

3
4 **Senate Substitute for HOUSE BILL No. 2545**

5
6 By Committee on Ways and Means

7
8 5-2

9
10 AN ACT making and concerning appropriations for the fiscal years end-
11 ing June 30, 2002, June 30, 2003, June 30, 2004, June 30, 2005, June
12 30, 2006, and June 30, 2007; authorizing certain transfers and fees,
13 imposing certain restrictions and limitations and directing or author-
14 izing certain receipts, disbursements, capital improvements and acts
15 incidental to the foregoing; amending K.S.A. 2001 Supp. **[79-2959,**
16 **as amended by section 161 of 2002 Senate Bill No. 517, 79-2964,**
17 **as amended by section 162 of 2002 Senate Bill No. 517, 79-3425i,**
18 **as amended by section 163 of 2002 Senate Bill No. 517, and]** 79-
19 34,147 and repealing the existing ~~section~~ **[sections]**.

20
21 *Be it enacted by the Legislature of the State of Kansas:*

22 Section 1. (a) For the fiscal years ending June 30, 2002, June 30,
23 2003, June 30, 2004, June 30, 2005, June 30, 2006, and June 30, 2007,
24 appropriations are hereby made, restrictions and limitations are hereby
25 imposed, and transfers, fees, receipts, disbursements and acts incidental
26 to the foregoing are hereby directed or authorized as provided in this act.

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

31 (c) This act shall be known and may be cited as the omnibus appro-
32 priation act of 2002 and shall constitute the omnibus reconciliation spend-
33 ing limit bill for the 2002 regular session of the legislature for purposes
34 of subsection (a) of K.S.A. 75-6702 and amendments thereto.

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

37 Sec. 2.

38 **ATTORNEY GENERAL**

39 (a) There is appropriated for the above agency from the state general
40 fund for the fiscal year or years specified, the following:
41 Additional operating expenditures for investigation and litigation regard-
42 ing interstate water rights

43 For the fiscal year ending June 30, 2003..... \$505,776

1 *Provided*, That any unencumbered balance in excess of \$100 as of June
2 30, 2002, in the additional operating expenditures for investigation and
3 litigation regarding interstate water rights account is hereby reapprop-
4 priated for fiscal year 2003.

5 Sec. 3.

6 DEPARTMENT OF ADMINISTRATION

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

9 Facilities management

10 For the fiscal year ending June 30, 2003..... \$300,000

11 (b) In addition to the other purposes for which expenditures may be
12 made by the department of administration from moneys appropriated
13 from the state buildings operating fund for the fiscal year 2003, expend-
14 itures may be made by the department of administration from the state
15 buildings operating fund for fiscal year 2003 for the costs of insurance
16 premiums on the statewide insurance policy for the replacement costs of
17 state buildings: *Provided*, That expenditures for the costs of insurance
18 premiums on the statewide insurance policy for the replacement costs of
19 state buildings from the state buildings operating fund shall not exceed
20 \$300,000.

21 (c) On July 1, 2002, the position limitation established for the fiscal
22 year ending June 30, 2003, by section 131(a) of 2002 Senate Bill No. 517
23 for the department of administration is hereby increased from 881.2 to
24 882.2.

25 Sec. 4.

26 KANSAS COMMISSION ON VETERANS AFFAIRS

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

29 Operations—veterans affairs

30 For the fiscal year ending June 30, 2003..... \$70,980

31 Operations—state veterans cemeteries

32 For the fiscal year ending June 30, 2003..... \$45,597

33 (b) On July 1, 2002, the position limitation established for the fiscal
34 year ending June 30, 2003, by section 131(a) of 2002 Senate Bill No. 517
35 for the Kansas commission on veterans affairs is hereby increased from
36 555.3 to 558.3.

37 Sec. 5.

38 DEPARTMENT ON AGING

39 (a) There is appropriated for the above agency from the following
40 special revenue fund or funds for the fiscal year or years specified, 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 Senior pharmacy plus IGT fund

2 For the fiscal year ending June 30, 2002..... No limit

3 For the fiscal year ending June 30, 2003..... ~~No limit~~ **[\$5,000,000]**

4 (b) On July 1, 2002, or as soon thereafter as moneys are available,
5 the director of accounts and reports shall transfer ~~\$5,000,000~~
6 **[\$18,500,000]** from the senior services trust fund of the Kansas public
7 employees retirement system to the senior pharmacy plus IGT fund of
8 the department on aging.

9 Sec. 6.

10 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

13 Parsons state hospital and training center—operating expenditures

14 For the fiscal year ending June 30, 2003..... \$2,237

15 Larned state hospital—operating expenditures

16 For the fiscal year ending June 30, 2003..... \$149,057

17 (b) On the effective date of this act, of the \$9,398,466 appropriated
18 for the above agency for the fiscal year ending June 30, 2002, by section
19 130(a) of chapter 144 of the 2001 Session Laws of Kansas from the state
20 general fund in the Kansas neurological institute—operating expenditures
21 account, the sum of \$1,320 is hereby lapsed.

22 (c) On the effective date of this act, of the \$9,716,548 appropriated
23 for the above agency for the fiscal year ending June 30, 2002, by section
24 130(a) of chapter 144 of the 2001 Session Laws of Kansas from the state
25 general fund in the Larned state hospital—operating expenditures ac-
26 count, the sum of \$6,657 is hereby lapsed.

27 (d) On July 1, 2002, of the \$9,787,828 appropriated for the above
28 agency for the fiscal year ending June 30, 2003, by section 95(a) of 2002
29 Senate Bill No. 517 from the state general fund in the Kansas neurological
30 institute—operating expenditures account, the sum of \$49 is hereby
31 lapsed.

32 ***[(e) On July 1, 2002, the expenditure limitation established for***
33 ***the fiscal year ending June 30, 2003, by section 95(b) of 2002 Senate***
34 ***Bill No. 517 on the SRS—IGT fund is hereby increased from***
35 ***\$62,529,094 to \$91,439,294.***

36 ***[(f) On July 1, 2002, the amount of \$32,214,586 authorized by***
37 ***subsection (m) of 2002 Senate Bill No. 517 to be transferred by the***
38 ***director of accounts and reports from the senior trust fund of the***
39 ***Kansas public employees retirement system to the SRS—IGT fund***
40 ***of the department of social and rehabilitation services is hereby***
41 ***increased to \$61,124,786.***

42 ***[(g) On July 1, 2002, of the \$89,151,475 appropriated for the***
43 ***above agency for the fiscal year ending June 30, 2003, by section***

1 **95(a) of 2002 Senate Bill No. 517 from the state general fund in the**
2 **mental health and retardation services aid and assistance account,**
3 **the sum of \$28,910,200 is hereby lapsed.]**

4 Sec. 7.

5 DEPARTMENT OF EDUCATION

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

8 Governor's teaching excellence awards

9 For the fiscal year ending June 30, 2003..... \$71,000

10 **[General state aid**

11 **For the fiscal year ending June 30, 2003.....\$11,528,860]**

12 **[(b) On July 1, 2002, or as soon thereafter as moneys are avail-**
13 **able, the director of accounts and reports shall transfer \$11,528,860**
14 **from the Kansas endowment for youth fund of the Kansas public**
15 **employees retirement system to the state general fund.]**

16 Sec. 8.

17 STATE HISTORICAL SOCIETY

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

20 Kansas humanities council

21 For the fiscal year ending June 30, 2003..... \$50,000

22 Sec. 9.

23 DEPARTMENT OF CORRECTIONS

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

26 Community corrections

27 For the fiscal year ending June 30, 2003..... \$375,000

28 *Provided*, That this amount shall be expended to fund condition violator
29 grants, which shall be in addition to any other expenditures the depart-
30 ment of corrections allocates for such purpose.

31 (b) In addition to the other purposes for which expenditures may be
32 made by the department of corrections from the capital improvements—
33 rehabilitation, remodeling, renovation and repair of correctional institu-
34 tions account of the correctional institutions building fund, or from any
35 account of any correctional institution into which moneys are transferred
36 from this account, for fiscal year 2003 as authorized by this or other
37 appropriation act of the 2002 regular session of the legislature, expendi-
38 tures may be made by the department of corrections from the capital
39 improvements—rehabilitation, remodeling, renovation and repair of cor-
40 rectional institutions account of the correctional institutions building
41 fund, or from any such account of any correctional institution, for fiscal
42 year 2003 for security improvement projects.

43 (c) On July 1, 2002, any unencumbered balance in the construction

1 of Ellsworth correctional facility housing unit training center and ware-
2 house account of the state general fund as of June 30, 2002, is hereby
3 reappropriated for fiscal year 2003.

4 (d) During the fiscal year ending June 30, 2003, the department of
5 corrections is hereby authorized to make expenditures to raze the old
6 warden's house (building no. 40000-00017) and the guard shack (building
7 no. 40000-00020) on the grounds of the east unit of Lansing correctional
8 facility.

9 Sec. 10.

10 FORT HAYS STATE UNIVERSITY

11 (a) In addition to the other purposes for which expenditures may be
12 made by Fort Hays state university from moneys appropriated from the
13 state general fund or from any special revenue fund for fiscal year 2003
14 as authorized by this or other appropriation act of the 2002 regular session
15 of the legislature, expenditures shall be made by Fort Hays state univer-
16 sity from moneys appropriated from the state general fund or from any
17 special revenue fund for fiscal year 2003 to provide for the issuance of
18 bonds by the Kansas development finance authority in accordance with
19 K.S.A. 74-8905 and amendments thereto for a capital improvement pro-
20 ject for track and field surface replacements at Lewis field stadium: *Pro-*
21 *vided*, That the capital improvement project for track and field surface
22 replacements at Lewis field stadium is hereby approved for Fort Hays
23 state university for the purposes of subsection (b) of K.S.A. 74-8905 and
24 amendments thereto and the authorization of the issuance of bonds by
25 the Kansas development finance authority in accordance with that statute:
26 *Provided further*, That Fort Hays state university may make expenditures
27 from the moneys received from the issuance of any such bonds for such
28 capital improvement project: *Provided, however* That expenditures from
29 the moneys received from the issuance of any such bonds for such capital
30 improvement project shall not exceed \$1,200,000, plus all amounts re-
31 quired for costs of bond issuance, costs of interest on the bonds issued
32 for such capital improvement project during the construction of such
33 project and any required reserves for the payment of principal and inter-
34 est on the bonds: *And provided further*, That all moneys received from
35 the issuance of any such bonds shall be deposited and accounted for as
36 prescribed by applicable bond covenants: *Provided, however*, That no
37 bonds shall be issued for such capital improvement project until such
38 capital improvement project has been reviewed by the joint committee
39 on state building construction.

40 Sec. 11.

41 ADJUTANT GENERAL

42 (a) On July 1, 2002, the expenditure limitation established for the
43 fiscal year ending June 30, 2003, by section 155(a) of 2002 Senate Bill

1 No. 517 on the debt service—rehabilitation and repair of the statewide
2 armories account of the state general fund is hereby increased from
3 \$197,124 to \$382,829.

4 Sec. 12.

5 KANSAS HIGHWAY PATROL

6 (a) On July 1, 2002, the expenditure limitation established for the
7 fiscal year ending June 30, 2003, by section 118(b) of 2002 Senate Bill
8 No. 517 on the motor carrier inspection fund of the Kansas highway patrol
9 is hereby increased from \$10,555,455 to no limit.

10 (b) On July 1, 2002, the expenditure limitation established for the
11 fiscal year ending June 30, 2003, by section 118(b) of 2002 Senate Bill
12 No. 517 on the highway patrol training center fund is hereby increased
13 from \$766,092 to no limit.

14 Sec. 13.

15 KANSAS SENTENCING COMMISSION

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

18 Operating expenditures

19 For the fiscal year ending June 30, 2003..... \$8,340

20 Sec. 14.

21 KANSAS DEPARTMENT OF AGRICULTURE

22 (a) On July 1, 2002, the expenditure limitation established for the
23 fiscal year ending June 30, 2003, by section 123(b) of 2002 Senate Bill
24 No. 517 on the entomology fee fund is hereby increased from \$122,017
25 to \$208,817.

26 Sec. 15.

27 DEPARTMENT OF WILDLIFE AND PARKS

28 (a) On July 1, 2002, the expenditure limitation established for the
29 fiscal year ending June 30, 2003, by section 156(r) of 2002 Senate Bill
30 No. 517 on the land and water conservation fund—rehabilitation and
31 repair account of the land and water conservation fund is hereby in-
32 creased from \$149,242 to \$991,484.

33 Sec. 16.

34 KANSAS LOTTERY

35 (a) On July 1, 2002, the expenditure limitation established for the
36 fiscal year ending June 30, 2003, by section 86(a) of 2002 Senate Bill No.
37 517 on the lottery operating fund is hereby increased from \$8,962,981 to
38 \$9,000,000.

39 **[Sec. 17.**

40 **[EMPORIA STATE UNIVERSITY**

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

43 **[Reading recovery program**

1 *[For the fiscal year ending June 30, 2003 \$250,000]*
2 *[Sec. 18.*

3 ***[STATE BOARD OF REGENTS***

4 *[(a) There is appropriated for the above agency from the state*
5 *economic development fund for the fiscal year or years specified,*
6 *the following:*

7 *[Vocational education capital outlay aid*

8 *[For the fiscal year ending June 30, 2003 \$135,000*

9 *[Provided, That expenditures from the vocational education capital*
10 *outlay aid account for each grant of vocational education capital*
11 *outlay aid shall be matched by the area vocational school, the area*
12 *vocational-technical school or the technical college in an amount*
13 *which is equal to 50% of the grant: Provided further, That any unen-*
14 *cumbered balance in excess of \$100 as of June 30, 2002, in the*
15 *vocational education capital outlay aid account is hereby reappro-*
16 *priated for fiscal year 2003.*

17 *[Postsecondary aid for vocational education*

18 *[For the fiscal year ending June 30, 2003 \$323,383*

19 *Provided, That any unencumbered balance in excess of \$100 as of*
20 *June 30, 2002, in the postsecondary aid for vocational education*
21 *account is hereby reappropriated for fiscal year 2003.*

22 *[Technology innovation and internship program*

23 *[For the fiscal year ending June 30, 2003 \$10,000*

24 *[Provided, That any unencumbered balance in excess of \$100 as of*
25 *June 30, 2002, in the technical innovation and internship program*
26 *account is hereby reappropriated for fiscal year 2003.]*

27 *[Sec. 19.*

28 ***[DEPARTMENT OF HUMAN RESOURCES***

29 *[(a) On July 1, 2002, the expenditure limitation established for*
30 *the fiscal year ending June 30, 2003, by section 91(c) of 2002 Senate*
31 *Bill No. 517 on the employment security fund of the above agency*
32 *for expenditures of moneys made available to the state under section*
33 *903 of the federal social security act, as amended, for administra-*
34 *tion of the unemployment insurance program account is hereby*
35 *fixed at \$780,251: Provided, That, no additional expenditures shall*
36 *be made from this account except upon specific authorization by an*
37 *act of the legislature: Provided further, That the state finance council*
38 *shall have no authority to approve any additional expenditures or*
39 *to increase the expenditure limitation on this account.]*

40 *[Sec. 20.*

41 ***[DEPARTMENT OF HUMAN RESOURCES***

42 *[(a) On July 1, 2002, the position limitation established for the*
43 *fiscal year ending June 30, 2003, by section 131(a) of 2002 Senate*

1 **Bill No. 517 for the department of human resources is hereby de-**
2 **creased from 941.4 to 940.4.]**

3 Sec. ~~17.~~ [21.] On June 30, 2003, the director of accounts and reports
4 shall transfer \$6,000,000 from the Kansas endowment for youth fund to
5 the state general fund.

6 Sec. ~~18.~~ [22.] On June 30, 2003, the director of accounts and reports
7 shall transfer any unencumbered balance in the state economic devel-
8 opment initiatives fund to the state general fund.

9 Sec. ~~19.~~ [23.] On July 1, 2002, K.S.A. 2001 Supp. 79-34,147 is
10 hereby amended to read as follows: 79-34,147. (a) (1) On July 1, 1999,
11 and quarterly thereafter the secretary of revenue shall certify to the di-
12 rector of accounts and reports the amount equal to 7.628% of the total
13 revenues received by the secretary from the taxes imposed under the
14 Kansas retailers' sales tax act and deposited in the state treasury and
15 credited to the state general fund during the preceding three calendar
16 months.

17 (2) On July 1, 2001, and quarterly thereafter, the secretary of revenue
18 shall certify to the director of accounts and reports the amount equal to
19 9.5% of the total revenues received by the secretary from the taxes im-
20 posed under the Kansas retailers' sales tax act and deposited in the state
21 treasury and credited to the state general fund during the preceding three
22 calendar months.

23 ~~(3)~~ (2) On July 1, ~~2002~~ 2004, and quarterly thereafter, the secretary
24 of revenue shall certify to the director of accounts and reports the amount
25 equal to 11% of the total revenues received by the secretary from the
26 taxes imposed under the Kansas retailers' sales tax act and deposited in
27 the state treasury and credited to the state general fund during the pre-
28 ceding three calendar months.

29 ~~(4)~~ (3) On July 1, ~~2003~~ 2005, and quarterly thereafter, the secretary
30 of revenue shall certify to the director of accounts and reports the amount
31 equal to 11.25% of the total revenues received by the secretary from the
32 taxes imposed under the Kansas retailers' sales tax act and deposited in
33 the state treasury and credited to the state general fund during the pre-
34 ceding three calendar months.

35 ~~(5)~~ (4) On July 1, ~~2004~~ 2006, and quarterly thereafter, the secretary
36 of revenue shall certify to the director of accounts and reports the amount
37 equal to 12% of the total revenues received by the secretary from the
38 taxes imposed under the Kansas retailers' sales tax act and deposited in
39 the state treasury and credited to the state general fund during the pre-
40 ceding three calendar months.

41 (b) Upon receipt of each certification under subsection (a), the di-
42 rector of accounts and reports shall transfer from the state general fund
43 to the state highway fund an amount equal to the amount so certified, on

1 each July 1, October 1, January 1 and April 1, except that the amount of
2 the transfer on each such date during state fiscal year 2002 shall not
3 exceed \$30,277,162 *the director of accounts and reports shall transfer on*
4 *each such date during state fiscal year 2003 the amount of \$17,500,000;*
5 *and the director of accounts and reports shall transfer on each such date*
6 *during state fiscal year 2004 the amount of \$23,750,000.* All transfers
7 made pursuant to this section are subject to reduction under K.S.A. 75-
8 6704, and amendments thereto.

9 (c) All transfers made in accordance with the provisions of this section
10 shall be considered to be demand transfers from the state general fund,
11 *except that all such transfers during the fiscal years ending June 30, 2003,*
12 *and June 30, 2004, shall be considered revenue transfers from the state*
13 *general fund.*

14 ***[Sec. 24. On July 1, 2002, K.S.A. 2001 Supp. 79-2959, as amended***
15 ***by section 161 of 2002 Senate Bill No. 517, is hereby amended to***
16 ***read as follows: 79-2959. (a) There is hereby created the local ad***
17 ***valorem tax reduction fund. All moneys transferred or credited to***
18 ***such fund under the provisions of this act or any other law shall be***
19 ***apportioned and distributed in the manner provided herein.***

20 ***[(b) On January 15 and on July 15 of each year, the director of***
21 ***accounts and reports shall make transfers in equal amounts which***
22 ***in the aggregate equal 4.5% of the total retail sales and compen-***
23 ***sating taxes credited to the state general fund pursuant to articles***
24 ***36 and 37 of chapter 79 of Kansas Statutes Annotated and acts***
25 ***amendatory thereof and supplemental thereto during the preceding***
26 ***calendar year from the state general fund to the local ad valorem***
27 ***tax reduction fund, except that: (1) The transfers on January 15 and***
28 ***July 15 of each year shall be in equal amounts which in the aggre-***
29 ***gate equal 3.630% of such taxes credited to the state general fund***
30 ***during the preceding calendar year; and (2) the amount of the trans-***
31 ***fer on each such date during state fiscal year 2003 shall be***
32 ***~~\$26,246,722~~ \$25,740,335.50. All such transfers are subject to reduc-***
33 ***tion under K.S.A. 75-6704 and amendments thereto. All transfers***
34 ***made in accordance with the provisions of this section shall be con-***
35 ***sidered to be demand transfers from the state general fund, except***
36 ***that all such transfers during the fiscal year ending June 30, 2003,***
37 ***shall be considered revenue transfers from the state general fund.***

38 ***[(c) The state treasurer shall apportion and pay the amounts***
39 ***transferred under subsection (b) to the several county treasurers***
40 ***on January 15 and on July 15 in each year as follows: (1) Sixty-five***
41 ***percent of the amount to be distributed shall be apportioned on the***
42 ***basis of the population figures of the counties certified to the sec-***
43 ***retary of state pursuant to K.S.A. 11-201 and amendments thereto***

1 on July 1 of the preceding year; and (2) thirty-five percent of such
2 amount shall be apportioned on the basis of the equalized assessed
3 tangible valuations on the tax rolls of the counties on November 1
4 of the preceding year as certified by the director of property valu-
5 ation.

6 [Sec. 25. On July 1, 2002, K.S.A. 2001 Supp. 79-2964, as amended
7 by section 162 of 2002 Senate Bill No. 517, is hereby amended to
8 read as follows: 79-2964. There is hereby created the county and
9 city revenue sharing fund. All moneys transferred or credited to
10 such fund under the provisions of this act or any other law shall be
11 allocated and distributed in the manner provided herein. The di-
12 rector of accounts and reports in each year on July 15 and Decem-
13 ber 10, shall make transfers in equal amounts which in the aggre-
14 gate equal 3.5% of the total retail sales and compensating taxes
15 credited to the state general fund pursuant to articles 36 and 37 of
16 chapter 79 of the Kansas Statutes Annotated and acts amendatory
17 thereof and supplemental thereto during the preceding calendar
18 year from the state general fund to the county and city revenue
19 sharing fund, except that: (a) The transfers on July 15 and Decem-
20 ber 10 of each year shall be in equal amounts which in the aggregate
21 equal 2.823% of such taxes credited to the state general fund during
22 the preceding calendar year; and (b) the amount of the transfer on
23 each such date during state fiscal year 2003 shall be ~~\$16,740,646~~
24 \$17,438,174.50. All such transfers are subject to reduction under
25 K.S.A. 75-6704 and amendments thereto. All transfers made in ac-
26 cordance with the provisions of this section shall be considered to
27 be demand transfers from the state general fund, except that all such
28 transfers during the fiscal year ending June 30, 2003, shall be con-
29 sidered revenue transfers from the state general fund.

30 [Sec. 26. On July 1, 2002, K.S.A. 2001 Supp. 79-3425i, as
31 amended by section 163 of 2002 Senate Bill No. 517, is hereby
32 amended to read as follows: 79-3425i. On January 15 and July 15
33 of each year, the director of accounts and reports shall transfer a
34 sum equal to the total taxes collected under the provisions of K.S.A.
35 79-6a04 and 79-6a10, and amendments thereto, and credited to the
36 state general fund during the six months next preceding the date of
37 transfer, from the state general fund to the special city and county
38 highway fund, created by K.S.A. 79-3425, and amendments thereto,
39 except that: (1) Such transfers are subject to reduction under K.S.A.
40 75-6704, and amendments thereto; and (2) the amount of the trans-
41 fer on each such date during state fiscal year 2003 shall not exceed
42 ~~\$5,031,822~~ \$5,223,310.50. All transfers under this section shall be
43 considered to be demand transfers from the state general fund, ex-

1 *cept that all such transfers during the fiscal year ending June 30,*
2 *2003, shall be considered revenue transfers from the state general*
3 *fund.]*

4 *[Sec. 27. (a) On the effective date of this act, the director of ac-*
5 *counts and reports shall transfer \$94,608,648 from the state high-*
6 *way fund to the state general fund.*

7 *[(b) On or before June 30, 2003, on a date certified by the director*
8 *of the budget, the director of accounts and reports shall transfer*
9 *\$94,608,648 from the state general fund to the state highway fund.]*

10 *[Sec. 28. (a) The director of accounts and reports shall not make*
11 *the transfer of \$7,000,000 from the workers compensation fund of*
12 *the insurance department to the state general fund on July 1, 2002,*
13 *or as soon thereafter as moneys are available, as directed by sub-*
14 *section (d) of section 74 of 2002 Senate Bill No 517, and the pro-*
15 *visions of subsection (d) of section 74 of 2002 Senate Bill No. 517*
16 *are hereby declared to be null and void and shall have no force and*
17 *effect.*

18 *[(b) On June 30, 2002, the director of accounts and reports shall*
19 *transfer \$7,000,000 from the workers compensation fund of the in-*
20 *surance department to the state general fund: Provided, That the*
21 *amount transferred from the workers compensation fund of the in-*
22 *surance department to the state general fund pursuant to this sub-*
23 *section is to reimburse the state general fund for accounting, au-*
24 *ditting, budgeting, legal, payroll, personnel and purchasing services*
25 *and any other governmental services which are performed on behalf*
26 *of the state agency involved by other state agencies which receive*
27 *appropriations from the state general fund to provide such services:*
28 *Provided further, That the commissioner of insurance shall prepare*
29 *and submit a workers compensation fund cash-flow analysis to the*
30 *house committee on appropriations and the senate committee on*
31 *ways and means during the month of January, 2003.]*

32 *Sec. ~~20~~ [29.] Appeals to exceed position limitations.* The limitations
33 imposed by this act on the number of full-time and regular part-time
34 positions equated to full-time, excluding seasonal and temporary posi-
35 tions, paid from appropriations for the fiscal years ending June 30, 2002,
36 or June 30, 2003, made in chapter 144 or 216 of the 2001 Session Laws
37 of Kansas or in this act or in any other appropriation act of the 2002
38 regular session of the legislature may be exceeded upon approval of the
39 state finance council.

40 *Sec. ~~21~~ [30.] Appeals to exceed expenditure limitations.* (a) Upon
41 written application to the governor and approval of the state finance coun-
42 cil, expenditures from special revenue funds may exceed the amounts
43 specified in this act.

1 (b) This section shall not apply to the state economic development
2 initiatives fund, the children’s initiatives fund or the state water plan fund
3 or to any account thereof.

4 ~~Sec. 22.~~ **[31.]** *Savings.* (a) Any unencumbered balance as of June 30,
5 2002, in any special revenue fund, or account thereof, of any state agency
6 named in this act which is not otherwise specifically appropriated or lim-
7 ited by this or other appropriation act of the 2002 regular session of the
8 legislature, is hereby appropriated for the fiscal year ending June 30,
9 2003, for the same use and purpose as the same was heretofore appro-
10 priated. This subsection shall not apply to any state agency named in
11 section 99 of chapter 144 of the 2001 Session Laws of Kansas.

12 (b) Any unencumbered balance as of June 30, 2002, in any special
13 revenue fund, or account thereof, of any state agency named in section
14 99 of chapter 144 of the 2001 Session Laws of Kansas which is not oth-
15 erwise specifically appropriated or limited for fiscal year 2003 by chapter
16 144 or chapter 216 of the 2001 Session Laws of Kansas or by this or other
17 appropriation act of the 2002 regular session of the legislature, is hereby
18 appropriated for fiscal year 2003 for the same use and purpose as the
19 same was heretofore appropriated.

20 (c) This section shall not apply to the state economic development
21 initiatives fund, the children’s initiatives fund or the state water plan fund
22 or any account of any of such funds.

23 ~~Sec. 23.~~ **[32.]** During the fiscal year ending June 30, 2003, all mon-
24 eys which are lawfully credited to and available in any bond special rev-
25 enue fund, which are not otherwise specifically appropriated or limited
26 by this or other appropriation act of the 2002 regular session of the leg-
27 islature, are hereby appropriated for the fiscal year ending June 30, 2003,
28 for the state agency for which the bond special revenue fund was estab-
29 lished for the purposes authorized by law for expenditures from such
30 bond special revenue fund. As used in this subsection, “bond special rev-
31 enue fund” means any special revenue fund or account thereof estab-
32 lished in the state treasury prior to or on or after the effective date of this
33 act for the deposit of the proceeds of bonds issued by the Kansas devel-
34 opment finance authority, for the payment of debt service for bonds is-
35 sued by the Kansas development finance authority, or for any related
36 purpose in accordance with applicable bond covenants.

37 ~~Sec. 24.~~ **[33.]** *Federal grants.* (a) During the fiscal year ending June
38 30, 2003, each federal grant or other federal receipt which is received by
39 a state agency named in this act and which is not otherwise appropriated
40 to that state agency by this or other appropriation act of the 2002 regular
41 session of the legislature, is hereby appropriated for the fiscal year ending
42 June 30, 2003, for that state agency for the purpose set forth in such
43 federal grant or receipt, except that no expenditure shall be made from

1 and no obligation shall be incurred against any such federal grant or other
2 federal receipt, which has not been previously appropriated or reappropri-
3 ated or approved for expenditure by the governor, until the governor
4 has authorized the state agency to make expenditures therefrom. This
5 subsection shall not apply to any state agency named in section 99 of
6 chapter 144 of the 2001 Session Laws of Kansas.

7 (b) During the fiscal year ending June 30, 2003, each federal grant
8 or other federal receipt which is received by a state agency named in
9 section 99 of chapter 144 of the 2001 Session Laws of Kansas and which
10 is not otherwise appropriated to that state agency for fiscal year 2003 by
11 chapter 144 or chapter 216 of the 2001 Session Laws of Kansas or by this
12 or other appropriation act of the 2002 regular session of the legislature,
13 is hereby appropriated for fiscal year 2003 for that state agency for the
14 purpose set forth in such federal grant or receipt, except that no expend-
15 iture shall be made from and no obligation shall be incurred against any
16 such federal grant or other federal receipt, which has not been previously
17 appropriated or reappropriated or approved for expenditure by the gov-
18 ernor, for fiscal year 2003, until the governor has authorized the state
19 agency to make expenditures from such federal grant or other federal
20 receipt for fiscal year 2003.

21 (c) In addition to the other purposes for which expenditures may be
22 made by any state agency which is named in this act or other appropriation
23 act of the 2002 regular session of the legislature and which is not other-
24 wise authorized by law to apply for and receive federal grants, expendi-
25 tures may be made by such state agency from moneys appropriated for
26 fiscal year 2003 by chapter 144 or chapter 216 of the 2001 Session Laws
27 of Kansas or by this or other appropriation act of the 2002 regular session
28 of the legislature to apply for and receive federal grants during fiscal year
29 2003, which federal grants are hereby authorized to be applied for and
30 received by such state agencies: *Provided*, That no expenditure shall be
31 made from and no obligation shall be incurred against any such federal
32 grant or other federal receipt, which has not been previously appropriated
33 or reappropriated or approved for expenditure by the governor, until the
34 governor has authorized the state agency to make expenditures there-
35 from.

36 Sec. ~~25~~. [34.] Any correctional institutions building fund appropri-
37 ation heretofore appropriated to any state agency named in this or other
38 appropriation act of the 2002 regular session of the legislature, and having
39 an unencumbered balance as of June 30, 2002, in excess of \$100 is hereby
40 reappropriated for the fiscal year ending June 30, 2003, for the same uses
41 and purposes as originally appropriated unless specific provision is made
42 for lapsing such appropriation.

43 Sec. ~~26~~. [35.] Any Kansas educational building fund appropriation

1 heretofore appropriated to any institution named in this or other appro-
2 priation act of the 2002 regular session of the legislature and having an
3 unencumbered balance as of June 30, 2002, in excess of \$100 is hereby
4 reappropriated for the fiscal year ending June 30, 2003, for the same use
5 and purpose as originally appropriated, unless specific provision is made
6 for lapsing such appropriation.

7 Sec. ~~27~~. [36.] Any state institutions building fund appropriation
8 heretofore appropriated to any state agency named in this or other ap-
9 propriation act of the 2002 regular session of the legislature and having
10 an unencumbered balance as of June 30, 2002, in excess of \$100 is hereby
11 reappropriated for the fiscal year ending June 30, 2003, for the same use
12 and purpose as originally appropriated, unless specific provision is made
13 for lapsing such appropriation.

14 Sec. ~~28~~. [37.] Any transfers of money during the fiscal year ending
15 June 30, 2003, from any special revenue fund of any state agency named
16 in this act to the audit services fund of the division of post audit under
17 K.S.A. 46-1121 and amendments thereto shall be in addition to any ex-
18 penditure limitation imposed on any such fund for the fiscal year ending
19 June 30, 2003.

20 Sec. ~~29~~. [38.] On July 1, 2002, K.S.A. 2001 Supp. [79-2959, as
21 amended by section 161 of 2002 Senate Bill No. 517, 79-2964, as
22 amended by section 162 of 2002 Senate Bill No. 517, 79- 3425i, as
23 amended by section 163 of 2002 Senate Bill No. 517, and] 79-34,147
24 is hereby repealed.

25 Sec. ~~30~~. [39.] This act shall take effect and be in force from and
26 after its publication in the Kansas register.

27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43