such place, and be subject to such terms of redemption as provided in the resolution of trust indenture. The bonds may be sold by the Kansas development finance authority, at public or private sale, at such price as the board of directors of the Kansas development finance authority shall determine.

(f) In case any officer of the Kansas development finance authority whose signature or a facsimile of whose signature appears on any bonds or coupons attached thereto ceases to be such officer before the delivery thereof, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

(g) Any bonds issued by the Kansas development finance authority pursuant to this section, and the income therefrom (including any profit from the sale thereof) shall at all times be free from taxation by the state or any agency, political subdivision or instrumentality of the state, including income and property taxes.

(h) Any holder of bonds issued under the provisions of this act, or any coupons appertaining thereto and the trustee under any trust agreement or resolution authorizing the issuance of such bonds, except the rights under this act may be restricted by such trust agreement or resolution, may, either at law or in equity by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the state or granted under this act or under such agreement or resolution, or under any other contract executed by the board of regents pursuant to this act, and may enforce and compel the performance of all duties required by this act or by such trust agreement or resolution to be performed by the board of regents or by an officer thereof.

(i) The bonds shall be special, limited obligations of the Kansas development finance authority and the state shall not be liable for bonds issued by the Kansas development finance authority on behalf of the board of regents, and such bonds shall not constitute a debt of the state.

(j) Neither the board of regents, the board of the Kansas development finance authority nor any authorized employee of the board of regents or the Kansas development finance authority shall be personally liable for such bonds by reason of the issuance thereof.

(k) Nothing in this act shall be construed as a restriction or limitation upon any other powers which the board of regents might otherwise have under any other law of this state, and this act is cumulative to any such powers. This act does and shall be construed to provide a complete, additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws. The issuance of bonds under the provisions of this act need not comply with the requirements of any other state law applicable to the issuance of bonds. No proceedings, notice or approval shall be required for the issuance of any bonds or any instrument as security therefor, except as is provided in this act.

(l) Any of the provisions relating to bonds described in this section may be included in any contracts between the board of regents and the Kansas development finance authority relating to obligations of the Kansas development finance authority issued on behalf of the board of regents.

Sec. 160. On July 1, 2012, K.S.A. 2011 Supp. 76-7,107 is hereby amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon thereafter as sufficient moneys are available, \$7,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto.

~~(2) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto, during the fiscal year ending June 30, 2010, pursuant to this section.~~

~~(3) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto, during the fiscal year ending June 30, 2013, pursuant to this section.~~

~~(4)(3) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto, during the fiscal year ending June 30, 2013-2014, pursuant to this section.~~

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

(c) All moneys credited to the infrastructure maintenance fund shall be expended or transferred only for the purpose of paying the cost of projects approved by the state board pursuant to the state educational institution long-term infrastructure maintenance program.

Sec. 161. On July 1, 2012, K.S.A. 2011 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts which in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, ~~and acts amendatory thereof and supplemental amendments~~ thereto, during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal years ~~2012 2013~~ and ~~2013 2014~~. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 162. On July 1, 2012, K.S.A. 2011 Supp. 79-2978 is hereby amended to read as follows: 79-2978. (a) There is hereby established in the state treasury the business machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the business machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying *ad valorem* taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this

purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2007 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2008, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (e).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2008 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On March 2, 2009, subject to the provisions of subsection (d) and subsection (g), the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (e).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2009 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference for distribution as provided in subsection (e).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2010 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (e).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and

industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2011 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2012, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (e).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) The calculations required by subsection (b) shall be based upon a certification made by the county clerk on or before November 15 of the tax year and submitted to the director of property valuation. Such certification shall be in a format devised and prescribed by the director of property valuation. Such certification shall report the total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment. The county clerk shall provide a copy of such certification to the county treasurer for the purpose of determining the distribution of moneys pursuant to the provisions of subsection (e)(2) paid to the county pursuant to subsection (b) by the state treasurer.

(d) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(e) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the business machinery and equipment tax reduction assistance fund, except that (A) the aggregate amount of moneys transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2009, pursuant to this section shall not exceed the maximum amount determined pursuant to subsection (g), (B) an amount equal to 50% of the maximum amount determined pursuant to subsection (g) shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund on March 2, 2009, (C) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2010, pursuant to this section, (D) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2011, pursuant to this section, ~~and~~ (E) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2012, pursuant to this section, (F) no moneys shall be transferred

from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2013, pursuant to this section, and (G) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2014, pursuant to this section.

(2) The state treasurer shall apportion and distribute the moneys credited to the business machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the *ad valorem* taxing subdivisions imposing *ad valorem* taxes on commercial and industrial machinery and equipment in an amount equal to the difference between the total *ad valorem* taxes on commercial and industrial machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year 2005 and the total *ad valorem* taxes on commercial and industrial machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(f) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of *ad valorem* taxes on commercial and industrial machinery and equipment not included in the total *ad valorem* taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and such abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

(g) (1) The maximum amount that may be transferred during the fiscal year ending June 30, 2009, from the state general fund to the business machinery and equipment tax reduction assistance fund pursuant to this section shall be equal to (A) the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2979, and amendments thereto, multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2979, and amendments thereto.

(2) If a maximum amount is imposed under this subsection and the aggregate amount transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during state fiscal year 2009 pursuant to this section is reduced, then the amount allocated to each county by the state treasurer under subsection (b)(2) shall be reduced proportionately with respect to aggregate reduction in

the amount of such transfer from the state general fund to the business machinery and equipment tax reduction assistance fund during state fiscal year 2009.

Sec. 163. On July 1, 2012, K.S.A. 2011 Supp. 79-2979 is hereby amended to read as follows: 79-2979. (a) There is hereby established in the state treasury the telecommunications and railroad machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the telecommunications and railroad machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying *ad valorem* taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2007 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2008, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (d).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2008 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On March 2, 2009, subject to the provisions of subsection (c) and subsection (f), the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (d).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2009 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference

for distribution as provided in subsection (d).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2010 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (d).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2011 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2012, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (d).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(d) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund, except that (A) the aggregate amount of moneys transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2009, pursuant to this section shall not exceed the maximum amount determined pursuant to subsection (f), (B) an amount equal to 50% of the maximum amount determined pursuant to subsection (f) shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund on March 2, 2009, (C) no moneys shall be transferred from the state general fund

to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2010, pursuant to this section, (D) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2011, pursuant to this section, ~~and (E) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2012, pursuant to this section, (F) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2013, pursuant to this section, and (G) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2014, pursuant to this section.~~

(2) The state treasurer shall apportion and distribute the moneys credited to the telecommunications and railroad machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the *ad valorem* taxing subdivisions imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment in an amount equal to the difference between the total *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year 2005 and the total *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(e) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment not included in the total of *ad valorem* taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and the abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

(f) (1) The maximum amount that may be transferred during the fiscal year ending June 30, 2009, from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund pursuant to this section shall be equal to (A) the amount equal to 93.5% of the aggregate amount determined under

subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2978, and amendments thereto, multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2978, and amendments thereto.

(2) If a maximum amount is imposed under this subsection and the aggregate amount transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during state fiscal year 2009 pursuant to this section is reduced, then the amount allocated to each county by the state treasurer under subsection (b)(2) shall be reduced proportionately with respect to aggregate reduction in the amount of such transfer from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during state fiscal year 2009.

Sec. 164. On July 1, 2012, K.S.A. 2011 Supp. 79-3425i, as amended by section 10 of 2012 House Bill No. 2557, is hereby amended to read as follows: 79-3425i. (a) On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and annual commercial vehicle fees collected pursuant to section 1 of 2012 House Bill No. 2557, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; (2) no moneys shall be transferred from the state general fund to the special city and county highway fund during ~~state fiscal year 2010, state fiscal year 2011, state fiscal year 2012~~ 2013 or state fiscal year ~~2013~~ 2014; (3) all transfers under this section shall be considered to be demand transfers from the state general fund; and (4) (A) on each January 14, April 14, July 14 and October 14 of state fiscal years 2012, 2013, 2014, 2015 and 2016 the state treasurer shall determine the amount of money to be paid the counties and cities on such dates of such year, pursuant to K.S.A. 79-3425c, and amendments thereto, and make the following adjustments prior to the apportionment and payment specified in K.S.A. 79-3425c, and amendments thereto: (i) The following amounts shall be added to the apportionment and payment to be paid to the following counties: Barton county, \$7,984.99; Butler county, \$96,937.27; Douglas county, \$128,245.99; Leavenworth county, \$55,766.22; Shawnee county, \$267,356.20; and (ii) the following amounts shall be deducted from the apportionment and payment to the following counties: Allen county, \$3,839.12; Anderson county, \$2,957.98; Atchison county, \$4,345.79; Barber county, \$1,813.76; Bourbon county, \$2,945.98; Brown county, \$1,590.14; Chase county, \$1,364.54; Chautauqua county, \$539.42; Cherokee county, \$5,874.25; Cheyenne county, \$1,317.84; Clark county, \$757.32; Clay county, \$968.54; Cloud county, \$2,774.68; Coffey county, \$2,894.76; Comanche county, \$446.63; Cowley county, \$2,116.31; Crawford county, \$5,558.19; Decatur county, \$1,615.15; Dickinson county, \$6,024.00; Doniphan county, \$2,626.24; Edwards county, \$1,580.33; Elk county, \$525.08; Ellis county, \$8,774.46; Ellsworth county, \$2,334.37; Finney county, \$5,837.57; Ford county, \$7,048.03; Franklin county, \$6,898.28; Geary county, \$976.57;

Gove county, \$1,058.76; Graham county, \$1,409.48; Grant county, \$1,936.03; Gray county, \$2,355.25; Greeley county, \$941.53; Greenwood county, \$2,701.29; Hamilton county, \$1,060.71; Harper county, \$1,466.35; Harvey county, \$7,863.46; Haskell county, \$1,335.39; Hodgeman county, \$959.20; Jackson county, \$4,647.68; Jefferson county, \$6,701.43; Jewell county, \$1,211.66; Johnson county, \$115,947.72; Kearny county, \$1,160.82; Kingman county, \$2,801.87; Kiowa county, \$1,441.36; Labette county, \$5,563.25; Lane county, \$652.48; Lincoln county, \$1,203.05; Linn county, \$3,772.22; Logan county, \$1,169.58; Lyon county, \$8,236.73; Marion county, \$3,681.52; Marshall county, \$3,878.17; McPherson county, \$8,652.66; Meade county, \$1,048.56; Miami county, \$10,701.45; Mitchell county, \$3,466.79; Montgomery county, \$8,377.29; Morris county, \$1,955.91; Morton county, \$1,200.61; Nemaha county, \$3,774.74; Neosho county, \$5,507.28; Ness county, \$991.77; Norton county, \$1,800.14; Osage county, \$2,327.93; Osborne county, \$1,882.73; Ottawa county, \$2,063.91; Pawnee county, \$1,802.09; Phillips county, \$2,622.20; Pottawatomie county, \$6,512.08; Pratt county, \$2,187.16; Rawlins county, \$1,119.60; Reno county, \$12,935.71; Republic county, \$2,272.31; Rice county, \$1,722.51; Riley county, \$11,149.53; Rooks county, \$2,252.51; Rush county, \$1,235.76; Russell county, \$577.59; Saline county, \$14,049.86; Scott county, \$1,340.37; Sedgwick county, \$117,126.91; Seward county, \$4,488.67; Sheridan county, \$1,786.11; Sherman county, \$194.37; Smith county, \$1,993.99; Stafford county, \$2,029.27; Stanton county, \$991.97; Stevens county, \$638.08; Sumner county, \$5,908.68; Thomas county, \$3,388.44; Trego county, \$1,781.87; Wabaunsee county, \$2,354.10; Wallace county, \$994.33; Washington county, \$2,554.75; Wichita county, \$1,333.92; Wilson county, \$3,659.10; Woodson county, \$1,214.90; Wyandotte county, \$16,818.00; (B) after determining and including such additions and deductions, the resulting apportionment and payment shall be paid by the state treasurer to the counties and cities prescribed therefor, notwithstanding the provisions of K.S.A. 79-3425c, and amendments thereto, or any other statute, each January 14, April 14, July 14 and October 14 of state fiscal years 2012, 2013, 2014, 2015 and 2016, with the requirement that the additional moneys received by each such county shall be deposited and administered in accordance with K.S.A. 79-3425c, and amendments thereto, including any redistributions provided for by that statute, except that the state treasurer shall calculate the annual equalization payment to each county without considering the deductions or additions to quarterly distributions required by subsection (a)(4)(A); and (C) acceptance of the payments made pursuant to this subsection (a)(4) shall be deemed as payment in full and a release of any liability from the county to the state treasurer for payments from the special city and county highway fund for state fiscal years 2000 through 2009.

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

Sec. 165. On July 1, 2012, K.S.A. 2011 Supp. 79-34,156 is hereby amended to read as follows: 79-34,156. ~~On April 1, 2007, the director of accounts and reports shall transfer \$437,500 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund. If sufficient moneys are not available in the state economic development initiatives fund for such transfer on April 1, 2007, then the director of accounts and reports shall transfer on such date the amount~~

available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund. On July 1, 2007, and quarterly thereafter, the director of accounts and reports shall transfer \$875,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund, except: (a) That, during the fiscal year ending June 30, ~~2012~~ 2013, on July 1, ~~2011~~ 2012, October 1, ~~2011~~ 2012, and January 1, ~~2012~~ 2013, and April 1, ~~2012~~ 2013, the director of accounts and reports shall transfer \$50,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund, and (b) that, if sufficient moneys are not available in the state economic development initiatives fund for any such transfer during the fiscal year ending June 30, ~~2012~~ 2013, then the director of accounts and reports shall transfer the amount available in the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund on the date specified in the fiscal year ending June 30, ~~2012~~ 2013. If sufficient moneys are not available in the state economic development initiatives fund for such transfer on July 1, ~~2012~~ 2013, and on the first day of any calendar quarter thereafter, in any such fiscal year, then the director of accounts and reports shall transfer on such date the amount available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund; except that no moneys shall be transferred from the state general fund to the Kansas biodiesel fuel producer fund during the fiscal year ending June 30, ~~2011~~ 2012, or the fiscal year ending June 30, ~~2012~~ 2013.

Sec. 166. On July 1, 2012, K.S.A. 2011 Supp. 79-34,171 is hereby amended to read as follows: 79-34,171. (a) On January 1, 2009, and quarterly thereafter, the director of accounts and reports shall transfer \$400,000 from the state general fund to the Kansas retail dealer incentive fund, except that ~~(1) no moneys shall be transferred pursuant to this section from the state general fund to the Kansas retail dealer incentive fund during the fiscal years ending June 30, 2010, June 30, 2011, June 30, 2012~~ 2013, or June 30, ~~2013~~, and ~~(2) any transfers of moneys from the state general fund to the Kansas retail dealer incentive fund during the state fiscal year ending June 30, 2010, under this or any other statute that have been made prior to the effective date of this act shall be reversed by the director of accounts and reports and reversing entries shall be entered upon the accounting records of the state treasurer therefor~~ 2014. On and after July 1, 2009, the unobligated balance in the Kansas retail dealer incentive fund shall not exceed \$1.5 million. If the unobligated balance of the fund exceeds \$1.1 million at the time of a quarterly transfer, the transfer shall be limited to the amount necessary for the fund to reach a total of \$1.5 million.

(b) There is hereby created in the state treasury the Kansas retail dealer incentive fund. All moneys in the Kansas retail dealer incentive fund shall be expended by the secretary of the department of revenue for the payment of incentives to Kansas retail dealers who sell and dispense renewable fuels or biodiesel through a motor fuel pump in accordance with the provisions of K.S.A. 2011 Supp. 79-34,170 through 79-34,175, and amendments thereto.

(c) All moneys remaining in the Kansas retail dealer incentive fund upon the

expiration of K.S.A. 2011 Supp. 79-34,170 through 79-34,175, and amendments thereto, shall be credited by the state treasurer to the state general fund.

Sec. 167. On July 1, 2012, K.S.A. 2011 Supp. 79-4227 is hereby amended to read as follows: 79-4227. (a) All revenue collected or received by the director from the tax imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. The state treasurer shall first credit such amount as the director shall order to the mineral production tax refund fund created under subsection (b) of this section. Except as otherwise provided by this section, the state treasurer shall credit the remainder of such amounts as follows: (1) Seven percent to the special county mineral production tax fund created under subsection (c) of this section; and (2) the remainder shall be credited to the state general fund. On and after July 1, 2008 2012, and thereafter, except as otherwise provided by this section, the state treasurer shall credit the remainder of such amounts for oil and gas for any county which in fiscal year 2005 or any fiscal year thereafter had \$100,000 or more in receipts of the excise tax upon the severance and production of oil and gas as follows: (1) Seven percent to the special county mineral production tax fund created under subsection (c); (2) 4.96% from July 1, 2008, through June 30, 2009, to the oil and gas valuation depletion trust fund; 7.44% from July 1, 2009, through June 30, 2010, to the oil and gas valuation depletion trust fund; 9.93% from July 1, 2010, to June 30, 2011, to the oil and gas valuation depletion trust fund; and 12.41% from July 1, 2011, and thereafter, to the oil and gas valuation depletion trust fund; and (3) the remainder shall be credited to the state general fund. During fiscal year 2013, the state treasurer shall credit the remainder of such amounts as follows: (1) As otherwise provided in this section; and (2) on the 15th day of each month, the state treasurer shall determine the amount of revenue collected or received by the director from the tax imposed by this act during the preceding month which exceeds the consensus revenue estimate for such preceding month. If such amount of revenue collected or received for such preceding month is greater than the estimated amount of revenue for such preceding month, then the state treasurer shall credit 14.63% of the difference between the actual amount collected or received and the estimated amount of revenue to the incentive for technical education fund, and 85.37% of the difference between the actual amount collected or received and the estimated amount of revenue to the tuition for technical education fund. During fiscal year 2013, the amount credited to the incentive for technical education fund shall not exceed \$1,500,000, and the amount credited to the tuition for technical education fund shall not exceed \$8,750,000. The incentive for technical education fund and the tuition for technical education fund are hereby created in the state treasury.

(b) A refund fund designated as "mineral production tax refund fund" not to exceed \$50,000 is hereby created for the prompt payment of all tax refunds. The mineral production tax refund fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) There is hereby created a special county mineral production tax fund. On December 1, 1983, and quarterly thereafter, the director of taxation shall distribute all moneys credited to such fund to the county treasurers of all counties in which taxes were levied under K.S.A. 79-4217, and amendments thereto, for the severing and

producing of coal, oil or gas from property within the county, in the proportion that the taxes levied upon production in each county bears to the total of all of such taxes levied in all of such counties. Such distribution shall be based on returns filed, with any adjustments or corrections thereto made by the director of taxation.

(d) The secretary of revenue shall make provision for the determination of the counties within which taxes are levied under K.S.A. 79-4217, and amendments thereto, for the severance of coal, oil or gas and shall certify the same to the director of accounts and reports.

(e) The director of accounts and reports shall draw warrants on the state treasurer payable to the county treasurer of each county entitled to payment from the special county mineral production tax fund upon vouchers approved by the director of taxation. Upon receipt of such warrant, each county treasurer shall credit 50% of the amount thereof to the county general fund and shall distribute the remaining 50% thereof to the treasurer of each school district all or any portion of which is located within the county in the proportion that the assessed value of coal, oil and gas properties within each district bears to the total of the assessed value of all coal, oil and gas properties within the county. Such assessed valuation shall be determined upon the basis of the most recent November 1 tax roll. The treasurer of each school district shall credit the entire amount of the moneys so received to the general fund of the school district.

Sec. 168. On July 1, 2012, K.S.A. 2011 Supp. 82a-953a is hereby amended to read as follows: 82a-953a. During each fiscal year, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, one-half of such amount to be transferred on July 15 and one-half to be transferred on January 15, except that ~~(1) such transfers during each fiscal year commencing after June 30, 2008, are subject to reduction under K.S.A. 75-6704, and amendments thereto, (2) the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2009, shall not exceed \$2,000,000, (3) the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2010, shall not exceed \$3,295,432, (4) the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2011, shall not exceed \$1,348,245, and (5) no moneys shall be transferred from the state general fund to the state water plan fund during the fiscal years year ending June 30, 2012, or June 30, 2013. On the effective date of this act, the director of accounts and reports shall transfer the amount in excess of \$2,000,000 which was transferred from the state general fund to the state water plan fund prior to the effective date of this act during the fiscal year ending June 30, 2009, as certified by the director of the budget to the director of accounts and reports to the state general fund. All transfers under this section shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, 2010, and June 30, 2011, shall be considered revenue transfers from the state general fund.~~

Sec. 169. On the effective date of this act, K.S.A. 2011 Supp. 12-5256 and 74-99b34 are hereby repealed.

Sec. 170. On July 1, 2012, K.S.A. 2011 Supp. 2-223, 55-193, 72-8814, 74-50,107, 75-2319, 76-775, 76-783, 76-7,107, 79-2964, 79-2978, 79-2979, 79-3425i, as amended by section 10 of 2012 House Bill No. 2557, 79-34,156, 79-34,171, 79-4227 and 82a-953a are hereby repealed.

Sec. 171. (a) Except as provided in subsection (b), except to the extent required by federal law, during the fiscal year ending June 30, 2013, no state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2013, from the state general fund or in any special revenue fund or funds for such state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, for health care services provided by any such state agency, or any employee of such state agency while acting within the scope of such employee's employment, which include abortion: *Provided, however*, That the provisions of this section shall not apply to an abortion which is necessary to preserve the life of the pregnant woman.

(b) Nothing in this section shall be construed to prevent a physician enrolled in a residency program and employed by the university of Kansas medical center from receiving experience with induced abortions, conducted at facilities other than those owned, leased or operated by the university of Kansas hospital authority or any other state entity: *Provided, however*, That for purposes of this section only, such physicians shall be considered acting outside the scope of such physician's official employment in such actions.

(c) As used in this section "abortion" means an abortion as defined by K.S.A. 65-6701, and amendments thereto.

Sec. 172. *Severability*. If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 173. *Appeals to exceed position limitations*. (a) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2012, made in chapter 118 of the 2011 Session Laws of Kansas or in this act or in any other appropriation act of the 2012 regular session of the legislature may be exceeded upon approval of the state finance council.

(b) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2013, made in chapter 118 of the 2011 Session Laws of Kansas or in this act or in any other appropriation act of the 2012 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 174. *Appeals to exceed expenditure limitations*. (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiative fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any such funds.

Sec. 175. *Savings*. (a) Any unencumbered balance as of June 30, 2012, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited by this or other appropriation act of

the 2012 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2013, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2012, in any special revenue fund, or account thereof, of any state agency named in section 79 of chapter 118 of the 2011 Session Laws of Kansas which is not otherwise specifically appropriated or limited for fiscal year 2013 by chapter 118 of the 2011 Session Laws of Kansas or by this act or any other appropriation act of the 2012 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2013, for the same use and purpose as the same was heretofore appropriated.

(c) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund, or the correctional institutions building fund, or to any account of any of such funds.

Sec. 176. During the fiscal year ending June 30, 2013, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by this or other appropriation act of the 2012 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2013, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority, for the payment of debt service for bonds issued by the Kansas development finance authority, or for any related purpose in accordance with applicable bond covenants.

Sec. 177. *Federal grants.* (a) During the fiscal year ending June 30, 2013, each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated to that state agency by this or other appropriation act of the 2012 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2013, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(b) During the fiscal year ending June 30, 2013, each federal grant or other federal receipt which is received by a state agency named in section 79 of chapter 118 of the 2011 Session Laws of Kansas and which is not otherwise appropriated to that state agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, is hereby appropriated for fiscal year 2013 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, for fiscal year 2013, until the governor has authorized the state agency to make expenditures from such federal grant or other

federal receipt for fiscal year 2013.

(c) In addition to the other purposes for which expenditures may be made by any state agency which is named in this act and which is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2013 by chapter 118 of the 2011 Session Laws of Kansas or by this act or any other appropriation act of the 2012 regular session of the legislature to apply for and receive federal grants during fiscal year 2013, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 178. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2012 regular session of the legislature, and having an unencumbered balance as of June 30, 2012, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2013, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2011.

Sec. 179. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2012 regular session of the legislature and having an unencumbered balance as of June 30, 2012, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2013, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2011.

Sec. 180. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2012 regular session of the legislature and having an unencumbered balance as of June 30, 2012, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2013, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2011.

Sec. 181. Any transfers of money during the fiscal year ending June 30, 2013, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2013.

Sec. 182. This act shall take effect and be in force from and after its publication in the Kansas register.":

inserting "and June 30, 2016,"; in line 9, by striking "79-2959,"; also in line 9, after "79-3425i," by inserting "as amended by section 10 of 2012 House Bill No. 2557,"; in line 10, following "79-34,171" by inserting ", 79-4227";

And your committee on conference recommends the adoption of this report.

MARC RHOADES

KASHA KELLEY

BILL FEUERBORN

Conferees on part of House

CAROLYN MCGINN

JOHN VRATIL

LAURA KELLY

Conferees on part of Senate

On motion of Rep. Rhoades, the conference committee report on **H Sub for SB 294** was adopted.

On roll call, the vote was: Yeas 80; Nays 35; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Brown, Bruchman, Brunk, Carlson, Cassidy, Colloton, Crum, DeGraaf, Denning, Dillmore, Fawcett, Garber, Goico, Gonzalez, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Landwehr, Loganbill, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, O'Brien, O'Neal, Osterman, Pauls, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Weber, Wetta, K. Wolf, Wolfe Moore, Worley.

Nays: Ballard, Bethell, Bollier, Brookens, Burgess, Burroughs, Calloway, Carlin, Davis, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gordon, Grant, Henderson, Henry, Kiegerl, Kuether, Mah, Moxley, O'Hara, Otto, Patton, Peterson, Phelps, Ruiz, Sloan, Tyson, Victors, Williams, Winn.

Present but not voting: None.

Absent or not voting: Bowers, Collins, Lane, LeDoux, McCray-Miller, Roth, Slattery, Vickrey, Ward, B. Wolf.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote YES on **H Sub for SB 294**, the hard work to overcome the many challenges that faced our Appropriations Committee is much appreciated. The people of Kansas want to believe we are engaging in full and open debate on the many issues that we act upon.

The budget process requires our full and undivided attention and I believe your committee and Budget Sub-committees provided that degree of oversight.

Like Budgets before and those to come, the prioritizing of state revenues and expenditures remains our job #1. – JOHN C. GRANGE, RICHARD PROEHL

MR. SPEAKER: **H Sub for SB 294**, although flawed is a step in the right direction to promote growth for the Kansas economy. The goals of prudent spending while leaving a

budget surplus are meritorious, but the rescission of the modest funds to reduce the waiting list for desperate autistic children in unconscionable and unacceptable. Trying to meet economic objectives, no matter how desirable by denying assistance to the most needy is a disgrace. I vote no. – S. MIKE KIEGERL

MR. SPEAKER: After careful consideration, I vote no on **H Sub for SB 294**. While many facets of the final compromise I appreciate, including an increase in the base state aid and an overall freeze in spending, I cannot support a final budget which does not provide measurable property tax relief and denies state employees a well deserved cost of living pay raise.

Today my constituents can't speak or vote. So today I am casting my vote for the residents of Topeka that continue to face increased property taxes, and for our state's employees whose work merits our appreciation. – JOE PATTON

MR. SPEAKER: While I appreciate the work of the budget committees of both houses, this budget falls short in fulfilling my values. We show our values by where we put our money. Some would place that value on having a higher ending balance. I value educating our children and, the Christian concept of caring for the least among us. I also have a commitment to helping our local communities reduce the demands on property taxes. These and other priorities of mine were ignored, dashed and neglected by our process and this bill. On **H Sub for SB 294**, I vote no. – TOM MOXLEY

MR. SPEAKER: I vote no on **H Sub for SB 294**. While I appreciate that the budget included an increase in the base state aid for schools, it does not begin to restore the massive cuts made over the last few years. The budget also fails to include the property tax cut I supported, fails to properly reward state workers, and fails to help the nearly 7,000 Kansans with disabilities waiting for services. The budget reflects our priorities and Kansans deserve better. – ANN MAH, VALDENIA WINN, GERALDINE FLAHARTY, BRODERICK HENDERSON, ANNIE KUETHER

MR. SPEAKER: The budget conference committee report is always a mixed bag. **H Sub for SB 294** is no different. We strongly support the overdue undermarket pay adjustments for state employees and increased aid for K-12 schools contained in this bill. However, we have fought for property tax relief throughout this session and this budget makes no provisions for this through the Local Ad Valorem Tax Reduction Fund. When we have a \$600 million budget surplus, surely we can afford to grant much needed property tax relief for all Kansans. Because this got left on the conference committee table, we cannot support **H Sub for SB 294** and therefore vote NO. – PAUL DAVIS, GAIL FINNEY, TOM BURROUGHS, BILL FEUERBORN, BARBARA BALLARD, STAN FROWNFELTER, EBER PHELPS

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **H Sub for SB 416**, and has appointed Senators Wagle, Lynn and Holland as second conferees on the part of the Senate.

On motion of Rep. Siegfried, the House recessed until 2:15 p.m.

MID-AFTERNOON SESSION

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

CHANGE OF CONFEREES

Speaker O'Neal announced the appointment of Rep. Winn as a member of the conference committee on **SB 155** to replace Rep. Ward.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 425** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, in line 7, by striking "On and after January 1, 2008, through December 31,"; by striking all in line 8; in line 9, by striking "shall be numbered one to 13." and inserting "Subject to appropriations therefor,"; also in line 9, by striking "2018" and inserting "2013";

And your committee on conference recommends the adoption of this report.

MARC RHOADES
 KASHA KELLEY
 BILL FEUERBORN
Conferees on part of House

THOMAS C. OWENS
 JEFF KING
 DAVID HALEY
Conferees on part of Senate

On motion of Rep. Rhoades, the conference committee report on **H Sub SB 425** was adopted.

On roll call, the vote was: Yeas 98; Nays 13; Present but not voting: 1; Absent or not voting: 13.

Yeas: Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, Goico, Gonzalez, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Landwehr, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Phelps, Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Davis, DeGraaf, Garber, S. Gatewood, Goodman, Gordon,

Howell, Kuether, O'Brien, Peck, Scapa.

Present but not voting: Pottorff.

Absent or not voting: Bowers, Collins, Kiegerl, Lane, LeDoux, McCray-Miller, Peterson, Roth, Seiwert, Slattery, Vickrey, Ward, B. Wolf.

The House stood at ease until the sound of the gavel.

The House was called to order by Speaker O'Neal.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H Sub SB 40; SB 155**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 40** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 40, as follows:

On page 1, by striking all in lines 6 through 36;

By striking all on pages 2 through 4;

On page 5, by striking all in lines 1 through 17 and inserting:

"Section 1. K.S.A. 2011 Supp. 75-4209 is hereby amended to read as follows: 75-4209. (a) The director of investments may invest and reinvest state moneys eligible for investment which are not invested in accordance with K.S.A. 75-4237, and amendments thereto, in the following investments:

(1) Direct obligations of, or obligations that are insured as to principal and interest by, the United States of America or any agency thereof and obligations and securities of the United States sponsored enterprises which under federal law may be accepted as security for public funds, on and after the effective date of this act moneys available for investment under this subsection shall not be invested in mortgage-backed securities of such enterprises and of the government national mortgage association, except that any such mortgage-backed securities held prior to the effective date of this act may be held to maturity;

(2) repurchase agreements with a bank or a primary government securities dealer which reports to the market reports division of the federal reserve bank of New York for direct obligations of, or obligations that are insured as to principal and interest by, the United States government or any agency thereof and obligations and securities of United States government sponsored enterprises which under federal law may be accepted as security for public funds;

(3) commercial paper that does not exceed 270 days to maturity and which has received one of the two highest commercial paper credit ratings by a nationally recognized investment rating firm; and

(4) corporate bonds which have received one of the two highest ratings by a nationally recognized investment rating firm.

(b) When moneys are available for deposit or investments, the director of investments may invest in SKILL act projects and bonds pursuant to K.S.A. 74-8920, and amendments thereto, and in state agency bonds and bond projects.

(c) When moneys are available for deposits or investments, the director of investments may invest in preferred stock of Kansas venture capital, inc., under terms and conditions prescribed by K.S.A. 74-8203, and amendments thereto, but such investments shall not in the aggregate exceed a total amount of \$10,000,000.

(d) When moneys are available for deposits or investments, the director of investments may invest in loans pursuant to legislative mandates, except that not more than the greater of 10% or \$140,000,000 of the state moneys shall be invested.

(e) Interest on investment accounts in banks is to be paid at maturity, but not less than annually.

(f) Investments made by the director of investments under the provisions of this section shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

(g) Investments under subsection (a) or (b) or under K.S.A. 75-4237, and amendments thereto, shall be for a period not to exceed four years, except that linked deposits authorized under the provisions of K.S.A. 2-3703 through 2-3707, and amendments thereto, shall not exceed a period of 10 years; agricultural production loan deposits authorized under the provisions of K.S.A. 2011 Supp. 75-4268 through 75-4274, and amendments thereto, shall not exceed a period of eight years and housing loan deposits authorized under K.S.A. 2011 Supp. 75-4276 through 75-4282, and amendments thereto, shall not exceed a period of five years or 20 years, as applicable pursuant to K.S.A. 2011 Supp. 75-4279, and amendments thereto.

(h) Investments in securities under paragraph (1) of subsection (a) shall be limited to securities which do not have any more interest rate risk than do direct United States government obligations of similar maturities. For purposes of this subsection, "interest rate risk" means market value changes due to changes in current interest rates.

(i) The director of investments shall not invest state moneys eligible for investment under subsection (a), in the municipal investment pool fund, created under K.S.A. 12-1677a, and amendments thereto.

(j) The director of investments shall not invest moneys in the pooled money investment portfolio in derivatives. As used in this subsection, "derivatives" means a financial contract whose value depends on the value of an underlying asset or index of asset values.

(k) Moneys and investments in the pooled money investment portfolio shall be invested and reinvested by the director of investments in accordance with investment policies developed, approved, published and updated on an annual basis by the board. Such investment policies shall include at a minimum guidelines which identify credit standards, eligible instruments, allowable maturity ranges, methods for valuing the portfolio, calculating earnings and yields and limits on portfolio concentration for each type of investment. Any changes in such investment policies shall be approved by the pooled money investment board. Such investment policies may specify the contents of reports, methods of crediting funds and accounts and other operating procedures.

(l) The board shall adopt rules and regulations to establish an overall percentage

limitation on the investment of moneys in investments authorized under paragraph (3) of subsection (a), and within such authorized investment, the board shall establish a percentage limitation on the investment in any single business entity.

Sec. 2. K.S.A. 2011 Supp. 75-4277 is hereby amended to read as follows: 75-4277. As used in K.S.A. 2011 Supp. 75-4276 through 75-4282, and amendments thereto:

(a) "Housing loan deposit" means an investment account placed by the director of investments under the provisions of article 42 of chapter 75 of the Kansas Statutes Annotated with an eligible lending institution for the purpose of carrying out the intent of this act;

(b) "housing loan deposit loan package" means the forms provided by the state treasurer for the purpose of applying for a housing loan deposit;

(c) "eligible lending institution" means a depository bank, as defined under K.S.A. 75-4201, and amendments thereto, that agrees to participate in the Kansas housing loan deposit program and is eligible to be a depository of state funds;

(d) "eligible developer borrower" means any person, firm or corporation building new houses or not-for-profit adult care homes or rehabilitating existing houses; ~~and~~ or not-for-profit adult care homes;

(e) "house" means a single-family or multi-family dwelling that initially sells or is appraised at or below the average area purchase price safe harbor for the state of Kansas as established by the state treasurer through rules and regulations based on the requirements of section 143(e) of the internal revenue code of 1986 for homes that are eligible for mortgage revenue bonds; and

(f) "adult care home" means the same as in K.S.A. 39-923, and amendments thereto.

Sec. 3. K.S.A. 2011 Supp. 75-4278 is hereby amended to read as follows: 75-4278.

(a) The state treasurer is hereby authorized to administer the Kansas housing loan deposit program. Such program shall be for the purpose of providing incentives for the making of housing and adult care homes construction development loans. The state treasurer shall promulgate rules and regulations to carry out the provisions of K.S.A. 2011 Supp. 75-4276 through 75-4282, and amendments thereto.

(b) The state treasurer shall submit an annual report outlining the status of the program to the governor and the legislature.

Sec. 4. K.S.A. 2011 Supp. 75-4279 is hereby amended to read as follows: 75-4279.

(a) The state treasurer is hereby authorized to disseminate information and to provide housing loan deposit loan packages to the lending institutions eligible for participation in this act.

(b) The housing loan deposit loan package shall be completed by the borrower before being forwarded to the lending institution for consideration.

(c) (1) An eligible lending institution that agrees to receive a housing loan deposit shall accept and review applications for loans from eligible developer borrowers. The lending institution shall apply all usual lending standards to determine the credit worthiness of eligible developer borrowers. The total aggregate amount of housing loan deposit loans under this program shall not exceed \$60,000,000 of unencumbered funds pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(2) No more than \$2,000,000 shall be outstanding at any one time to any developer borrower.

(3) No loan for a house shall be amortized for a period of more than five years.

(4) No loan for an adult care home shall be amortized for a period of more than 20 years.

(5) Loans for adult care homes shall not exceed 40% of the aggregate amount available under subsection (c)(1), except such limitation shall not apply to loans for assisted living, residential health care or home plus facilities. Loans for assisted living, residential health care, home plus facilities and other adult care homes shall not exceed 90% of the aggregate amount available.

(d) An eligible developer borrower shall certify on its loan application that the reduced rate loan will be used exclusively for the expenses involved in building houses.

(e) The eligible lending institution may approve or reject a housing loan deposit loan package based on the lending institution's evaluation of the eligible developer borrowers included in the package, the amount of the individual loan in the package and other appropriate considerations.

(f) The eligible lending institution shall forward to the state treasurer, an approved housing loan deposit loan package, in the form and manner prescribed and approved by the state treasurer. The package shall include information regarding the amount of the loan requested by each eligible developer borrower and such other information regarding each eligible developer borrower the state treasurer requires, including a certification by the applicant that such applicant is an eligible developer borrower.

(g) From July 1, 2008, through December 31, 2010, 50% of the total aggregate amount available under subsection (c)(1), shall be made available for housing loans to eligible developer borrowers building houses in the city of Chanute, Coffeyville, Erie, Fredonia, Greensburg, Independence, Iola, Neodesha, or Osawatomie, Kansas, or within one mile of the city limits of any such city.

Sec. 5. K.S.A. 2011 Supp. 75-4209, 75-4277, 75-4278 and 75-4279 are hereby repealed.";

By renumbering the remaining sections accordingly;

On page 1, in the title, in line 1, by striking all following "concerning"; by striking all in lines 2 and 3 and inserting "the Kansas housing loan deposit program; relating to the building or rehabilitation of adult care homes; amending K.S.A. 2011 Supp. 75-4209, 75-4277, 75-4278 and 75-4279 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

MARC RHOADES

KASHA KELLEY

BILL FEUERBORN

Conferees on part of House

CAROLYN MCGINN

JOHN VRATIL

LAURA KELLY

Conferees on part of Senate

On motion of Rep. Rhoades, the conference committee report on **H Sub SB 40** was adopted.

On roll call, the vote was: Yeas 87; Nays 24; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alford, Ballard, Bethell, Billinger, Bollier, Boman, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelly, Kerschen, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, Meier, Meigs, Mesa, Moxley, O'Neal, Otto, Patton, Pauls, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Ruiz, Ryckman, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Aurand, Brown, Brunk, DeGraaf, Denning, Donohoe, Garber, Goodman, Gordon, Grosserode, Hildabrand, Howell, Kelley, Kinzer, McLeland, O'Brien, O'Hara, Osterman, Peck, Rubin, Scapa, Smith, Tyson.

Present but not voting: None.

Absent or not voting: Bowers, Collins, Kiegerl, Lane, LeDoux, McCray-Miller, Montgomery, Peterson, Roth, Seiwert, Slattery, Vickrey, Ward, B. Wolf.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 155** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 5 through 36;

By striking all on pages 2 through 5;

On page 6, by striking all in lines 1 through 6, and inserting the following:

"New Section 1. (a) The state board of education shall conduct a study of, or contract for the study of, the implementation of requiring each district to maintain an individual career plan of study for each pupil enrolled in the district in grades eight through 12. On or before January 15, 2014, the state board of education shall prepare and submit a report to the legislature on the findings of such study and whether the state board of education intends to initiate implementing such requirements.

(b) For purposes of this section, the term "individual career plan of study" means a proposed individualized coherent sequence of classes focused on a career pathway that will enable seamless transition into a postsecondary program.

(c) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 2. (a) The state board of regents shall establish the career technical education incentive program.

(b) (1) Each school year, to the extent there are sufficient moneys appropriated to the career technical education incentive program, the state board of regents shall make an award to those school districts who have at least one pupil who graduates from a high school in the school district having obtained an industry-recognized credential in an occupation that has been identified by the secretary of labor, in consultation with the state board of regents and the state board of education, as an occupation in highest need of additional skilled employees at the time the pupil entered the career technical education course or program in the school district. Such school districts shall receive an

award in an amount equal to \$1,000 for each such pupil graduating from a high school in the school district. Such awards shall be paid at such times as established by the state board of regents. Such awards shall be expended for the expenses incurred by the board of education of the school district under subsection (b)(2), and any moneys remaining after distribution in accordance with subsection (b)(2) may be expended as determined by the board of education of a school district towards operating the school from which the pupils graduated. Upon receipt of such award and application by a pupil who has not attained a high school diploma and is currently or was previously enrolled in a career technical education course or program in the school district, the board of education of each school district shall pay $\frac{1}{2}$ of the costs of the industry-recognized credential assessment specified in such application in an amount not to exceed \$1,000. Such industry-recognized credential assessment shall be related to the career technical education course or program which such pupil is currently or was previously enrolled as determined by the board of education. No board of education shall be required to pay $\frac{1}{2}$ of the cost of three or more industry-recognized credential assessments for the same or substantially the same industry-recognized credential for a pupil if such pupil fails to earn the industry-recognized credential within two attempts of taking the industry-recognized credential assessment.

(2) The state board of education shall certify to the state board of regents and the director of accounts and reports the amounts due to each school district pursuant to this subsection. Such certification, and the amount payable, shall be approved by the director of the budget. The director of accounts and reports shall draw warrants on the state treasurer payable to the district treasurer of each school district entitled to payment of such award amount, pursuant to vouchers approved by the state board of regents. Upon receipt of such warrant, each district treasurer shall deposit the amount of such award in the general fund of the school district.

(c) (1) Each school year, to the extent there are sufficient moneys appropriated to the career technical education incentive program, the state board of regents shall make an award to a community college, technical college or institute of technology who has at least one secondary student who is currently or was previously admitted to a career technical education course or program in accordance with subsection (c) of K.S.A. 72-4417, and amendments thereto, and such secondary student is regularly enrolled in and attending a private secondary school. The purpose of such award is to reimburse such community college, technical college or institute of technology for paying $\frac{1}{2}$ of the costs of an industry-recognized credential assessment in an occupation that has been identified by the secretary of labor, in consultation with the state board of regents and the state board of education, as an occupation in highest need of additional skilled employees at the time the secondary student was admitted into such career technical education course or program. Upon receipt of such award and application by a secondary student who is currently or was previously enrolled in a career technical education course or program in accordance with subsection (c) of K.S.A. 72-4417, and amendments thereto, and is regularly enrolled in and attending a private secondary school, the governing body of the community college, technical college or the institute of technology which admitted such secondary student shall pay $\frac{1}{2}$ of the costs of the industry-recognized credential assessment specified in such application in an amount not to exceed \$1,000. Such industry-recognized credential assessment shall be related to the career technical education course or program in which such secondary student is

currently or was previously enrolled as determined by such governing body of a community college, technical college or institute of technology. No governing body of a community college, technical college or institute of technology shall be required to pay $\frac{1}{2}$ of the cost of three or more industry-recognized credential assessments for the same or substantially the same industry-recognized credential for a secondary student if such secondary student fails to earn the industry-recognized credential within two attempts of taking the industry-recognized credential assessment.

(2) Each governing body of a community college, technical college or institute of technology shall certify to the state board of regents the amount of any payments such community college, technical college or institute of technology will pay based on applications submitted by students pursuant to paragraph (1). The certification shall be on a form prescribed and furnished by the state board of regents, shall contain such information as the state board of regents shall require and shall be filed at the time specified by the state board of regents.

(3) In each school year, each governing body of a community college, technical college or institute of technology is entitled to receive from appropriations for the career technical education incentive program an amount which is equal to the amount certified to the state board of regents in accordance with the provisions of paragraph (2). The state board of regents shall certify to the director of accounts and reports the amount due each governing body of a community college, technical college or institute of technology. The director of accounts and reports shall draw warrants on the state treasurer payable to the treasurer of each governing body of a community college, technical college or institute of technology entitled to payment under this subsection upon vouchers approved by the state board of regents.

(4) Moneys received by a state board of regents under this subsection shall be deposited in the postsecondary technical education fund of each community college and at Washburn university for the Washburn institute of technology or the general operating fund in the technical college in accordance with K.S.A. 2011 Supp. 71-1808, and amendments thereto, and shall be considered reimbursements to the community college, technical college or institute of technology.

(d) Each school year, at such time as agreed to by the secretary of labor, the president of the state board of regents and the commissioner of education, the secretary shall provide the state board of regents and the state board of education with a list of those occupations in highest need of additional skilled employees. If the occupations identified in such list are not substantially the same as those occupations identified in the list from the prior year, reasonable notice of such changes shall be provided to school districts, community colleges, technical colleges and the institute of technology.

(e) The state board of regents and the state board of education, jointly, may adopt such rules and regulations necessary to implement and carry out the provisions of this section.

New Sec. 3. (a) Provided a particular career technical education program is not offered in a particular service area, the governing board of a community college, technical college or institute of technology located outside such service area, in coordination with one or more school districts located within such service area, may apply to the state board of regents for permission to establish such career technical education program to be taught at a location in such service area. An application for such permission shall be submitted in such form and manner as prescribed by the state

board of regents. In reviewing any such application, the state board of regents shall consider the ability and willingness of any postsecondary educational institution located in such service area to offer such career technical education program. If no such career technical education program is offered in such service area and no postsecondary educational institution located in such service area intends to offer such career technical education program, then the board of regents may approve such application to establish such career technical education program. Upon approval of its application by the state board of regents, the governing board of a community college, technical college or institute of technology may purchase or otherwise acquire land or land and improvements in such service area for the purpose of providing such career technical educational program.

(b) The state board of regents may adopt such rules and regulations necessary to administer the provisions of this section.

(c) For purposes of this section:

(1) The terms "career technical education," "community college," "institute of technology" and "technical college" have the same meaning as such terms are defined in K.S.A. 72-4412, and amendments thereto.

(2) "Postsecondary educational institution" has the same meaning as such term is defined in K.S.A. 74-3201b, and amendments thereto.

(3) "Service area" means: (A) For community colleges, a designated geographic area of the state established pursuant to agreement of the presidents of the community colleges and adopted in policy by the state board of regents; (B) for technical colleges, the territory set forth in the college's plan submitted to the board of regents pursuant to K.S.A. 72-4470a, and amendments thereto; and (C) for the institute of technology, Shawnee county.

(d) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 4. (a) The state board of regents shall initiate the development of a statewide articulation agreement on career technical education programs among the high schools, community colleges, technical colleges and the institute of technology.

(b) For the purposes of this section, the term "articulation agreement" means an agreement entered into to provide for the transferability of substantially equivalent courses of study or programs.

New Sec. 5. On or before January 15, 2014, the state board of education shall prepare a report to the legislature proposing a strategy and proposed plan for providing state aid to career technical education programs or courses in school districts. In preparing such report, the state board of education shall consider the funding scheme under the postsecondary tiered technical education state aid act. The report shall include, but not be limited to, recommendations for legislative changes and estimates of the cost to the state of implementing such changes.

New Sec. 6. (a) If a pupil submits an application for free meals under the national school lunch act on or before the date on which the enrollment of the school district is calculated and it is later determined by the school district or the department of education that the pupil should not have been eligible for free meals, the district or the department shall notify the state board of such determination. Except as provided in subsection (b), upon receipt of such notice, the state board shall recompute the adjusted enrollment of the district and the general fund budget of the district based on the

adjusted enrollment of the district excluding the at-risk pupil weighting and high density at-risk pupil weighting, if any, assigned to such pupil.

(b) If a pupil becomes ineligible to receive free meals under the national school lunch act for failure to submit, in a timely manner, any documentation necessary for verification of eligibility as required by the national school lunch act, but subsequently submits such documentation, such pupil shall not be excluded from the calculation of the adjusted enrollment of the district if the district forwards a copy of such documentation to the state board no later than January 14 of the school year.

(c) This section shall be part of and supplemental to the school district finance and quality performance act. This section shall be applicable to school year 2012-2013 and each school year thereafter.

Sec. 7. From and after July 1, 2013, K.S.A. 2011 Supp. 71-201 is hereby amended to read as follows: 71-201. (a) The board of trustees, in accordance with the provisions of law and the rules and regulations of the state board of regents, shall have custody of and be responsible for the property of the community college and shall be responsible for the operation, management and control of the college. The board of trustees shall hold at least one regular meeting each month at a time prescribed by the board. The board shall make an annual report in the manner prescribed by the state board of regents. Members of the board of trustees shall be paid subsistence allowances, mileage and other actual and necessary expenses incurred in the performance of their official duties.

(b) For effectuation of the purposes of this act, the board of trustees in addition to such other powers expressly granted to it by law and subject to the rules and regulations of the state board of regents is hereby granted the following powers:

(1) To select its own chairperson and such other officers as it may deem desirable, from among its own membership. The secretary may be chief administrative officer of the college.

(2) To sue and be sued.

(3) To determine the educational program of the college subject to prior approval thereof as provided in this act and to grant certificates of completion of courses or curriculum.

(4) To appoint and fix the compensation and term of office of a president or chief administrative officer of the college.

(5) To appoint upon nomination of the president or the chief administrative officer members of the administrative and teaching staffs, to fix and determine within state adopted standards their specifications, define their duties and to fix their compensation and terms of employment. No community college teacher shall be required to meet licensure requirements greater than those required in the state educational institutions.

(6) Upon recommendation of the chief administrative officer, to appoint or employ such other officers of the college, agents and employees as may be required to carry out the provisions of law and to fix and determine within state adopted standards their qualifications, duties, compensation, terms of office or employment and all other items and conditions of employment.

(7) To enter into contracts.

(8) To accept from any government or governmental agency, or from any other public or private body, or from any other source, grants or contributions of money or property which the board may use for or in aid of any of its purposes.

(9) To acquire by gift, purchase, lease-purchase, condemnation or otherwise, and to own, lease, use and operate property, whether real, personal, or mixed, or any interest therein, which is necessary or desirable for community college purposes. Any lease-purchase agreement entered into under authority of this subsection shall be subject to the conditions set forth in K.S.A. 10-1116c, and amendments thereto. The term of any lease entered into under authority of this subsection may be for not to exceed 10 years. Such lease may provide for annual or other payment of rent or rental fees and may obligate the community college to payment of maintenance or other expenses. Any lease or lease-purchase agreement entered into under authority of this subsection shall be subject to change or termination at any time by the legislature. Any assignment of rights in any lease or lease-purchase made under this subsection shall contain a citation of this section and a recitation that the lease or lease-purchase agreement and assignment thereof are subject to change or termination by the legislature. To the extent that the provisions of the cash-basis and budget laws conflict with this subsection in such a manner as to prevent the intention of this subsection from being made effective, the provisions of this subsection shall control. This provision is subject to the provisions of subsection (d).

(10) To enter into lease agreements as lessor of any property, whether real, personal, or mixed, which is owned or controlled by the community college. Any such agreement may specify the purposes for which the property may be used, require that the property be maintained and operated by the lessee, and may contain such restrictions or limitations on the use of the property, be entered into for such period of time, and include such other terms and conditions as the board of trustees determines to be necessary and proper. Every such agreement shall be subject to change or termination at any time by the legislature. Any assignment of rights under any such agreement shall be subject to approval by the board of trustees and shall contain a citation of this section and a recitation that the lease agreement and assignment of rights thereunder are subject to change or termination by the legislature.

(11) To determine that any property owned by the college is no longer necessary for college purposes and to dispose of the same in such manner and upon such terms and conditions as provided by law.

(12) To exercise the right of eminent domain, pursuant to chapter 26 of the Kansas Statutes Annotated, and amendments thereto.

(13) To make and promulgate such rules and regulations, not inconsistent with the provisions of law or with rules and regulations of the state board of regents, that are necessary and proper for the administration and operation of the community college, and for the conduct of the business of the board of trustees.

(14) To exercise all other powers not inconsistent with the provisions of law or with the rules and regulations of the state board of regents which may be reasonably necessary or incidental to the establishment, maintenance and operation of a community college.

(15) To appoint a member to fill any vacancy on the board of trustees for the balance of the unexpired term. When a vacancy occurs, the board shall publish a notice one time in a newspaper having general circulation in the community college district stating that the vacancy has occurred and that it will be filled by appointment by the board not sooner than 15 days after such publication.

(16) To contract with one or more agencies, either public or private, whether

located within or outside the community college district or whether located within or outside the state of Kansas for the conduct by any such agencies of education for students of the community college, and to provide for the payment to any such agencies for their contracted educational services from any funds or moneys of the community college, including funds or moneys received from student tuition and fees, funds received from the state of Kansas or the United States for education, or taxes collected under K.S.A. 71-204, and amendments thereto. Any contract made under this subsection with an institution of another state shall be subject to the provisions of K.S.A. 71-202, and amendments thereto.

(17) To authorize by resolution the establishment of a petty cash fund in an amount not to exceed \$1,000, and to designate in such resolution an employee to maintain such petty cash fund. The employee designated in any resolution provided for in this subsection receiving such funds shall keep a record of all receipts and expenditures from the fund, and shall from time to time, and at the end of the fiscal year, prepare a statement for the board showing all receipts, expenditures, and the balance in the petty cash fund. The board of trustees may authorize the employee designated to maintain any petty cash fund to make a claim for replenishment of the fund to its original amount in advance of approval by the board of trustees if, at any time during the period between regular monthly meetings of the board of trustees, the balance remaining in the fund is insufficient to make needed expenditures for any purpose for which the petty cash fund is maintained. No petty cash fund may be replenished more than one time during each period between regular monthly meetings of the board of trustees. If a petty cash fund is replenished prior to the end of the fiscal year in accordance with the foregoing authorization, the employee authorized to maintain the petty cash fund shall keep an accurate record of all expenditures made therefrom, and the purpose therefor, and shall submit the record to the board of trustees at the next regular monthly meeting thereof. The petty cash fund shall be replenished by payment from the appropriate funds of the community college to the petty cash fund upon proper claim. The fund shall be kept separate from all other funds and shall be used only for authorized expenditures and itemized receipts shall be taken for each expenditure. No part of such fund may be loaned or advanced against the salary of an employee. All employees entrusted with such funds under this subsection shall be bonded by the community college district.

(c) Subject to the provisions of subsection (d), the board of trustees may purchase or otherwise acquire land or land and improvements and may acquire, construct, reconstruct, repair or remodel improvements thereon or additions thereto, including furnishings, equipment, and architectural and incidental expense related thereto, and for such purposes the board of trustees is authorized to issue and sell general obligation bonds, the cumulative total not to exceed the following amounts: Where the community college district has a taxable tangible valuation of less than \$90,000,000 or is located in a county designated as urban under the provisions of K.S.A. 19-3524, and amendments thereto, not to exceed 5% of the taxable tangible property of the community college district, and where the community college district has a taxable tangible valuation of more than \$90,000,000 not to exceed 3% except as provided above for any community college district located in a county designated as urban under the provisions of K.S.A. 19-3524, and amendments thereto, of the taxable tangible property of the community college district. If any increase in the valuation of a community college district results in an outstanding bonded indebtedness in excess of that provided in this subsection,

such increase shall not constitute a violation of this subsection. No such bonds shall be issued until the question of their issuance shall have been submitted to a vote of the electors of the community college district at a regular election or at a special election called for that purpose and the majority of the electors voting on the proposition in such community college district shall have voted in favor of the issuance of the bonds. Such election shall be called, noticed and held and the bonds issued, sold, delivered and retired in accordance with the provisions of the general bond law except as herein otherwise expressly provided.

(d) ~~(1) Except as provided in section 3, and amendments thereto, the board of trustees of a community college may purchase or otherwise acquire land or land and improvements within: (1)-(A) The community college district; or (2)-(B) the service area of the community college. Nothing in this subsection shall be construed or operate in any manner to require a board of trustees to sell, convey or otherwise dispose of land or land and improvements located outside the community college district or the service area of the community college and owned or being acquired by the community college on the effective date of this act.~~

~~(2) For the purposes of this subsection, "service area" means a designated geographic area of the state established pursuant to agreement of the presidents of the community colleges and adopted in policy by the state board of regents.~~

Sec. 8. K.S.A. 72-4417 is hereby amended to read as follows: 72-4417. (a) Students admitted to a ~~vocational-career technical~~ education course or program which is conducted by the school district in which the student is enrolled may be charged fees but shall not be charged tuition.

(b) Postsecondary students admitted to a ~~vocational-career technical~~ education course or program shall pay tuition and fees as provided by laws applicable thereto.

~~(c) (1) Except as provided in paragraph (2) of this subsection, Secondary students admitted to a vocational-career technical education course or program which is conducted by a community college shall pay tuition and fees as provided by laws applicable to community colleges and the provisions of this section shall not apply thereto, nor shall any provisions of this act which are inconsistent with laws relating to community college tuition and fees apply to community colleges, technical college or institute of technology may be charged fees, but shall not be charged tuition.~~

~~(2) Students admitted to a vocational education course or program under the provision of K.S.A. 71-1706 and which is conducted by a community college which is consolidated with an area vocational school or area vocational-technical school may be charged fees but tuition shall be paid as provided in paragraph (2) of subsection (d). Nothing in this act shall be construed to amend, repeal or in any way change laws relating to community college student or out-district tuition. Each school year, to the extent there are sufficient moneys appropriated to the career technical education secondary program, the state board of regents shall distribute state funds to community colleges, technical colleges and the Washburn institute of technology for the cost associated with secondary students enrolled in postsecondary career technical education programs as determined by the state board of regents.~~

~~(3) For purposes of this subsection:~~

~~(A) "Community college" means any community college established in accordance with chapter 71 of the Kansas Statutes Annotated, and amendments thereto.~~

~~(B) "Fees" means those charges assessed against a student by a community college.~~

technical college or the institute of technology for student services, such as health clinics, athletic activities and technology services, or for books, supplies or other materials necessary for a particular course or program, the expense of which is not covered by tuition.

(C) "Institute of technology" means the institute of technology at Washburn university.

(D) "Secondary student" means a pupil who: (i) Has not attained a high school diploma or a general educational development (GED) credential; and (ii) is regularly enrolled in and attending a public or private secondary school.

(E) "Technical college" means a technical college designated pursuant to K.S.A. 72-4472, 72-4473, 72-4474, 72-4475, 72-4477 or 72-4477a, and amendments thereto.

(F) "Tuition" means those charges assessed against a student by a community college, technical college or the institute of technology on a per credit hour, per course or per term basis, and that are charged to cover the general expense of providing instructional services.

(d) Students admitted to a vocational education course or program which is not conducted by the school district in which the student is enrolled shall be charged tuition and fees determined in accordance with subsection (e), subject however to the following: (1) Tuition or fees, or tuition and fees may be paid for the student in accordance with any agreement made under K.S.A. 72-4421, and amendments thereto; or

(2) if tuition of a student is not paid under ~~provision-paragraph~~ (1) of this subsection, the tuition of the student shall be paid by the school district in which the student is enrolled. No school district shall pay tuition for a student who is a postsecondary student, and no school district shall be required to pay tuition or fees of a student who is eligible to have tuition and fees for the course or training the student selects paid by any state or federal agency from moneys, funds or appropriations made available under any one or more state or federal programs. Any state agency administering any one or more such programs shall pay such tuition and fees upon proper application by a student therefor.

(e) All tuition and fees charged for ~~vocational-career technical~~ education by any board shall be in such amounts as are authorized by rules and regulations adopted by the state board which shall establish general guidelines for tuition and fee schedules in ~~vocational-career technical~~ education courses and programs, except that tuition of postsecondary students shall be fixed in accordance with K.S.A. 72-4433, and amendments thereto. The particular tuition and fee schedule of every ~~vocational-career technical~~ education program shall be subject to annual approval of the state board. A current complete schedule of tuition and fees for each ~~vocational-career technical~~ education course and program of each board as approved by the state board shall be maintained on file in the office of the state board, and shall be open for public inspection at any reasonable time.

Sec. 9. K.S.A. 72-4419 is hereby amended to read as follows: 72-4419. The school district in which a student is enrolled shall pay the tuition of such student to attend any ~~vocational-career technical~~ education course or program when such attendance is approved as provided in K.S.A. 72-4418, and amendments thereto, from its vocational education fund, except that any board receiving funds under an agreement under K.S.A. 72-4421, and amendments thereto, shall pay such tuition when the student is enrolled in

a school district which is a party to the agreement if the agreement so provides. In the case of a school district which is not a party to an agreement under K.S.A. 72-4421, and amendments thereto, should there be insufficient or no moneys in the vocational-career technical education fund to pay such tuition, the board of education shall transfer from the general fund to the vocational-career technical education fund such amount as will satisfy the insufficiency.

Sec. 10. K.S.A. 2011 Supp. 72-4470a is hereby amended to read as follows: 72-4470a. (a) All technical college boards shall establish and maintain a plan for a governing board, which shall be separate and independent of any board of education of any school district, to operate, control and manage the technical college. The plan shall include, but not be limited to, provisions relating to:

- (1) The composition of the independent governing board;
- (2) the territory of the technical college. If the territory of the technical college includes more than one county, the plan shall designate a home county;
- (3) the method of election or appointment and the terms of service of the members of the independent governing board;
- (4) the date upon which the independent governing board shall assume management and control of the technical college;
- (5) the manner, terms upon which and extent to which the facilities will be transferred to the independent governing board and the division of other assets and indebtedness and other liabilities; and
- (6) the manner and terms upon which faculty, employees and students will be transferred to the independent governing board. Subject to the provisions of K.S.A. 2011 Supp. 72-4478, and amendments thereto, such provisions shall specify terms of employment and address other personnel matters.

(b) On the date determined in the approved plan, the independent governing board established under subsection (a) of this section shall operate subject to the rules, regulations and supervision of the state board of regents in the same manner as other technical colleges. Any amendments to the plan shall be submitted to the state board of regents for approval.

(c) In addition to such other powers expressly granted by law and subject to the provisions of subsection (b), the governing board shall have the power to:

- (1) Determine the career technical and general education courses of instruction that will comprise the associate of applied science degree programs of the college;
- (2) establish the requirements for satisfactory completion of the associate of applied science degree programs of the college;
- (3) confer the associate of applied science degree upon students who successfully complete an associate of applied science degree program of the college and to award a certificate or diploma to students who successfully complete a career technical education program of the college;
- (4) appoint teaching staff and fix and determine teacher qualifications, duties and compensation. No teacher appointed to teach courses comprising the associate of applied science degree programs of the college shall be required to meet licensure requirements greater than those required in the state educational institutions;
- (5) have custody of, and be responsible for, the property of the college and be responsible for the operation, management and control of the college;
- (6) select a chairperson and such other officers as it deems desirable, from its

membership;

- (7) sue and be sued;
- (8) appoint and fix the compensation and term of office of a president or chief administrative officer of the college;
- (9) fix and determine, within state adopted standards, all other employees' qualifications, duties, compensation and all other items and conditions of employment;
- (10) enter into contracts;
- (11) accept any gifts, grants or donations;
- (12) acquire and dispose of real or personal property;
- (13) enter into lease agreements as lessor of any property owned or controlled by the college;
- (14) adopt any rules and regulations, not inconsistent with any law or any rules and regulations of the state board of regents, which are necessary for the administration and operation of the college or for the conduct of business of the governing board;
- (15) contract with one or more agencies, either public or private, whether located within or outside the territory of the college or whether located within or outside the state of Kansas, for the conduct by any such agency of academic or career technical education for students of the college and to provide for the payment to any such agency for the contracted educational services from any funds or moneys of the college, including funds or moneys received from student tuition and fees;
- (16) appoint as its resident agent for the purpose of service of process, either the president of the technical college or the chairperson of the governing board, or both;
- (17) take any other action, not inconsistent with any law or any rules and regulations of the state board of regents, which is necessary or incidental to the establishment, operation and maintenance of the college;
- (18) issue bonds for capital improvement projects, enter into bond covenants and take such ancillary action as the governing board approves, relating thereto, except that such bonds shall not be secured by a pledge of any property tax revenues of the technical college;
- (19) enter into agreements with counties relating to funding for capital improvement projects at technical colleges; ~~and~~
- (20) fix different rates per hour of tuition, fees and charges for the different postsecondary programs administered by such board; ~~and~~
- (21) to acquire by lease-purchase any property, whether real, personal, or mixed, or any interest therein, which is necessary or desirable for technical college purposes. The term of any lease-purchase agreement entered into under authority of this subsection may be for not to exceed 10 years. Such lease-purchase agreement may provide for annual or other payment of rent or rental fees and may obligate the technical college to payment of maintenance or other expenses. Any lease-purchase agreement entered into under authority of this subsection shall be subject to change or termination at any time by the legislature. Any assignment of rights in any lease-purchase made under this subsection shall contain a citation of this section and a recitation that the lease-purchase agreement and assignment thereof are subject to change or termination by the legislature.

Sec. 11. K.S.A. 2011 Supp. 72-6455 is hereby amended to read as follows: 72-6455. (a) ~~As used in this section, school district means any district having: (1) An enrollment of at least 50% at-risk pupils; or (2) an enrollment of at least 35.1% at-risk~~

pupils and an enrollment density of at least 212.1 pupils per square mile.

~~(b) The high density at-risk pupil weighting of each school district shall be determined by the state board by multiplying the number of at-risk pupils by .10. The product is the high density at-risk pupil weighting of the district.~~

~~(c) If a school district becomes ineligible for high density at-risk pupil weighting because enrollment of at-risk pupils in the district falls below the requirements of subsection (a), the high density at-risk pupil weighting of the district shall be the greater of: (1) The high density at-risk pupil weighting in the current school year; (2) the high density at-risk pupil weighting in the prior school year; or (3) the average of the high density at-risk pupil weighting in the current school year and the preceding two school years.~~

~~The provisions of this subsection paragraph shall expire on June 30, 2011.~~

The high density at-risk pupil weighting of each school district shall be determined by the state board as follows:

(A) Except as provided in subparagraph (C), if the district has an enrollment of at least 35%, but less than 50% at-risk pupils, the state board shall:

(i) Subtract 35% from the percentage of at-risk enrollment in the district;

(ii) multiply the amount determined under clause (i) by .7; and

(iii) multiply the number of at-risk pupils enrolled in the district by the product determined under clause (ii). The resulting product is the high density at-risk pupil weighting of the district.

(B) If the district has an enrollment of 50% or more at-risk pupils, the state board shall multiply the number of at-risk pupils by .105. The resulting product is the high density at-risk pupil weighting of the district.

(C) If the district has an enrollment of at least 35.1% at-risk pupils and an enrollment density of at least 212.1 pupils per square mile, the state board shall multiply the number of at-risk pupils by .105. The resulting product is the high density at-risk pupil weighting of the district.

Sec. 12. K.S.A. 72-4417 and 72-4419 and K.S.A. 2011 Supp. 72-4470a, 72-6455 and 72-6459 are hereby repealed.

Sec. 13. From and after July 1, 2013, K.S.A. 2011 Supp. 71-201 is hereby repealed.";

And by renumbering the remaining sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the period, and inserting "education; amending K.S.A. 72-4417 and 72-4419 and K.S.A. 2011 Supp. 71-201, 72-4470a and 72-6455 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 72-6459";

And your committee on conference recommends the adoption of this report.

CLAY AURAND
STEVE HUEBERT
VALDENIA C. WINN

Conferees on part of House

JEAN SCHODORF
JOHN VRATIL
ANTHONY HENSLEY

Conferees on part of Senate

On motion of Rep. Aurand, the conference committee report on **SB 155** was adopted.

On roll call, the vote was: Yeas 111; Nays 0; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bowers, Collins, Kiegerl, Lane, LeDoux, McCray-Miller, Montgomery, Peterson, Roth, Seiwert, Slattery, Vickrey, Ward, B. Wolf.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 416** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 14 through 36;

By striking all on pages 2 through 36;

On page 37, by striking all in lines 1 through 10 and inserting the following:

"New Section 1. (a) Subject to the provisions of subsection (b), an arrangement, contract, agreement, trust, understanding or combination is a reasonable restraint of trade or commerce if such restraint is reasonable in view of all of the facts and circumstances of the particular case and does not contravene public welfare.

(b) The legislature hereby finds and declares that prior to the Supreme Court of Kansas decision entered May 4, 2012, in the case of *O'Brien v. Leegin Creative Leather Products, Inc.*, No. 101,000, 2012 WL 1563976, the Supreme Court of Kansas had accurately interpreted the Kansas restraint of trade act, K.S.A. 50-101 through 50-162, and amendments thereto, and such interpretations have been consistent with the intent of the Kansas Legislature in enacting the Kansas restraint of trade act, K.S.A. 50-101 through 50-162, and amendments thereto, and such interpretations made prior to May 4, 2012, should continue to be considered viable precedent in the state of Kansas.

(c) If any provision of this section or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.

(d) This section shall be a part of and supplemental to the Kansas restraint of trade

act, K.S.A. 50-101 through 50-162, and amendments thereto.

(e) The provisions of this section shall expire on June 30, 2013.

Sec. 2. K.S.A. 50-101 is hereby amended to read as follows: 50-101. Except as provided in section 1, and amendments thereto, a trust is a combination of capital, skill, or acts, by two or more persons, for either, any or all of the following purposes:

First. To create or carry out restrictions in trade or commerce, or aids to commerce, or to carry out restrictions in the full and free pursuit of any business authorized or permitted by the laws of this state.

Second. To increase or reduce the price of merchandise, produce or commodities, or to control the cost or rates of insurance.

Third. To prevent competition in the manufacture, making, transportation, sale or purchase of merchandise, produce or commodities, or to prevent competition in aids to commerce.

Fourth. To fix any standard or figure, whereby such person's price to the public shall be, in any manner, controlled or established, any article or commodity of merchandise, produce or commerce intended for sale, use or consumption in this state.

Fifth. To make or enter into, or execute or carry out, any contract, obligation or agreement of any kind or description by which such person shall: (a) Bind or have to bind themselves not to sell, manufacture, dispose of or transport any article or commodity, or article of trade, use, merchandise, commerce or consumption below a common standard figure;

(b) agree in any manner to keep the price of such article, commodity or transportation at a fixed or graded figure;

(c) in any manner establish or settle the price of any article or commodity or transportation between them or themselves and others to preclude a free and unrestricted competition among themselves or others in transportation, sale or manufacture of any such article or commodity; or

(d) agree to pool, combine or unite any interest they may have in connection with the manufacture, sale or transportation of any such article or commodity, that such person's price in any manner is affected. Any such combinations are hereby declared to be against public policy, unlawful and void.

Sec. 3. K.S.A. 50-112 is hereby amended to read as follows: 50-112. Except as provided in section 1, and amendments thereto, all arrangements, contracts, agreements, trusts, or combinations between persons made with a view or which tend to prevent full and free competition in the importation, transportation or sale of articles imported into this state, or in the product, manufacture or sale of articles of domestic growth or product of domestic raw material, or for the loan or use of money, or to fix attorney or doctor fees, and all arrangements, contracts, agreements, trusts or combinations between persons, designed or which tend to advance, reduce or control the price or the cost to the producer or to the consumer of any such products or articles, or to control the cost or rate of insurance, or which tend to advance or control the rate of interest for the loan or use of moneys to the borrower, or any other services, are hereby declared to be against public policy, unlawful and void.

Sec. 4. K.S.A. 50-101 and 50-112 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.;

Also on page 1, in the title, by striking all in lines 1 through 11 and inserting "AN

ACT concerning the Kansas restraint of trade act; amending K.S.A. 50-101 and 50-112 and repealing the existing sections.;

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

SUSAN WAGLE

JULIA LYNN

Conferees on part of Senate

On motion of Rep. Kinzer, the conference committee report on **H Sub for SB 416** was adopted.

On roll call, the vote was: Yeas 91; Nays 18; Present but not voting: 1; Absent or not voting: 15.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Boman, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Landwehr, Mah, Mast, McLeland, Meier, Meigs, Mesa, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Siegfried, Sloan, Smith, Suellentrop, Swanson, Trimmer, Tyson, Weber, Wetta, Williams, K. Wolf, Worley.

Nays: Ballard, Bollier, Burroughs, Davis, Dillmore, Finney, Flaharty, Frownfelter, S. Gatewood, Henderson, Kuether, Loganbill, Ruiz, Shultz, Tietze, Victors, Winn, Wolfe Moore.

Present but not voting: Spalding.

Absent or not voting: Bowers, Collins, Hayzlett, Kiegerl, Lane, LeDoux, McCray-Miller, Montgomery, Peterson, Roth, Seiwert, Slattery, Vickrey, Ward, B. Wolf.

The House stood at ease until the sound of the gavel.

Speaker O'Neal called the House to order.

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

—————
EVENING SESSION
—————

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

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 155**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2382**; **S Sub for HB 2597**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2597** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2597, as follows:

On page 2, in line 38, after "(8)" by inserting "(A)"; in line 41, after the period by inserting "(B)";

On page 3, in line 3, by striking all after the period; by striking all in lines 4 through 6; in line 7, by striking all before "Each" and inserting "(C) (i)"; in line 15, by striking all after the period; by striking all in lines 16 through 21; in line 22, before "For" by inserting "(ii)"; in line 27, after the period by inserting "(iii)"; in line 31, after the period, by inserting the following:

"(D) The secretary and the state corporation commission shall enter into a memorandum of agreement for the purposes of:

- (i) Administering the land-spreading application and approval process;
- (ii) monitoring compliance; and
- (iii) establishing mechanisms for enforcement and remedial actions.

(E) On or before January 1, 2014, the secretary, in coordination with the state corporation commission, shall adopt rules and regulation governing land-spreading of waste generated by drilling oil and gas wells. In developing such rules and regulations, the secretary and the state corporation commission shall seek advice and comments from groundwater management districts and other groups or persons knowledgeable and experienced in areas related to this paragraph.

(F)";

Also on page 3, in line 32, by striking all after "report"; in line 33, by striking all before the second "to"; in line 36, after the period by inserting "Such report shall include, but not be limited to, information concerning the implementation and status of land-spreading procedures and the costs associated with the regulation of land-spreading pursuant to this paragraph.

(G) The provisions of this paragraph shall expire on July 1, 2015.";

On page 4, following line 6, by inserting:

"New Sec. 2. (a) The board of county commissioners of each county shall establish a county oil and gas valuation depletion trust fund if the county is to receive moneys from the oil and gas valuation depletion trust fund created under the provisions of K.S.A. 2011 Supp. 79-4231, and amendments thereto. The county treasurer shall be responsible for the administration of such fund.

(b) Upon receipt of an authorization for distribution of county oil and gas valuation

depletion trust fund moneys pursuant to K.S.A. 2011 Supp. 79-4231, and amendments thereto, the county treasurer shall release 20% of the moneys credited to such county's trust account to the county general fund for expenditure as directed by the board.

(c) Moneys credited to the county oil and gas valuation depletion trust fund shall be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In making the budgets of such county, the amounts credited to, and the amount on hand in, such fund and the amount expended therefrom shall be shown thereon for the information of the taxpayers of such county. Moneys in such fund may be invested in accordance with the provisions of K.S.A. 10-131, and amendments thereto, with interest thereon credited to such fund.

Sec. 3. K.S.A. 2011 Supp. 19-101a is hereby amended to read as follows: 19-101a.

(a) The board of county commissioners may transact all county business and perform all powers of local legislation and administration it deems appropriate, subject only to the following limitations, restrictions or prohibitions:

(1) Counties shall be subject to all acts of the legislature which apply uniformly to all counties.

(2) Counties may not affect the courts located therein.

(3) Counties shall be subject to acts of the legislature prescribing limits of indebtedness.

(4) In the exercise of powers of local legislation and administration authorized under provisions of this section, the home rule power conferred on cities to determine their local affairs and government shall not be superseded or impaired without the consent of the governing body of each city within a county which may be affected.

(5) Counties may not legislate on social welfare administered under state law enacted pursuant to or in conformity with public law No. 271 – 74th congress, or amendments thereof.

(6) Counties shall be subject to all acts of the legislature concerning elections, election commissioners and officers and their duties as such officers and the election of county officers.

(7) Counties shall be subject to the limitations and prohibitions imposed under K.S.A. 12-187 to 12-195, inclusive, and amendments thereto, prescribing limitations upon the levy of retailers' sales taxes by counties.

(8) Counties may not exempt from or effect changes in statutes made nonuniform in application solely by reason of authorizing exceptions for counties having adopted a charter for county government.

(9) No county may levy *ad valorem* taxes under the authority of this section upon real property located within any redevelopment project area established under the authority of K.S.A. 12-1772, and amendments thereto, unless the resolution authorizing the same specifically authorized a portion of the proceeds of such levy to be used to pay the principal of and interest upon bonds issued by a city under the authority of K.S.A. 12-1774, and amendments thereto.

(10) Counties shall have no power under this section to exempt from any statute authorizing or requiring the levy of taxes and providing substitute and additional provisions on the same subject, unless the resolution authorizing the same specifically provides for a portion of the proceeds of such levy to be used to pay a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto.

(11) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4601 through 19-4625, and amendments thereto.

(12) Except as otherwise specifically authorized by K.S.A. 12-1,101 through 12-1,109, and amendments thereto, counties may not levy and collect taxes on incomes from whatever source derived.

(13) Counties may not exempt from or effect changes in K.S.A. 19-430, and amendments thereto.

(14) Counties may not exempt from or effect changes in K.S.A. 19-302, 19-502b, 19-503, 19-805 or 19-1202, and amendments thereto.

(15) Counties may not exempt from or effect changes in K.S.A. 19-15,139, 19-15,140 and 19-15,141, and amendments thereto.

(16) Counties may not exempt from or effect changes in the provisions of K.S.A. 12-1223, 12-1225, 12-1225a, 12-1225b, 12-1225c and 12-1226, and amendments thereto, or the provisions of K.S.A. 12-1260 through 12-1270 and 12-1276, and amendments thereto.

(17) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-211, and amendments thereto.

(18) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4001 through 19-4015, and amendments thereto.

(19) Counties may not regulate the production or drilling of any oil or gas well in any manner which would result in the duplication of regulation by the state corporation commission and the Kansas department of health and environment pursuant to chapter 55 and chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any rules and regulations adopted pursuant thereto. Counties may not require any license or permit for the drilling or production of oil and gas wells. Counties may not impose any fee or charge for the drilling or production of any oil or gas well.

(20) Counties may not exempt from or effect changes in K.S.A. 79-41a04, and amendments thereto.

(21) Counties may not exempt from or effect changes in K.S.A. 79-1611, and amendments thereto.

(22) Counties may not exempt from or effect changes in K.S.A. 79-1494, and amendments thereto.

(23) Counties may not exempt from or effect changes in subsection (b) of K.S.A. 19-202, and amendments thereto.

(24) Counties may not exempt from or effect changes in subsection (b) of K.S.A. 19-204, and amendments thereto.

(25) Counties may not levy or impose an excise, severance or any other tax in the nature of an excise tax upon the physical severance and production of any mineral or other material from the earth or water.

(26) Counties may not exempt from or effect changes in K.S.A. 79-2017 or 79-2101, and amendments thereto.

(27) Counties may not exempt from or effect changes in K.S.A. 2-3302, 2-3305, 2-3307, 2-3318, 17-5904, 17-5908, 47-1219, 65-171d, 65-1,178 through 65-1,199, 65-3001 through 65-3028, and amendments thereto.

(28) Counties may not exempt from or effect changes in K.S.A. 2011 Supp. 80-121, and amendments thereto.

(29) Counties may not exempt from or effect changes in K.S.A. 19-228, and

amendments thereto.

(30) Counties may not exempt from or effect changes in the wireless enhanced 911 act, in the VoIP enhanced 911 act or in the provisions of K.S.A. 12-5301 through 12-5308, and amendments thereto.

(31) Counties may not exempt from or effect changes in K.S.A. 2011 Supp. 26-601, and amendments thereto.

(32) (A) Counties may not exempt from or effect changes in the Kansas liquor control act except as provided by paragraph (B).

(B) Counties may adopt resolutions which are not in conflict with the Kansas liquor control act.

(33) (A) Counties may not exempt from or effect changes in the Kansas cereal malt beverage act except as provided by paragraph (B).

(B) Counties may adopt resolutions which are not in conflict with the Kansas cereal malt beverage act.

(34) Counties may not exempt from or effect changes in the Kansas lottery act.

(35) Counties may not exempt from or effect changes in the Kansas expanded lottery act.

(36) Counties may neither exempt from nor effect changes to the eminent domain procedure act.

(37) Any county granted authority pursuant to the provisions of K.S.A. 19-5001 through 19-5005, and amendments thereto, shall be subject to the limitations and prohibitions imposed under K.S.A. 19-5001 through 19-5005, and amendments thereto.

(38) Except as otherwise specifically authorized by K.S.A. 19-5001 through 19-5005, and amendments thereto, counties may not exercise any authority granted pursuant to K.S.A. 19-5001 through 19-5005, and amendments thereto, including the imposition or levy of any retailers' sales tax.

(39) Counties may not exempt from or effect changes in section 2, and amendments thereto.

(b) Counties shall apply the powers of local legislation granted in subsection (a) by resolution of the board of county commissioners. If no statutory authority exists for such local legislation other than that set forth in subsection (a) and the local legislation proposed under the authority of such subsection is not contrary to any act of the legislature, such local legislation shall become effective upon passage of a resolution of the board and publication in the official county newspaper. If the legislation proposed by the board under authority of subsection (a) is contrary to an act of the legislature which is applicable to the particular county but not uniformly applicable to all counties, such legislation shall become effective by passage of a charter resolution in the manner provided in K.S.A. 19-101b, and amendments thereto.

(c) Any resolution adopted by a county which conflicts with the restrictions in subsection (a) is null and void.

Sec. 4. K.S.A. 2011 Supp. 79-4231 is hereby amended to read as follows: 79-4231.

(a) There is hereby created in the state treasury the oil and gas valuation depletion trust fund. The director of taxation shall administer the oil and gas valuation depletion trust fund. All amounts credited to the oil and gas valuation depletion trust fund pursuant to the provisions of K.S.A. 79-4227, and amendments thereto, less the administration fee imposed under subsection (c), shall be credited to a separate trust account which shall be established within such fund for each county which in ~~fiscal year 2005~~ or any fiscal

year thereafter had \$100,000 or more in receipts of the excise tax upon the severance and production of oil and gas. Each county's trust account shall be credited in the proportion that the amount of oil and gas valuation depletion trust fund receipts collected from that county bears to the total amount of moneys credited to the oil and gas valuation depletion trust fund pursuant to K.S.A. 79-4227, and amendments thereto. Commencing July 1, 2008 2012, and thereafter on an annual basis, ~~such moneys shall remain credited in such account in trust for such county for distributions pursuant to this section~~ the director of taxation shall certify to the director of accounts and reports the amount due the county from the county's oil and gas depletion trust account on October 1 based on all amounts credited thereto, and the director of accounts and reports shall draw a warrant upon the state treasurer in favor of each such county for the amount credited to such county's trust account. Upon receipt of such warrant, the treasurer of the county shall credit the same to the oil and gas valuation depletion trust fund of the county established in section 2, and amendments thereto. Except that the director of taxation shall transfer all of the moneys credited to the Wilson county trust account to the Wilson county capital improvement fund in any such tax year until the payment of all costs of financing projects authorized pursuant to K.S.A. 2011 Supp. 74-8961, and amendments thereto, has been completed, and at that time the provisions of this subsection related to distributions to the Wilson county treasurer shall be applicable as provided in this subsection.

(b) For any tax year that the oil and gas leasehold *ad valorem* valuation of any county, which has a trust account established and maintained in the a county oil and gas valuation depletion trust fund as provided by this section 2, and amendments thereto, is less than 50% of the oil and gas leasehold *ad valorem* valuation of such county for the second succeeding tax year which commences January 1 following the end of the fiscal year in which the county had \$100,000 or more in receipts of the excise tax upon the production of oil and gas and the county had a trust account established in the oil and gas valuation depletion trust fund as provided by this section, as certified by the property valuation division, on or before January 15 of the year following such tax year, the director of taxation shall ~~distribute~~ certify the oil and gas leasehold *ad valorem* valuation amounts for each county and shall authorize the county treasurer to release 20% of the moneys credited to such county's ~~trust account~~ oil and gas valuation depletion trust fund to the county treasurer general fund of such county, ~~except that the director of taxation shall transfer all of the moneys credited to the Wilson county trust account to the Wilson county capital improvement fund in any such tax year until the payment of all costs of financing projects authorized pursuant to K.S.A. 2011 Supp. 74-8961, and amendments thereto, has been completed, and at that time the provisions of this subsection related to distributions to the Wilson county treasurer shall be applicable as provided in this subsection.~~ In any year in which a county's oil and gas leasehold valuation is 50% or more of the oil and gas leasehold valuation of such county for tax year as described in this subsection, such county shall not receive a an authorization for distribution of trust fund moneys pursuant to this section for such tax year. ~~On an annual basis, the director of taxation shall certify to the director of accounts and reports the counties entitled to a distribution pursuant to this section. The director of accounts and reports shall draw warrants on the state treasurer payable to the county treasurer of each county entitled to payment from such county's trust account in the oil and gas valuation depletion trust fund upon vouchers approved by the director of taxation.~~

(c) The director of taxation shall impose and collect an administration fee for the administration of the oil and gas valuation depletion trust fund, this section and the provisions of K.S.A. 2011 Supp. 79-4227, and amendments thereto, equal to 2% of the amount credited to the oil and gas valuation depletion trust fund. The administration fee shall be imposed and collected prior to crediting any amount to any trust account established and maintained for a county in the oil and gas valuation depletion trust fund. All amounts collected for the administration fee shall be transferred from the oil and gas valuation depletion trust fund to the state general fund.

(d) All moneys credited to the oil and gas valuation depletion trust fund upon the effective date of this act shall be distributed to each county not later than 30 days following the effective date of this act for deposit in the county's oil and gas valuation depletion trust fund established pursuant to the provisions of section 2, and amendments thereto.";

And by renumbering sections accordingly;

Also on page 4, in line 7, by striking "65-3407c is" and inserting "19-101a, 65-3407c and 79-4231 are";

On page 1, in the title, in line 1, by striking "solid waste; relating to permit exemptions" and inserting "oil and gas"; in line 2, after "Supp." by inserting "19-101a,"; also in line 2, after "65-3407c" by inserting "and 79-4231"; also in line 2, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

RALPH OSTMEYER

CAROLYN MCGINN

MARCI FRANCISCO

Conferees on part of Senate

LARRY R. POWELL

DAN KERSCHEN

JERRY WILLIAMS

Conferees on part of House

On motion of Rep. Powell, the conference committee report on **S Sub for HB 2597** was adopted.

On roll call, the vote was: Yeas 92; Nays 14; Present but not voting: 0; Absent or not voting: 19.

Yeas: Alford, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Brookens, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Fawcett, Feuerborn, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Hedke, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kersch, Kinzer, Kleeb, Kuether, Landwehr, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Brown, Dillmore, Donohoe, Finney, Flaharty, S. Gatewood, Gordon, Grosserode, Henderson, Hildabrand, Knox, O'Hara, Tyson.

Present but not voting: None.

Absent or not voting: Bowers, Bruchman, Collins, Hayzlett, Kiegerl, Lane, LeDoux, McCray-Miller, Montgomery, Peterson, Roth, Schwartz, Seiwert, Shultz, Slattery, Vickrey, Victors, Ward, B. Wolf.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kleeb, the House concurred in Senate amendments to **S Sub for HB 2382**, AN ACT concerning economic development; concerning the STAR bonds financing act; relating to the provisions regarding STAR bond projects; extending the sunset date; regarding bond interest rates; amending K.S.A. 2011 Supp. 10-1009 and 12-17,179 and repealing the existing sections.

On roll call, the vote was: Yeas 80; Nays 26; Present but not voting: 0; Absent or not voting: 19.

Yeas: Alford, Arpke, Ballard, Bethell, Bollier, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Gordon, Grange, Grant, Hedke, Henderson, Henry, Hermanson, Hill, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelly, Kerschen, Kleeb, Kuether, Landwehr, Loganbill, Mah, Mast, McLeland, Meier, Mesa, Moxley, O'Neal, Osterman, Otto, Patton, Pauls, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Schwab, Schwartz, Siegfried, Sloan, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Billinger, Boman, Brown, Brunk, DeGraaf, Donohoe, Garber, Goodman, Gregory, Grosserode, Hildabrand, Hineman, Howell, Kelley, Kinzer, Knox, Meigs, O'Brien, O'Hara, Peck, Ryckman, Scapa, Schroeder, Smith, Tyson.

Present but not voting: None.

Absent or not voting: Bowers, Brookens, Collins, Denning, Hayzlett, Kiegerl, Lane, LeDoux, McCray-Miller, Montgomery, Peterson, Roth, Seiwert, Shultz, Slattery, Vickrey, Victors, Ward, B. Wolf.

On motion of Rep. Bethell to concur in Senate amendments to **S Sub for HB 2619**, Rep. Rhoades offered a substitute motion to nonconcur to the Senate amendments and refer to Committee on Appropriations, which was ruled out of order. The question reverted back to the motion to concur, which did not prevail and therefore the bill did not pass.

On roll call, the vote was: Yeas 54; Nays 53; Present but not voting: 0; Absent or not voting: 18.

Yeas: Ballard, Bethell, Bollier, Brookens, Bruchman, Burgess, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Gordon, Grange, Grant, Henderson, Henry, Hill, Hineman, Kelly, Kuether, Loganbill, Mah, Meier, Moxley, Osterman, Otto, Pauls, Phelps, Phillips, Pottorff, Proehl, Rubin, Ruiz, Schroeder, Sloan, Spalding, Swanson, Tietze, Trimmer, Tyson, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Brown, Brunk, Calloway, Carlson, Cassidy, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Goodman, Gregory, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, O'Brien, O'Hara, O'Neal, Patton, Peck, Powell, Prescott, Rhoades,

Ryckman, Scapa, Schwab, Schwartz, Siegfroid, Smith, Suellentrop.
Present but not voting: None.

MESSAGE FROM THE SENATE

The Senate concurs in House amendments to **H Sub for SB 434**.
Announcing adoption of **SCR 1620**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Davis, **SCR 1620**, A concurrent resolution relating to the adjournment of the Senate and House of Representatives for a period during the 2012 regular session of the legislature, was introduced and adopted.

REPORT ON ENGROSSED BILLS

HB 2494, HB 2792 reported correctly engrossed May 20, 2012.
S Sub for HB 2390; HB 2435 reported correctly re-engrossed May 20, 2012.

REPORT ON ENROLLED BILLS

S Sub for HB 2157; S Sub for Sub HB 2318; HB 2413; Sub HB 2427; HB 2503, HB 2568, HB 2604, HB 2704 reported correctly enrolled, properly signed and presented to the Governor on May 21, 2012.

REPORT ON ENROLLED RESOLUTIONS

HR 6032 reported correctly enrolled and properly signed on May 21, 2012.

On motion of Rep. Siegfroid, the House adjourned until 10:00 a.m., Friday, June 1, 2012.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

