

SENATE BILL No. 16

By Committee on Ways and Means

1-14

1 AN ACT making and concerning appropriations for the fiscal year ending
2 June 30, 2011, for state agencies; authorizing certain transfers,
3 imposing certain restrictions and limitations, and directing or
4 authorizing certain receipts, disbursements and acts incidental to the
5 foregoing.
6

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

8 Section 1. (a) For the fiscal year ending June 30, 2011,
9 appropriations are hereby made, restrictions and limitations are hereby
10 imposed, and transfers, capital improvement projects, fees, receipts,
11 disbursements and acts incidental to the foregoing are hereby directed or
12 authorized as provided in this act.

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

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

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

21 Sec. 2.

22 **ABSTRACTERS' BOARD OF EXAMINERS**

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

27 Sec. 3.

28 **GOVERNMENTAL ETHICS COMMISSION**

29 (a) On the effective date of this act, the expenditure limitation
30 established for the fiscal year ending June 30, 2011, by the state finance
31 council on the governmental ethics commission fee fund of the
32 governmental ethics commission is hereby decreased from \$291,764 to
33 \$263,176.

34 Sec. 4.

35 **KANSAS HOME INSPECTORS REGISTRATION BOARD**

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

1 established for the fiscal year ending June 30, 2011, by section 11(b) of
2 chapter 165 of the 2010 Session Laws of Kansas on the home inspectors
3 registration fee fund of the Kansas home inspectors registration board is
4 hereby decreased from \$35,750 to \$16,800.

5 Sec. 5.

6 BOARD OF NURSING

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

11 Sec. 6.

12 STATE BOARD OF PHARMACY

13 (a) On the effective date of this act, there is appropriated for the
14 above agency from the following special revenue fund or funds for the
15 fiscal year ending June 30, 2011, all moneys now or hereafter lawfully
16 credited to and available in such fund or funds, except that expenditures
17 other than refunds authorized by law shall not exceed the following:

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

21 *Provided*, That the state board of pharmacy is authorized to apply for and
22 to accept grants and may accept donations, bequests or gifts from any
23 non-federal source: *Provided, however*, That all moneys received for such
24 grants, donations, bequests or gifts shall be remitted to the state treasurer
25 in accordance with the provisions of K.S.A. 75-4215, and amendments
26 thereto: *Provided further*, That, upon receipt of each such remittance, the
27 state treasurer shall deposit the entire amount in the state treasury to the
28 credit of the non-federal gifts and grants fund: *And provided further*, That
29 all expenditures from this fund shall be made in accordance with
30 appropriation acts upon warrants of the director of accounts and reports
31 issued pursuant to vouchers approved by the president of the state board
32 of pharmacy or a person designated by the president.

33 Sec. 7.

34 KANSAS REAL ESTATE COMMISSION

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

39 Sec. 8.

40 OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

41 (a) On the effective date of this act, or as soon thereafter as moneys
42 are available, notwithstanding the provisions of K.S.A. 17-12a601, and
43 amendments thereto, or any other statute, the director of accounts and

1 reports shall transfer \$800,000 from the investor education fund of the
2 office of the securities commissioner of Kansas to the state general fund:
3 *Provided*, That the transfer of such amount shall be in addition to any
4 other transfer from the investor education fund to the state general fund
5 as prescribed by law: *Provided further*, That the amount transferred from
6 the investor education fund to the state general fund pursuant to this
7 subsection is to reimburse the state general fund for accounting, auditing,
8 budgeting, legal, payroll, personnel and purchasing services and any
9 other governmental services which are performed on behalf of the office
10 of the securities commissioner of Kansas by other state agencies which
11 receive appropriations from the state general fund to provide such
12 services.

13 Sec. 9.

14 STATE BOARD OF TECHNICAL PROFESSIONS

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

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

24 Sec. 10.

25 STATE BOARD OF VETERINARY EXAMINERS

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

31 Sec. 11.

32 KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

33 (a) On the effective date of this act, or as soon thereafter as moneys
34 are available, the director of accounts and reports shall transfer
35 \$4,350,937 from the Kansas endowment for youth fund to the children's
36 initiatives fund.

37 Sec. 12.

38 DEPARTMENT OF ADMINISTRATION

39 (a) On the effective date of this act, of the \$2,470,809 appropriated
40 for the above agency for the fiscal year ending June 30, 2011, by section
41 114(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
42 general fund in the restructuring debt service account, the sum of
43 \$158,816 is hereby lapsed.

1 (b) On the effective date of this act, of the \$16,271,413 appropriated
2 for the above agency for the fiscal year ending June 30, 2011, by section
3 114(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
4 general fund in the statehouse improvements – debt service account, the
5 sum of \$53,840 is hereby lapsed.

6 Sec. 13.

7 OFFICE OF ADMINISTRATIVE HEARINGS

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

18 Sec. 14.

19 CITIZENS' UTILITY RATEPAYER BOARD

20 (a)(1) On and after the effective date of this act, notwithstanding the
21 provisions of section 47(c) of chapter 124 of the 2009 Session Laws of
22 Kansas or any other statute, no expenditures shall be made for fiscal year
23 2011 from the utility regulatory fee fund by the citizens' utility ratepayer
24 board of the amount equal to the final aggregate amount of unexpended
25 and unencumbered expenditure authority for fiscal year 2010, pursuant to
26 and as authorized for expenditure for fiscal year 2011 as provided by
27 section 47(c) of chapter 124 of the 2009 Session Laws of Kansas, and, on
28 the effective date of this act, the provisions of section 47(c) of chapter
29 124 of the 2009 Session Laws of Kansas are hereby declared to be null
30 and void and shall have no force and effect.

31 (2) On and after the effective date of this act, during the fiscal year
32 ending June 30, 2011, in addition to other purposes for which
33 expenditures may be made by the citizens' utility ratepayer board from
34 the utility regulatory fee fund for fiscal year 2011 as authorized by
35 chapter 6 or chapter 165 of the 2010 Session Laws of Kansas or by this or
36 other appropriation act of the 2011 regular session of the legislature,
37 notwithstanding the provisions of any other statute, if the total
38 expenditures authorized to be expended on contracts for professional
39 services by the citizens' utility ratepayer board by the expenditure
40 limitation prescribed by section 47(a) of chapter 124 of the 2009 Session
41 Laws of Kansas are not expended or encumbered for fiscal year 2010,
42 then the amount equal to the amount of such expenditure authority for
43 fiscal year 2010 remaining may be expended from the utility regulatory

1 fee fund for fiscal year 2011 pursuant to contracts for professional
2 services and any such expenditure for fiscal year 2011 shall be in addition
3 to any expenditure limitation imposed on the utility regulatory fee fund
4 for fiscal year 2011.

5 Sec. 15.

6 DEPARTMENT OF COMMERCE

7 (a) On the effective date of this act, of the \$307,050 appropriated for
8 the above agency for the fiscal year ending June 30, 2011, by section
9 67(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
10 economic development initiatives fund in the strong military bases
11 program account, the sum of \$61,410 is hereby lapsed.

12 (b) On the effective date of this act, the expenditure limitation
13 established for the fiscal year ending June 30, 2011, by section 67(b) of
14 chapter 165 of the 2010 Session Laws of Kansas on the state affordable
15 airfare fund of the department of commerce is hereby increased from
16 \$5,000,000 to \$5,125,000.

17 (c) On the effective date of this act, the amount directed by section
18 67(e) of chapter 165 of the 2010 Session Laws of Kansas to be
19 transferred from the state economic development initiatives fund to the
20 Kansas economic opportunity initiatives fund of the department of
21 commerce on December 15, 2010, or as soon thereafter as moneys are
22 available, is hereby decreased from \$625,000 to \$0: *Provided*, That, on
23 the effective date of this act, any moneys transferred from the state
24 economic development initiatives fund to the Kansas economic
25 opportunity initiatives fund of the department of commerce on or after
26 December 15, 2010, pursuant to section 67(e) of chapter 165 of the 2010
27 Session Laws of Kansas, shall be transferred from the Kansas economic
28 opportunity initiatives fund of the department of commerce to the state
29 economic development initiatives fund by the director of accounts and
30 reports.

31 Sec. 16.

32 STATE CORPORATION COMMISSION

33 (a) On the effective date of this act, the aggregate expenditure
34 limitation established for the fiscal year ending June 30, 2011, by section
35 59(b) of chapter 165 of the 2010 Session Laws of Kansas on expenditures
36 from the public service regulation fund, the motor carrier license fees
37 fund and the conservation fee fund, in the aggregate, is hereby increased
38 from \$16,468,621 to \$16,628,381.

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

1 Compressed air energy storage fee fund.....No limit
 2 ARRA state electricity regulators assistance – federal fund.....No limit

3 (c) On the effective date of this act, the base state registration
 4 clearing fund of the state corporation commission is hereby redesignated
 5 as the unified carrier registration clearing fund of the state corporation
 6 commission, in accordance with K.S.A. 66-1,139a, and amendments
 7 thereto.

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

11 Sec. 17.

12 KANSAS, INC.

13 (a) On the effective date of this act, of the \$346,904 appropriated for
 14 the above agency for the fiscal year ending June 30, 2011, by section
 15 68(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
 16 economic development initiatives fund in the operations (including
 17 official hospitality) account, the sum of \$88,756 is hereby lapsed.

18 Sec. 18.

19 KANSAS LOTTERY

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

25 Sec. 19.

26 KANSAS TECHNOLOGY ENTERPRISE CORPORATION

27 (a) On the effective date of this act, of the \$5,990,000 appropriated
 28 for the above agency for the fiscal year ending June 30, 2011, by section
 29 69(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
 30 economic development initiatives fund in the operations, assistance and
 31 grants (including official hospitality) account, the sum of \$371,426 is
 32 hereby lapsed.

33 Sec. 20.

34 KANSAS RACING AND GAMING COMMISSION

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

40 Illegal gambling enforcement fund..... No limit
 41 *Provided*, That expenditures may be made from the illegal gambling
 42 enforcement fund for direct or indirect operating expenditures incurred
 43 for investigatory activities, including, but not limited to, (1) conducting

1 investigations of illegal gambling operations or activities, (2)
2 participating in illegal gaming in order to collect or purchase evidence as
3 part of an undercover investigation into illegal gambling operations, and
4 (3) acquiring information or making contacts leading to illegal gaming
5 activities: *Provided, however*; That all moneys that are expended for any
6 such evidence purchase, information acquisition or similar investigatory
7 purpose or activity from whatever funding source and that are recovered
8 shall be deposited in the state treasury in accordance with the provisions
9 of K.S.A. 75-4215, and amendments thereto, and shall be credited to the
10 illegal gambling enforcement fund.

11 (b) On the effective date of this act, the director of accounts and
12 reports shall transfer \$5,000 from the state racing fund of the Kansas
13 racing and gaming commission to the illegal gambling enforcement fund
14 of the Kansas racing and gaming commission.

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

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

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

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

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

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

42 Sec. 21.

43 DEPARTMENT OF REVENUE

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

5 Sec. 22.

6 STATE COURT OF TAX APPEALS

7 (a) On the effective date of this act, of the \$1,348,927 appropriated
8 for the above agency for the fiscal year ending June 30, 2011, by section
9 63(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
10 general fund in the operating expenditures account, the sum of \$40,454 is
11 hereby lapsed.

12 Sec. 23.

13 ATTORNEY GENERAL

14 (a) On the effective date of this act, of the \$2,020,652 appropriated
15 for the above agency for the fiscal year ending June 30, 2011, by section
16 49(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
17 general fund in the operating expenditures account, the sum of \$1,801 is
18 hereby lapsed.

19 (b) On the effective date of this act, of the \$310,522 appropriated for
20 the above agency for the fiscal year ending June 30, 2011, by section
21 49(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
22 general fund in the internet training education for Kansas kids account,
23 the sum of \$36,734 is hereby lapsed.

24 Sec. 24.

25 SECRETARY OF STATE

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

31 Sec. 25.

32 STATE TREASURER

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

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

43 (c) There is appropriated for the above agency from the following

1 special revenue fund or funds for the fiscal year ending June 30, 2011, all
2 moneys now or hereafter lawfully credited to and available in such fund
3 or funds, except that expenditures shall not exceed the following:

4 Learjet bond fund.....No limit

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

30 Siemens bond fund.....No limit

31 *Provided*, That, on the 15th day of each month that commences during
32 fiscal year 2011, the secretary of revenue shall determine the amount of
33 revenue received by the state during the preceding month from
34 withholding taxes paid with respect to an eligible project by each
35 taxpayer that is an eligible business for which bonds have been issued
36 under K.S.A. 2010 Supp. 74-50,136, and amendments thereto, and for
37 which the Siemens bond fund was created, and shall certify the amount so
38 determined to the director of accounts and reports and, at the same time
39 as such certification is transmitted to the director of accounts and reports,
40 shall transmit a copy of such certification to the director of the budget and
41 the director of legislative research: *Provided further*; That, upon receipt of
42 each such certification, the director of accounts and reports shall transfer
43 the amount certified from the state general fund to the Siemens bond

1 fund: *And provided further*, That, on or before the 10th day of each month
2 commencing during fiscal year 2011, the director of accounts and reports
3 shall transfer from the state general fund to the Siemens bond fund
4 interest earnings based on: (1) The average daily balance of moneys in
5 the Siemens bond fund for the preceding month; and (2) the net earnings
6 rate of the pooled money investment portfolio for the preceding month:
7 *And provided further*, That the moneys credited to the Siemens bond fund
8 from the withholding taxes paid by an eligible business and the interest
9 earnings thereon shall be transferred by the state treasurer from the
10 Siemens bond fund to the appropriate account of the special economic
11 revitalization fund administered by the state treasurer in accordance with
12 K.S.A. 2010 Supp. 74-50,136, and amendments thereto.

13 Sec. 26.

14 LEGISLATIVE COORDINATING COUNCIL

15 (a) On the effective date of this act, of the \$727,436 appropriated for
16 the above agency for the fiscal year ending June 30, 2011, by section
17 44(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
18 general fund in the legislative coordinating council – operations account,
19 the sum of \$20 is hereby lapsed.

20 (b) On the effective date of this act, of the \$3,215,664 appropriated
21 for the above agency for the fiscal year ending June 30, 2011, by section
22 44(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
23 general fund in the office of revisor of statutes – operations account, the
24 sum of \$2,425 is hereby lapsed.

25 (c) On the effective date of this act, of the \$3,684,673 appropriated
26 for the above agency for the fiscal year ending June 30, 2011 by section
27 44(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
28 general fund in the legislative research department – operations account,
29 the sum of \$12,223 is hereby lapsed.

30 Sec. 27.

31 LEGISLATURE

32 (a) On the effective date of this act, the amount equal to the amount
33 of the unencumbered balance in the legislative reserve account of the
34 state general fund of the legislative coordinating council in excess of
35 \$100 as of June 30, 2010, that was reappropriated for the above agency
36 for the fiscal year ending June 30, 2011, by section 44(c) of chapter 165
37 of the 2010 Session Laws of Kansas from the state general fund in the
38 operations (including official hospitality) account of the legislature, is
39 hereby lapsed.

40 Sec. 28.

41 DIVISION OF POST AUDIT

42 (a) On the effective date of this act, of the \$2,136,995 appropriated
43 for the above agency for the fiscal year ending June 30, 2011, by section

1 46(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
2 general fund in the operations (including legislative post audit committee)
3 account, the sum of \$4,413 is hereby lapsed.

4 Sec. 29.

5 STATE FINANCE COUNCIL

6 (a) On the effective date of this act, of the \$8,534,972 appropriated
7 for the above agency for the fiscal year ending June 30, 2011, by section
8 3(a) of chapter 159 of the 2008 Session Laws of Kansas from the state
9 general fund in the classified salary market adjustments (including fringe
10 benefits) account, the sum of \$1,316,263 is hereby lapsed.

11 (b) On July 1, 2011, the \$8,534,972 appropriated for the above
12 agency for the fiscal year ending June 30, 2012, by section 3(a) of chapter
13 159 of the 2008 Session Laws of Kansas from the state general fund in
14 the classified salary market adjustments (including fringe benefits)
15 account, is hereby lapsed.

16 (c) On July 1, 2012, the \$8,534,972 appropriated for the above
17 agency for the fiscal year ending June 30, 2013, by section 3(a) of chapter
18 159 of the 2008 Session Laws of Kansas from the state general fund in
19 the classified salary market adjustments (including fringe benefits)
20 account, is hereby lapsed.

21 Sec. 30.

22 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

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

29 (b) On the effective date of this act, of the \$541,802 appropriated for
30 the above agency for the fiscal year ending June 30, 2011, by section
31 77(c) of chapter 165 of the 2010 Session Laws of Kansas from the
32 children’s initiatives fund in the children’s cabinet accountability fund
33 account, the sum of \$250,000 is hereby lapsed.

34 (c) On the effective date of this act, of the \$5,000,000 appropriated
35 for the above agency for the fiscal year ending June 30, 2011, by section
36 77(c) of chapter 165 of the 2010 Session Laws of Kansas from the
37 children’s initiatives fund in the family centered system of care account,
38 the sum of \$150,000 is hereby lapsed.

39 (d) On the effective date of this act, of the \$1,400,000 appropriated
40 for the above agency for the fiscal year ending June 30, 2011, by section
41 77(c) of chapter 165 of the 2010 Session Laws of Kansas from the
42 children’s initiatives fund in the child care account, the sum of \$163 is
43 hereby lapsed.

1 (e) On the effective date of this act, of the \$8,443,161 appropriated
2 for the above agency for the fiscal year ending June 30, 2011, by section
3 77(c) of chapter 165 of the 2010 Session Laws of Kansas from the
4 children's initiatives fund in the children's cabinet early childhood
5 discretionary grant program account, the sum of \$251,003 is hereby
6 lapsed.

7 (f) On the effective date of this act, of the \$3,452,779 appropriated
8 for the above agency for the fiscal year ending June 30, 2011, by section
9 77(c) of chapter 165 of the 2010 Session Laws of Kansas from the
10 children's initiatives fund in the early headstart account, the sum of \$306
11 is hereby lapsed.

12 (g) On the effective date of this act, of the \$11,099,830 appropriated
13 for the above agency for the fiscal year ending June 30, 2011, by section
14 77(c) of chapter 165 of the 2010 Session Laws of Kansas from the
15 children's initiatives fund in the early childhood block grant account, the
16 sum of \$1,062,207 is hereby lapsed.

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

22 (i) On the effective date of this act, of the \$3,822,570 appropriated
23 for the above agency for the fiscal year ending June 30, 2011, by section
24 117(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
25 institutions building fund in the debt service – new state security hospital
26 account, the sum of \$839,561 is hereby lapsed.

27 (j) On the effective date of this act, of the \$2,584,371 appropriated
28 for the above agency for the fiscal year ending June 30, 2011, by section
29 117(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
30 institutions building fund in the debt service – state hospitals
31 rehabilitation and repair account, the sum of \$7,161 is hereby lapsed.

32 (k) On the effective date of this act, of the \$14,342,009 appropriated
33 for the above agency for the fiscal year ending June 30, 2011, by section
34 77(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
35 general fund in the Osawatomie state hospital – operating expenditures
36 account, the sum of \$500,000 is hereby lapsed.

37 (l) On the effective date of this act, of the \$4,524,298 appropriated
38 for the above agency for the fiscal year ending June 30, 2011, by section
39 77(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
40 general fund in the Rainbow mental health facility – operating
41 expenditures account, the sum of \$250,000 is hereby lapsed.

42 Sec. 31.

43 DEPARTMENT ON AGING

1 (a) There is appropriated for the above agency from the state general
 2 fund for the fiscal year ending June 30, 2011, the following:
 3 LTC – medicaid assistance – TCM/FE.....\$25,169
 4 LTC – medicaid assistance – HCBS/FE..... \$2,263,079
 5 LTC – medicaid assistance – NF.....\$10,142,156

6 (b) On the effective date of this act, the expenditure limitation
 7 established for the fiscal year ending June 30, 2011, by section 75(b) of
 8 chapter 165 of the 2010 Session Laws of Kansas on the state licensure fee
 9 fund of the department on aging is hereby decreased from \$1,144,569 to
 10 \$1,115,927.

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

16 Health policy nursing facility quality care fund.....\$19,501,789
 17 Sec. 32.

18 KANSAS HEALTH POLICY AUTHORITY

19 (a) There is appropriated for the above agency from the state general
 20 fund for the fiscal year ending June 30, 2011, the following:
 21 Other medical assistance.....\$30,526,618

22 (b) On the effective date of this act, the expenditure limitation
 23 established for the fiscal year ending June 30, 2011, by section 76(b) of
 24 chapter 165 of the 2010 Session Laws of Kansas on the medical programs
 25 fee fund of the Kansas health policy authority is hereby increased from
 26 \$54,284,610 to \$54,480,402.

27 (c) On the effective date of this act, the expenditure limitation
 28 established for the fiscal year ending June 30, 2011, by section 76(b) of
 29 chapter 165 of the 2010 Session Laws of Kansas on the other state fees
 30 fund of the Kansas health policy authority is hereby increased from \$0 to
 31 \$502,180.

32 (d) On the effective date of this act, the expenditure limitation
 33 established for the fiscal year ending June 30, 2011, by section 76(b) of
 34 chapter 165 of the 2010 Session Laws of Kansas on the health care access
 35 improvement fund of the Kansas health policy authority is hereby
 36 decreased from \$37,390,236 to \$34,700,000.

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

42 (f) On the effective date of this act, the expenditure limitation
 43 established for the fiscal year ending June 30, 2011, by section 17 (b) of

1 chapter 165 of the 2010 Session Laws of Kansas on the health committee
2 insurance fund of the Kansas health policy authority is hereby increased
3 from \$248,575 to \$290,117.

4 (g) On the effective date of this act, the expenditure limitation
5 established for the fiscal year ending June 30, 2011, by the state finance
6 council on expenditures from the state workers compensation self-
7 insurance fund of the Kansas health policy authority for salaries and
8 wages and other operating expenditures is hereby increased from
9 \$3,724,910 to \$3,785,193.

10 (h) On the effective date of this act, the expenditure limitation
11 established for the fiscal year ending June 30, 2011, by the state finance
12 council on expenditures from the cafeteria benefits fund of the Kansas
13 health policy authority for salaries and wages and other operating
14 expenditures is hereby increased from \$2,324,247 to \$2,324,908.

15 (i) On the effective date of this act, the expenditure limitation
16 established for the fiscal year ending June 30, 2011, by the state finance
17 council on expenditures from the dependent care assistance program fund
18 of the Kansas health policy authority for salaries and wages and other
19 operating expenditures is hereby increased from \$226,327 to \$429,628.

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

25 Quality care fund.....\$0
26 Sec. 33.

27 DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION
28 OF HEALTH

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

34 Maternity centers and child care facilities licensing fee fund.....No limit
35 Sec. 34.

36 DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION
37 OF ENVIRONMENT

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

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

1 Sec. 35.

2 KANSAS COMMISSION ON VETERANS AFFAIRS

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

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

7 (b) On the effective date of this act, of the \$457,394 appropriated for
8 the above agency for the fiscal year ending June 30, 2011, by section
9 72(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
10 general fund in the operating expenditures – administration account, the
11 sum of \$15,241 is hereby lapsed.

12 (c) On the effective date of this act, of the \$1,173,050 appropriated
13 for the above agency for the fiscal year ending June 30, 2011, by section
14 72(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
15 general fund in the operating expenditures – veteran services account, the
16 sum of \$26,050 is hereby lapsed.

17 Sec. 36.

18 DEPARTMENT OF EDUCATION

19 (a) On the effective date of this act, of the \$1,961,339,680
20 appropriated for the above agency for the fiscal year ending June 30,
21 2011, by section 79(a) of chapter 165 of the 2010 Session Laws of
22 Kansas from the state general fund in the general state aid account, the
23 sum of \$85,948,820 is hereby lapsed.

24 (b) On the effective date of this act, of the \$7,539,500 appropriated
25 for the above agency for the fiscal year ending June 30, 2011, by section
26 79(c) of chapter 165 of the 2010 Session Laws of Kansas from the
27 children’s initiatives fund in the parent education program account, the
28 sum of \$183,370 is hereby lapsed.

29 (c) On the effective date of this act, of the \$5,000,000 appropriated
30 for the above agency for the fiscal year ending June 30, 2011, by section
31 79(c) of chapter 165 of the 2010 Session Laws of Kansas from the
32 children’s initiatives fund in the Pre-K program account, the sum of
33 \$119,630 is hereby lapsed.

34 (d) During the fiscal year ending June 30, 2011, in addition to other
35 purposes for which expenditures may be made by the department of
36 education from the special education services aid account of the state
37 general fund for fiscal year 2011 for special education services aid as
38 authorized by section 79(a) of chapter 165 of the 2010 Session Laws of
39 Kansas or by this or other appropriation act of the 2011 regular session of
40 the legislature, and notwithstanding the provisions of K.S.A. 2010 Supp.
41 72-998, and amendments thereto, or any other statute, the department of
42 education shall make expenditures from the special education services aid
43 account of the state general fund for fiscal year 2011 for a payment to

1 each school district, as defined by K.S.A. 72-962, and amendments
 2 thereto, that received an amount of medicaid replacement state aid for the
 3 2010-2011 school year that was more than \$300,000 less than the amount
 4 of medicaid replacement state aid received for the 2009-2010 school year
 5 due to the loss of attendant care medicaid revenue from the Kansas health
 6 policy authority for school year 2010-2011: *Provided*, That the amount of
 7 such payment shall be equal to (1) the amount by which the medicaid
 8 replacement state aid received by the school district for the 2009-2010
 9 school year is greater than the total of the medicaid replacement state aid
 10 for the 2010-2011 school year plus \$300,000, minus (2) the total received
 11 by the school district for increases in other medicaid reimbursements for
 12 the 2010-2011 school year: *Provided further*; That each such payment
 13 shall be made from the amount designated by the state board of education
 14 pursuant to K.S.A. 2010 Supp. 72-998, and amendments thereto, for
 15 medicaid replacement state aid for the 2010-2011 school year.

16 Sec. 37.

17 STATE BOARD OF REGENTS

18 (a) On the effective date of this act, of the \$6,219,875 appropriated
 19 for the above agency for the fiscal year ending June 30, 2011, by section
 20 131(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
 21 general fund in the PEI infrastructure – debt service account, the sum of
 22 \$2,322,229 is hereby lapsed.

23 Sec. 38.

24 UNIVERSITY OF KANSAS

25 (a) There is appropriated for the above agency from the following
 26 special revenue fund or funds for the fiscal year ending June 30, 2011, all
 27 moneys now or hereafter lawfully credited to and available in such fund
 28 or funds, except that expenditures, other than refunds authorized by law,
 29 purchases of nationally recognized adopted codes for resale and federally
 30 reimbursed overtime, shall not exceed the following:

31 Standardized water data repository fund.....No limit

32 Sec. 39.

33 JUDICIAL BRANCH

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

39 SJI grant fundNo limit

40 Sec. 40.

41 KANSAS STATE SCHOOL FOR THE DEAF

42 (a) On the effective date of this act, of the \$8,890,257 appropriated
 43 for the above agency for the fiscal year ending June 30, 2011, by section

1 83(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
2 general fund in the operating expenditures account, the sum of \$393 is
3 hereby lapsed.

4 Sec. 41.

5 KANSAS ARTS COMMISSION

6 (a) On the effective date of this act, of the \$256,684 appropriated for
7 the above agency for the fiscal year ending June 30, 2011, by section
8 81(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
9 general fund in the operating expenditures account, the sum of \$13,310 is
10 hereby lapsed.

11 Sec. 42.

12 DEPARTMENT OF CORRECTIONS

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

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

16 (b) On the effective date of this act, of the \$13,700,482 appropriated
17 for the above agency for the fiscal year ending June 30, 2011, by section
18 95(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
19 general fund in the facilities operations account, the sum of \$3,500,000 is
20 hereby lapsed.

21 (c) On the effective date of this act, of the \$13,084,057 appropriated
22 for the above agency for the fiscal year ending June 30, 2011, by section
23 95(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
24 general fund in the Topeka correctional facility – facilities operations
25 account, the sum of \$200 is hereby lapsed.

26 (d) On the effective date of this act, of the \$8,308,154 appropriated
27 for the above agency for the fiscal year ending June 30, 2011, by section
28 95(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
29 general fund in the Hutchinson correctional facility – facilities operations
30 account, the sum of \$500 is hereby lapsed.

31 (e) On the effective date of this act, of the \$38,326,136 appropriated
32 for the above agency for the fiscal year ending June 30, 2011, by section
33 95(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
34 general fund in the Lansing correctional facility – facilities operations
35 account, the sum of \$500 is hereby lapsed.

36 (f) On the effective date of this act, of the \$12,936,609 appropriated
37 for the above agency for the fiscal year ending June 30, 2011, by section
38 95(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
39 general fund in the Ellsworth correctional facility – facilities operations
40 account, the sum of \$442 is hereby lapsed.

41 (g) On the effective date of this act, of the \$5,301,602 appropriated
42 for the above agency for the fiscal year ending June 30, 2011, by section
43 95(a) of chapter 165 of the 2010 Session Laws of Kansas from the state

1 general fund in the Norton correctional facility – facilities operations
2 account, the sum of \$991 is hereby lapsed.

3 (h) On the effective date of this act, of the \$3,088,303 appropriated
4 for the above agency for the fiscal year ending June 30, 2011, by section
5 132(b) of chapter 165 of the 2010 Session Laws of Kansas from the
6 correctional institutions building fund in the capital improvements –
7 rehabilitation and repair of correctional institutions account, the sum of
8 \$374,471 is hereby lapsed.

9 Sec. 43.

10 JUVENILE JUSTICE AUTHORITY

11 (a) On the effective date of this act, of the \$23,331,916 appropriated
12 for the above agency for the fiscal year ending June 30, 2011, by section
13 96(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
14 general fund in the purchase of services account, the sum of \$3,336,312 is
15 hereby lapsed.

16 (b) On the effective date of this act, of the \$4,000,013 appropriated
17 for the above agency for the fiscal year ending June 30, 2011, by section
18 133(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
19 institutions building fund in the debt service – Topeka complex and
20 Larned juvenile correctional facility account, the sum of \$2,411 is hereby
21 lapsed.

22 (c) On the effective date of this act, of the \$87,682 appropriated for
23 the above agency for the fiscal year ending June 30, 2011, by section
24 157(a) of chapter 131 of the 2008 Session Laws of Kansas from the state
25 institutions building fund in the raze Atchison juvenile correctional
26 facility maintenance building account, the sum of \$3,148 is hereby
27 lapsed.

28 Sec. 44.

29 ADJUTANT GENERAL

30 (a) On the effective date of this act, of the \$2,478,091 appropriated
31 for the above agency for the fiscal year ending June 30, 2011, by section
32 135(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
33 general fund in the debt service – rehabilitation and repair of the
34 statewide armories account, the sum of \$3,960 is hereby lapsed.

35 Sec. 45.

36 EMERGENCY MEDICAL SERVICES BOARD

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

42 Sec. 46.

43 STATE FIRE MARSHAL

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

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

9 Sec. 47.

10 KANSAS PAROLE BOARD

11 (a) On the effective date of this act, of the \$510,135 appropriated for
12 the above agency for the fiscal year ending June 30, 2011, by section
13 99(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
14 general fund in the parole from adult correctional institutions account, the
15 sum of \$982 is hereby lapsed.

16 Sec. 48.

17 KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS 18 AND TRAINING

19 (a) On June 30, 2011, the director of accounts and reports shall
20 transfer \$500,000 from the Kansas commission on peace officers'
21 standards and training fund of the Kansas commission on peace officers'
22 standards and training to the state general fund: *Provided*, That the
23 transfer of such amount shall be in addition to any other transfer from the
24 Kansas commission on peace officers' standards and training fund to the
25 state general fund as prescribed by law: *Provided further*, That the
26 amount transferred from the Kansas commission on peace officers'
27 standards and training fund to the state general fund pursuant to this
28 subsection is to reimburse the state general fund for accounting, auditing,
29 budgeting, legal, payroll, personnel and purchasing services and any
30 other governmental services which are performed on behalf of the Kansas
31 commission on peace officers' standards and training by other state
32 agencies which receive appropriations from the state general fund to
33 provide such services.

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

40 Sec. 49.

41 KANSAS DEPARTMENT OF AGRICULTURE

42 (a) On the effective date of this act, the director of accounts and
43 reports shall transfer \$3,081 from the state highway fund of the

1 department of transportation to the water structures – state highway fund
2 of the Kansas department of agriculture.

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

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

13 Sec. 50.

14 DEPARTMENT OF WILDLIFE AND PARKS

15 (a) On the effective date of this act, of the \$74,264 appropriated for
16 the above agency for the fiscal year ending June 30, 2011, by section
17 110(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
18 general fund in the reimbursement for annual licenses issued to Kansas
19 disabled veterans account, the sum of \$73,240 is hereby lapsed.

20 (b) On the effective date of this act, of the \$36,500 appropriated for
21 the above agency for the fiscal year ending June 30, 2011, by section
22 110(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
23 general fund in the reimbursement for annual licenses issued to national
24 guard members account, the sum of \$11,290 is hereby lapsed.

25 (c) On the effective date of this act, of the \$18,000 appropriated for
26 the above agency for the fiscal year ending June 30, 2011, by section
27 110(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
28 general fund in the reimbursement for annual park permits issued to
29 national guard members account, the sum of \$6,748 is hereby lapsed.

30 Sec. 51.

31 KANSAS WATER OFFICE

32 (a) There is appropriated for the above agency from the state water
33 plan fund for the fiscal year ending June 30, 2011, the following:
34 Neosho river basin issues..... \$464,630

35 Sec. 52. *Appeals to exceed expenditure limitations.* (a) Upon written
36 application to the governor and approval of the state finance council,
37 expenditures from special revenue funds may exceed the amounts
38 specified in this act.

39 (b) This section shall not apply to the state economic development
40 initiatives fund, the children’s initiatives fund, the state water plan fund or
41 the Kansas endowment for youth fund, or to any account of any of such
42 funds.

43 Sec. 53. This act shall take effect and be in force from and after its

- 1 publication in the Kansas register.
- 2
- 3