[As Amended by House Committee of the Whole]

As Amended by House Committee

Session of 2011

HOUSE BILL No. 2014

By Committee on Appropriations

1-14

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2011, June 30, 2012, and June 30, 2013, for state agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing.

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

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

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

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

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

Sec. 2. ABSTRACTERS' BOARD OF EXAMINERS

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

Sec. 3. GOVERNMENTAL ETHICS COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by the state finance council on the governmental ethics fund of the governmental ethics commission is hereby decreased from $40,000 to $20,000.
council on the governmental ethics commission fee fund of the governmental ethics commission is hereby decreased from $291,764 to $263,176.

Sec. 4.

KANSAS HOME INSPECTORS REGISTRATION BOARD

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

Sec. 5.

BOARD OF NURSING

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

Sec. 6.

STATE BOARD OF PHARMACY

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

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

Provided, That the state board of pharmacy is authorized to apply for and to accept grants and may accept donations, bequests or gifts from any non-federal source: Provided, however, That all moneys received for such grants, donations, bequests or gifts shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: Provided further, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund: And provided further, That all expenditures from this fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the state board of pharmacy or a person designated by the president.
Sec. 7.—

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

Sec. 8.—

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS
(a) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 17-12a601, and amendments thereto, or any other statute, the director of accounts and reports shall transfer $800,000 from the investor education fund of the office of the securities commissioner of Kansas to the state general fund: Provided, That the transfer of such amount shall be in addition to any other transfer from the investor education fund to the state general fund as prescribed by law: Provided further, That the amount transferred from the investor education 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 office of the securities commissioner of Kansas by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 9.—

STATE BOARD OF TECHNICAL PROFESSIONS
(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by the state finance council on the technical professions fee fund of the state board of technical professions is hereby increased from $589,122 to $609,122.
(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 25(a) of chapter 124 of the 2009 Session Laws of Kansas on expenditures for official hospitality from the technical professions fee fund of the state board of technical professions is hereby increased from $500 to $1,000.

Sec. 10.—

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

Sec. 4.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

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

Sec. 5.

DEPARTMENT OF ADMINISTRATION

(a) On the effective date of this act, of the $2,470,809 appropriated
for the above agency for the fiscal year ending June 30, 2011, by
section 114(a) of chapter 165 of the 2010 Session Laws of Kansas from
the state general fund in the restructuring debt service account, the sum
of $158,816 is hereby lapsed.
(b) On the effective date of this act, of the $16,271,413
appropriated for the above agency for the fiscal year ending June 30,
2011, by section 114(a) of chapter 165 of the 2010 Session Laws of
Kansas from the state general fund in the statehouse improvements –
debt service account, the sum of $53,840 is hereby lapsed.
(c) (1) In addition to the other purposes for which
expenditures may be made by the department of administration
from moneys appropriated from the state general fund or any
special revenue fund for fiscal year 2011 for the department of
administration, as authorized by chapter 6 or chapter 165 of the
2010 Session Laws of Kansas or by this or other appropriation act
of the 2011 regular session of the legislature, expenditures shall be
made by the secretary of administration for fiscal year 2011 to
review the state real property inventory prepared pursuant to
section 61(r) of chapter 165 of the 2010 Session Laws of Kansas,
evaluate the state real property, and prepare from such inventory
and other information a prioritized report of 10% of state real
property that could be sold, subject to existing restrictions:
Provided further, That, on or before March 8, 2011, the secretary of
administration shall provide a copy of such prioritized report to the
governor, the chief clerk of the house of representatives, the
secretary of the senate, and the chairs of the committee on
appropriations of the house of representatives and the committee
on ways and means of the senate.
(2) As used in this subsection, "state real property" includes each tract of real property owned by the state of Kansas, or any state agency, as defined by K.S.A. 75-3701, and amendments thereto, and includes all buildings, facilities and other improvements thereon.

### Sec. 12.

**OFFICE OF ADMINISTRATIVE HEARINGS**

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

### Sec. 13.

**CITIZENS' UTILITY RATEPAVER BOARD**

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

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

Sec. 15

DEPARTMENT OF COMMERCE

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

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

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

Sec. 16

STATE CORPORATION COMMISSION

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

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

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

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

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

Sec. 17

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

Sec. 18

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

Sec. 19

(a) On the effective date of this act, of the $5,990,000 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 69(a) of chapter 165 of the 2010 Session Laws of Kansas from the state economic development initiatives fund in the operations,
assistance and grants (including official hospitality) account, the sum of
$271,426-$300,000 is hereby lapsed.

Sec. 20 18.

KANSAS RACING AND GAMING COMMISSION

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

Illegal gambling enforcement fund............................................ No limit

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

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

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

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

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

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

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

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

Sec. 21.

DEPARTMENT OF REVENUE

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

Sec. 22.

STATE COURT OF TAX APPEALS

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

Sec. 23.

ATTORNEY GENERAL

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

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

Sec. 24. 

SECRETARY OF STATE

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

Sec. 25. 

STATE TREASURER

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

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

(c) There is appropriated for the above agency from the following
special revenue fund or funds for the fiscal year ending June 30, 2011,
all moneys now or hereafter lawfully credited to and available in such
fund or funds, except that expenditures shall not exceed the following:
Learjet bond fund: ..............................................................No limit

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

Siemens bond fund

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

Sec. 26.  

LEGISLATIVE COORDINATING COUNCIL  

(a) On the effective date of this act, of the $727,436 appropriated
for the above agency for the fiscal year ending June 30, 2011, by
section 44(a) of chapter 165 of the 2010 Session Laws of Kansas from
the state general fund in the legislative coordinating council –
operations account, the sum of $20 is hereby lapsed.
(b) On the effective date of this act, of the $3,215,664 appropriated
for the above agency for the fiscal year ending June 30, 2011, by
section 44(a) of chapter 165 of the 2010 Session Laws of Kansas from
the state general fund in the office of revisor of statutes – operations
account, the sum of $2,425 is hereby lapsed.
(c) On the effective date of this act, of the $3,684,673 appropriated
for the above agency for the fiscal year ending June 30, 2011 by section
44(a) of chapter 165 of the 2010 Session Laws of Kansas from the state
general fund in the legislative research department – operations
account, the sum of $12,223 is hereby lapsed.

Sec. 27.  

LEGISLATURE  

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

Sec. 28.  

DIVISION OF POST AUDIT  

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

Operations (including legislative post audit committee)........$39,587

Sec. 26.

STATE FINANCE COUNCIL

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

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

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

Sec. 27.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 31

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

LTC – medicaid assistance – TCM/FE........................................ $25,169
LTC – medicaid assistance – HCBS/FE................................. $2,263,079
LTC – medicaid assistance – NF...........................................$10,142,156

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

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

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

Sec. 32

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

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

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

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

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

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

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

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

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

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

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

Quality care fund...........................................................................................................$0

Sec. 33.
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Maternity centers and child care facilities licensing fee fund....No limit

(b) There is appropriated for the above agency from the state
general fund for the fiscal year ending June 30, 2011, the following:
Pregnancy maintenance initiative.................................................$100,000

Sec. 34 31.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the following
special revenue fund or funds for the fiscal year ending June 30, 2011,
all moneys now or hereafter lawfully credited to and available in such
fund or funds, except that expenditures other than refunds authorized
by law shall not exceed the following:
Healthy watershed initiative – federal fund....................................No limit

Sec. 35 32.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state
general fund for the fiscal year ending June 30, 2011, the following:
Scratch lotto – veteran services......................................................$2,972
Veterans claim assistance program – service grants. $22,894 [$217,894]
[Operating expenses – Kansas veterans' home ..................$81,320
Operating expenses – Kansas soldiers' home .....................$100,000]

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

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

Sec. 36 33.

DEPARTMENT OF EDUCATION

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

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

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

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

Sec. 34. STATE BOARD OF REGENTS

(a) On the effective date of this act, of the $6,219,875 appropriated
for the above agency for the fiscal year ending June 30, 2011, by
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section 131(a) of chapter 165 of the 2010 Session Laws of Kansas from
the state general fund in the PEI infrastructure – debt service account,
the sum of $2,322,229 [$2,698,549] is hereby lapsed.

Sec. 38.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the following
special revenue fund or funds for the fiscal year ending June 30, 2011,
all moneys now or hereafter lawfully credited to and available in such
fund or funds, except that expenditures, other than refunds authorized
by law, purchases of nationally recognized adopted codes for resale and
federally reimbursed overtime, shall not exceed the following:
Standardized water data repository fund.................................No limit

Sec. 39.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the following
special revenue fund or funds for the fiscal year ending June 30, 2011,
all moneys now or hereafter lawfully credited to and available in such
fund or funds, except that expenditures other than refunds authorized
by law shall not exceed the following:
SJI grant fund ........................................................................No limit

Sec. 40.

KANSAS STATE SCHOOL FOR THE DEAF

(a) On the effective date of this act, of the $8,890,257 appropriated
for the above agency for the fiscal year ending June 30, 2011, by
section 83(a) of chapter 165 of the 2010 Session Laws of Kansas from
the state general fund in the operating expenditures account, the sum of
$393 is hereby lapsed.

Sec. 41.

KANSAS ARTS COMMISSION

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

Sec. 42.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state
general fund for the fiscal year ending June 30, 2011, the following:
Operating expenditures..............................................................$472,709
(b) On the effective date of this act, of the $13,700,482
appropriated for the above agency for the fiscal year ending June 30,
2011, by section 95(a) of chapter 165 of the 2010 Session Laws of
Kansas from the state general fund in the facilities operations account,
the sum of $3,500,000 is hereby lapsed.

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

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

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

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

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

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

Sec. 43-40. JUVENILE JUSTICE AUTHORITY

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

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

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

Sec. 44 41.  

ADJUTANT GENERAL

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

Sec. 45 42.  

EMERGENCY MEDICAL SERVICES BOARD

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

Sec. 46 43.  

STATE FIRE MARSHAL

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

(b) On the effective date of this act, or as soon thereafter as
moneys are available, the director of accounts and reports shall transfer
$52,509 from the hazardous material program fund of the state fire
Sec. 47. KANSAS PAROLE BOARD
(a) On the effective date of this act, of the $510,135 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 99(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the parole from adult correctional institutions account, the sum of $982 is hereby lapsed.

Sec. 48. KANSAS COMMISSION ON PEACE OFFICERS’ STANDARDS AND TRAINING
(a) On June 30, 2011, the director of accounts and reports shall transfer $500,000 from the Kansas commission on peace officers’ standards and training fund of the Kansas commission on peace officers’ standards and training to the state general fund: Provided, That the transfer of such amount shall be in addition to any other transfer from the Kansas commission on peace officers’ standards and training fund to the state general fund as prescribed by law: Provided further, That the amount transferred from the Kansas commission on peace officers’ standards and training fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the Kansas commission on peace officers’ standards and training by other state agencies which receive appropriations from the state general fund to provide such services.
(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2011, by section 104(a) of chapter 165 of the 2010 Session Laws of Kansas on the Kansas commission on peace officers’ standards and training fund of the Kansas commission on peace officers’ standards and training is hereby decreased from $650,005 to $549,246.

Sec. 49. KANSAS DEPARTMENT OF AGRICULTURE
(a) On the effective date of this act, the director of accounts and reports shall transfer $3,081 from the state highway fund of the department of transportation to the water structures – state highway fund of the Kansas department of agriculture.
(b) On the effective date of this act, the expenditure limitation

marshall to the fire marshal fee fund of the state fire marshal.
established for the fiscal year ending June 30, 2011, by section 105(b) of chapter 165 of the 2010 Session Laws of Kansas on the water structures – state highway fund of the Kansas department of agriculture is hereby increased from $104,832 to no limit.

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

Sec. 50.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) On the effective date of this act, of the $74,264 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 110(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the reimbursement for annual licenses issued to Kansas disabled veterans account, the sum of $73,240 $65,000 is hereby lapsed.

(b) On the effective date of this act, of the $36,500 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 110(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the reimbursement for annual licenses issued to national guard members account, the sum of $11,290 $7,000 is hereby lapsed.

(c) On the effective date of this act, of the $18,000 appropriated for the above agency for the fiscal year ending June 30, 2011, by section 110(a) of chapter 165 of the 2010 Session Laws of Kansas from the state general fund in the reimbursement for annual park permits issued to national guard members account, the sum of $6,748 $4,000 is hereby lapsed.

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

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

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

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

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

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

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

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

Sec. 48.

KANSAS WATER OFFICE

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

Sec. 49.

ATTORNEY GENERAL – KANSAS BUREAU OF
INVESTIGATION

(a) There is appropriated for the above agency from the
following special revenue fund or funds for the fiscal year ending
June 30, 2011, all moneys now or hereafter lawfully credited to and
available in such fund or funds, except that expenditures other
than refunds authorized by law shall not exceed the following:
Project safe neighborhoods fund...............................................$114,408
Social security administration reimbursement -- federal
fund......No limit

Sec. 50. (a) On and after the effective date of this act, no
expenditures shall be made from any moneys appropriated for the fiscal year ending June 30, 2011, from the state general fund by chapter 2, chapter 124 or chapter 144 of the 2009 Session Laws of Kansas, by chapter 6 or chapter 165 of the 2010 Session Laws of Kansas or by this or other appropriation act of the 2011 regular session of the legislature, by any state agency for any professional or trade associations membership fees or dues or subscriptions for professional or trade magazines for state officers or employees: Provided, That the amount equal to the aggregate of any savings under this subsection from each account of the state general fund of each state agency for the year ending June 30, 2011, as determined and certified by the director of the budget, after consultation with the director of legislative research, to the director of accounts and reports, is hereby lapsed: Provided further, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of legislative research.

Sec. 51. (a) (1) On the effective date of this act, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2011, in each account of the state general fund of each state agency, as authorized and provided by chapter 2, chapter 124 or chapter 144 of the 2009 Session Laws of Kansas, by chapter 6 or chapter 165 of the 2010 Session Laws of Kansas, or by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state officers, as defined by this section, for the first payroll period commencing on or after the effective date of this act and each payroll period thereafter chargeable to fiscal year 2011, as determined by the director of the budget after consultation with the director of legislative research and upon certification to the director of accounts and reports, the amount equal to 7.5% of the amount so determined is hereby lapsed: Provided, however, That the lapse provided for in this subsection (a)(1) shall not apply to the appropriations or reappropriations for fiscal year 2011 in any
account of the state general fund for the state board of regents or any regents state agency, as defined by this section.

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

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

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

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

(d) On the effective date of this act, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2011, in each account of the state general fund of the state board of regents and of each regents state agency, as defined by this section, as authorized and provided by chapter 2, chapter 124 or chapter 144 of the 2009 Session Laws of Kansas, chapter 6 or chapter 165 of the 2010 Session Laws of Kansas, or by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for state officers, as defined by this section, for all payroll periods commencing on or after the effective date of this act which are chargeable to fiscal year 2011, as determined by the director of the budget after consultation with the director of legislative research, the director of the budget shall certify the amount equal to 7.5% of the amount so determined in each such account to the director of accounts and reports in accordance with this subsection: Provided, That, upon receipt of such certification, the director of accounts and reports shall transfer each amount certified from the respective account of the state general fund of each regents state agency, as defined by this section, to a deferred maintenance support account of the state general fund, which is hereby established for such regents state agency and which is hereby appropriated from the state general fund for fiscal year 2011: Provided further, That, upon receipt of such certification, the director of accounts and reports shall
transfer the amount certified to be transferred from each account
of the state general fund of the state board of regents to the
defered maintenance support account of the state general fund of
each regents state agency, as defined by this section, which shall be
the proportional amount determined and specified by the director
of the budget for such regents state agency in such certification,
after consultation with the director of legislative research, as
bearing the same relation to the total amount to be transferred
from the account of the state board of regents as the amount
transferred to the deferred maintenance support account of the
state general fund of the regents state agency from all other
accounts of the state general fund of that regents state agency bears
to all amounts transferred to deferred maintenance support
accounts of the state general fund of all regents state agencies
pursuant to this subsection: And provided further, That all
expenditures from each deferred maintenance support account of
the state general fund established for a regents state agency under
this subsection shall be for the same uses and purposes and under
the same procedures and authorizations as expenditures made
from the deferred maintenance support fund of such regents state
agency.

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

(2) “state officer” means (A) the governor, lieutenant governor,
attorney general, secretary of state, state treasurer, commissioner
of insurance, each secretary of a department or other chief
executive officer of a department of the executive branch, each
member of a board, commission, council or authority of the
executive branch, (B) each member of the legislature, each
legislative officer specified in K.S.A. 46-137b, and amendments
thereto, (C) each justice of the supreme court, each judge of the
court of appeals, each district judge, each district magistrate judge,
and (D) each other state officer in the executive branch, legislative
branch or judicial branch of state government whose position is
specified by statute or is otherwise determined to be a salaried
officer of the state as that phrase is used in section 15 of article 1 or
section 13 of article 3 of the constitution of the state of Kansas, and
in any case “state officer” includes all salaried officers of the state
as that phrase is used in section 15 of article 1 or section 13 of
article 3 of the constitution of the state of Kansas;
(3) “regents state agency” means 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
(4) “compensation” means any salary or per diem
compensation provided by law for a state officer.
Sec. 52. (a) (1) On the effective date of this act, of the amount
appropriated or reappropriated for the fiscal year ending June 30,
2011, in each account of the state general fund of each state agency,
as authorized and provided by chapter 2, chapter 124 or chapter
144 of the 2009 Session Laws of Kansas, by chapter 6 or chapter
165 of the 2010 Session Laws of Kansas, or by this or other
appropriation act of the 2011 regular session of the legislature, that
is budgeted for salaries and wages, including per diem
compensation, and any associated employer contributions, other
than employer payments for participants under the state health
care benefits program pursuant to K.S.A. 75-6508, and
amendments thereto, and longevity payments authorized by law,
for executive branch employees, as defined by this section, for the
first payroll period commencing on or after the effective date of
this act and each payroll period thereafter chargeable to fiscal year
2011, as determined by the director of the budget after consultation
with the director of legislative research and upon certification to
the director of accounts and reports, the amount equal to 7.5% of
the amount so determined is hereby lapsed: Provided, however,
That the lapse provided for in this subsection (a)(1) shall not apply
to the appropriations or reappropriations for fiscal year 2011 in
any account of the state general fund for the state board of regents
or any regents state agency, as defined by this section.
(2) On the effective date of this act, of the amount
appropriated or reappropriated for the fiscal year ending June 30,
2011, in each account of the state economic development initiatives fund of each state agency, as authorized and provided by chapter 2, chapter 124 or chapter 144 of the 2009 Session Laws of Kansas, by chapter 6 or chapter 165 of the 2010 Session Laws of Kansas, or by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions, other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for executive branch employees, as defined by this section, for the first payroll period commencing on or after the effective date of this act and each payroll period thereafter chargeable to fiscal year 2011, as determined by the director of the budget after consultation with the director of legislative research and upon certification to the director of accounts and reports, the amount equal to 7.5% of the amount so determined is hereby lapsed.

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

(b) On the effective date of this act, notwithstanding the provisions of K.S.A. 2-1904, 17-2233, 20-155, 20-318, 20-3122, 20-3124, 25-4119a, 32-801, 40-102, 40-110, 44-1003, 46-137a, 46-137b,
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1 46-1102, 46-1210, 46-1211, 46-1212a, 48-203, 72-7602, 74-560, 74-
2 601, 74-630, 74-2434, 74-2613, 74-3203a, 74-4098, 74-5002a, 74-
3 8005, 74-8105, 74-8703, 75-412, 75-622, 75-711, 75-2535, 75-2701,
4 75-2935b, 75-3101, 75-3102, 75-3103, 75-3104, 75-3108, 75-3110, 75-
5 3111, 75-3120f, 75-3120g, 75-3120h, 75-3120j, 75-3122, 75-3123, 75-
6 3124, 75-3125, 75-3126, 75-3135, 75-3136, 75-3137, 75-3141, 75-
7 3148, 75-3149, 75-3150, 75-3212, 75-3223, 75-3702a, 75-5001, 75-
8 5101, 75-5203, 75-5301, 75-5601, 75-5701, 75-5702, 75-5708, 75-
9 5903, 75-6301, 75-7001, 75-714 and 76-715 and K.S.A. 2010 Supp.
10 75-3135a, 75-7206, 75-7207, 75-7402 and 75-7427, and amendments
11 thereto, or any other statute, the rate of compensation for each
12 executive branch employee is hereby reduced by 7.5% for the first
13 payroll period commencing on or after the effective date of this act
14 and each payroll period thereafter chargeable to fiscal year 2011,
15 and shall not be increased for any payroll period chargeable to
16 fiscal year 2011: Provided, That the secretary of administration is
17 hereby authorized and directed to implement and administer the
18 provisions of this section to provide for such reductions: Provided
19 further, That the secretary of administration shall ensure that such
20 reductions to the rate of compensation of the executive branch
21 employee subject to the provisions of this section for the fiscal year
22 2011 have been implemented: And provided further, That the
23 secretary of administration is hereby authorized to reduce any such
24 rate of compensation to implement the provisions of this section:
25 And provided further, That no such reduction prescribed by this
26 subsection shall apply to payroll periods commencing on or after
27 June 12, 2011.
28 (c) On the effective date of this act, the expenditure limitation
29 established for the fiscal year ending June 30, 2011, provided by
30 chapter 2, chapter 124 or chapter 144 of the 2009 Session Laws of
31 Kansas, by chapter 6 or chapter 165 of the 2010 Session Laws of
32 Kansas, or by this or other appropriation act of the 2011 regular
33 session of the legislature, or by the state finance council, on each
34 special revenue fund in the state treasury is hereby decreased for
35 fiscal year 2011 by the amount equal to 7.5% of the aggregate
36 amount that is budgeted for salaries and wages, including per diem
37 compensation, and any associated employer contributions, other
38 than employer payments for participants under the state health
39 care benefits program pursuant to K.S.A. 75-6508, and
amendments thereto, and longevity payments authorized by law, for executive branch employees, as defined by this section, for all payroll periods commencing on or after the effective date of this act which are chargeable to fiscal year 2011 for such special revenue fund, as determined by the director of the budget, after consultation with the director of legislative research, and certified to the director of accounts and reports.

(d) On the effective date of this act, of the amount appropriated or reappropriated for the fiscal year ending June 30, 2011, in each account of the state general fund of the state board of regents and of each regents state agency, as defined by this section, as authorized and provided by chapter 2, chapter 124 or chapter 144 of the 2009 Session Laws of Kansas, chapter 6 or chapter 165 of the 2010 Session Laws of Kansas, or by this or other appropriation act of the 2011 regular session of the legislature, that is budgeted for salaries and wages, including per diem compensation, and any associated employer contributions other than employer payments for participants under the state health care benefits program pursuant to K.S.A. 75-6508, and amendments thereto, and longevity payments authorized by law, for executive branch employees, as defined by this section, for all payroll periods commencing on or after the effective date of this act which are chargeable to fiscal year 2011, as determined by the director of the budget after consultation with the director of legislative research, the director of the budget shall certify the amount equal to 7.5% of the amount so determined in each such account to the director of accounts and reports in accordance with this subsection: Provided, That, upon receipt of such certification, the director of accounts and reports shall transfer each amount certified from the respective account of the state general fund of each regents state agency, as defined by this section, to a deferred maintenance support account of the state general fund, which is hereby established for such regents state agency and which is hereby appropriated from the state general fund for fiscal year 2011: Provided further, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount certified to be transferred from each account of the state general fund of the state board of regents to the deferred maintenance support account of the state general fund of each regents state agency, as defined by
this section, which shall be the proportional amount determined
and specified by the director of the budget for such regents state
agency in such certification, after consultation with the director of
legislative research, as bearing the same relation to the total
amount to be transferred from the account of the state board of
regents as the amount transferred to the deferred maintenance
support account of the state general fund of the regents state
agency from all other accounts of the state general fund of that
regents state agency bears to all amounts transferred to deferred
maintenance support accounts of the state general fund of all
regents state agencies pursuant to this subsection: And provided
further, That all expenditures from each deferred maintenance
support account of the state general fund established for a regents
state agency under this subsection shall be for the same uses and
purposes and under the same procedures and authorizations as
expenditures made from the deferred maintenance support fund of
such regents state agency.

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

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

(3) “regents state agency” means 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

(4) “compensation” means any salary or per diem compensation
provided by law for a state officer; and

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

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

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

Sec. 55. 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. 53-54. [56.] This act shall take effect and be in force from and after its publication in the Kansas register.