

SENATE BILL No. 30

By Committee on Ways and Means

1-16

10 AN ACT making and concerning appropriations for the fiscal year ending
11 June 30, 2003, for the state bank commissioner, Kansas board of bar-
12 bering, Kansas state board of cosmetology, state department of credit
13 unions, board of nursing, board of examiners in optometry, state board
14 of pharmacy, office of the securities commissioner of Kansas, lieuten-
15 ant governor, insurance department, state board of indigents' defense
16 services, department of administration, Kansas public employees re-
17 tirement system, state board of tax appeals, department of revenue,
18 Kansas racing and gaming commission, department of commerce and
19 housing, Kansas technology enterprise corporation, Kansas commis-
20 sion on veterans affairs, department of health and environment, de-
21 partment on aging, department of social and rehabilitation services,
22 department of education, Kansas state historical society, Emporia state
23 university, Wichita state university, state board of regents, department
24 of corrections, juvenile justice authority, adjutant general, Kansas high-
25 way patrol, Kansas department of agriculture, state fair board, state
26 conservation commission, Kansas water office and department of
27 transportation; authorizing certain transfers and capital improvement
28 projects, imposing certain restrictions and limitations, and directing or
29 authorizing certain receipts and disbursements and acts incidental to
30 the foregoing; amending K.S.A. 2-223 and K.S.A. 2002 Supp. 79-2959,
31 79-2964 and 79-3425i and repealing the existing sections.

32
33 *Be it enacted by the Legislature of the State of Kansas:*

34 Section 1. (a) For the fiscal year ending June 30, 2003, appropriations
35 are hereby made, restrictions and limitations are hereby imposed, and
36 transfers, capital improvement projects, fees, receipts, disbursements and
37 acts incidental to the foregoing are hereby directed or authorized as pro-
38 vided in this act.

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

41 Sec. 2.

42 **STATE BANK COMMISSIONER**

43 (a) On the effective date of this act, the expenditure limitation estab-

1 lished for the fiscal year ending on June 30, 2003, by section 12(e)(2) of
2 chapter 204 of the 2002 Session Laws of Kansas on the bank commis-
3 sioner fee fund is hereby decreased from \$5,708,966 to \$5,547,921.

4 Sec. 3.

5 **KANSAS BOARD OF BARBERING**

6 (a) On the effective date of this act, the expenditure limitation estab-
7 lished for the fiscal year ending June 30, 2003, by section 13(b) of chapter
8 204 of the 2002 Session Laws of Kansas on the board of barbering fee
9 fund is hereby decreased from \$132,390 to \$113,266.

10 Sec. 4.

11 **KANSAS STATE BOARD OF COSMETOLOGY**

12 (a) On the effective date of this act, the expenditure limitation estab-
13 lished for the fiscal year ending June 30, 2003, by section 16(b) of chapter
14 204 of the 2002 Session Laws of Kansas on the cosmetology fee fund is
15 hereby decreased from \$735,704 to \$661,161.

16 Sec. 5.

17 **STATE DEPARTMENT OF CREDIT UNIONS**

18 (a) On the effective date of this act, the expenditure limitation estab-
19 lished for the fiscal year ending June 30, 2003, by section 18(a) of chapter
20 204 of the 2002 Session Laws of Kansas on the credit union fee fund is
21 hereby decreased from \$896,620 to \$850,554.

22 Sec. 6.

23 **BOARD OF NURSING**

24 (a) On the effective date of this act, the expenditure limitation estab-
25 lished for the fiscal year ending June 30, 2003, by section 20(b) of chapter
26 204 of the 2002 Session Laws of Kansas on the board of nursing fee fund
27 is hereby increased from \$1,397,017 to \$1,459,832.

28 Sec. 7.

29 **BOARD OF EXAMINERS IN OPTOMETRY**

30 (a) On the effective date of this act, the expenditure limitation estab-
31 lished for the fiscal year ending June 30, 2003, by section 21(a) of chapter
32 204 of the 2002 Session Laws of Kansas on the optometry fee fund is
33 hereby increased from \$85,305 to \$106,777.

34 Sec. 8.

35 **STATE BOARD OF PHARMACY**

36 (a) On the effective date of this act, the expenditure limitation estab-
37 lished for the fiscal year ending June 30, 2003, by section 22(c) of chapter
38 204 of the 2002 Session Laws of Kansas on the state board of pharmacy
39 fee fund is hereby increased from \$571,321 to \$581,497.

40 Sec. 9.

41 **OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS**

42 (a) On the effective date of this act, the expenditure limitation estab-
43 lished for the fiscal year ending June 30, 2003, by section 25(a) of chapter

1 204 of the 2002 Session Laws of Kansas on the securities act fee fund is
2 hereby decreased from \$2,113,020 to \$2,092,824.

3 Sec. 10.

4 LIEUTENANT GOVERNOR

5 (a) On the effective date of this act, the expenditure limitation estab-
6 lished by section 70(c) of chapter 204 of the 2002 Session Laws of Kansas
7 on expenditures for official hospitality from the operations account of the
8 state general fund is hereby increased from \$2,000 to no limit at the
9 discretion of the lieutenant governor.

10 Sec. 11.

11 INSURANCE DEPARTMENT

12 (a) On the effective date of this act, the director of accounts and reports
13 shall transfer \$4,000,000 from the workers compensation fund of the in-
14 surance department to the state general fund: *Provided*, That the amount
15 transferred from the workers compensation fund of the insurance de-
16 partment to the state general fund pursuant to this subsection is to re-
17 imburse the state general fund for accounting, auditing, budgeting, legal,
18 payroll, personnel and purchasing services and any other governmental
19 services which are performed on behalf of the state agency involved by
20 other state agencies which receive appropriations from the state general
21 fund to provide such services.

22 (b) On the effective date of this act, or as soon thereafter as moneys
23 are available, the director of accounts and reports shall transfer \$100,000
24 from the insurance department service regulation fund to the state gen-
25 eral fund: *Provided*, That the transfer of such amount shall be in addition
26 to any other transfer from the insurance department service regulation
27 fund to the state general fund as prescribed by law: *Provided further*,
28 That the amount transferred from the insurance department service reg-
29 ulation fund to the state general fund pursuant to this subsection is to
30 reimburse the state general fund for accounting, auditing, budgeting, le-
31 gal, payroll, personnel and purchasing services and any other govern-
32 mental services which are performed on behalf of the insurance depart-
33 ment by other state agencies which receive appropriations from the state
34 general fund to provide such services.

35 Sec. 12.

36 STATE BOARD OF INDIGENTS' DEFENSE SERVICES

37 (a) There is appropriated for the above agency from the state general
38 fund for the fiscal year ending June 30, 2003, the following:

39 Operating expenditures	\$702,934
40 Capital defense operations	\$550,000

41 Sec. 13.

42 DEPARTMENT OF ADMINISTRATION

43 (a) On the effective date of this act, any unencumbered balance in each

1 of the following accounts of the state budget stabilization fund is hereby
2 lapsed: Statehouse elevators renovation; statehouse fire and safety alarms;
3 statehouse grounds & facility improvements.

4 (b) In addition to the other purposes for which expenditures may be
5 made by the above agency from the state budget stabilization fund for
6 fiscal year 2003, expenditures may be made by the above agency from
7 the following capital improvement account or accounts of the state budget
8 stabilization fund for fiscal year 2003 for the following capital improve-
9 ment project or projects, subject to the expenditure limitations prescribed
10 therefor:

11	Rehabilitation and repair for state facilities	\$143,886
12	Judicial center rehabilitation and repair	\$100,000

13 (c) On the effective date of this act, of the amount reappropriated for
14 the above state agency for the fiscal year ending June 30, 2003, by section
15 141(a) of chapter 204 of the 2002 Session Laws of Kansas in the state-
16 house grounds and facility improvements account of the state general
17 fund, the sum of \$42,625 is hereby lapsed.

18 (d) There is appropriated for the above agency from the following spe-
19 cial revenue fund or funds for the fiscal year ending June 30, 2003, all
20 moneys now or hereafter lawfully credited to and available in such fund
21 or funds, except that expenditures shall not exceed the following:

22	Deferred compensation fees fund	No Limit
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23 (e) On and after the effective date of this month, on or before the 10th
24 of each month during the fiscal year ending June 30, 2003, the director
25 of accounts and reports shall transfer from the state general fund to the
26 deferred compensation fees fund interest earnings based on: (1) The av-
27 erage daily balance of moneys in the deferred compensation fees fund
28 for the preceding month; and (2) the net earnings rate for the pooled
29 money investment portfolio for the preceding month.

30 (f) On the effective date of this act, the public school districts benefit
31 fund of the department of administration is hereby redesignated as the
32 non-state employer group benefit fund of the department of administra-
33 tion.

34 (g) In addition to the other purposes for which expenditures may be
35 made by the above agency from the state buildings operating fund for
36 fiscal year 2003, expenditures may be made by the above agency from
37 the following capital improvement account or accounts of the state build-
38 ings operating fund for fiscal year 2003 for the following capital improve-
39 ment project or projects, subject to the expenditure limitations prescribed
40 therefor:

41	Docking cooling towers replacement — debt service	No Limit
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42 (h) On the effective date of this act, any unencumbered balance in
43 excess of \$233,290 in the capitol complex pedestrian — utility tunnels

1 design and construction account of the state buildings depreciation fund
2 is hereby lapsed.

3 (i) On the effective date of this act, the amount of the billing invoice
4 established by section 83(f) of chapter 204 of the 2002 Session Laws of
5 Kansas to be prepared and submitted each month by the director of the
6 office of administrative hearings of the department of administration to
7 the secretary of social and rehabilitation services for administrative hear-
8 ing services performed by the department of administration for the de-
9 partment of social and rehabilitation services is hereby increased from
10 the amount equal to $\frac{1}{12}$ of \$792,584 to the amount equal to $\frac{1}{12}$ of
11 \$827,741.

12 Sec. 14.

13 KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

14 (a) On the effective date of this act, the director of accounts and reports
15 shall transfer any unencumbered balance in the senior services trust fund
16 of the Kansas public employees retirement system to the state general
17 fund.

18 (b) On or before June 30, 2003, on a date certified by the director of
19 the budget, the director of accounts and reports shall transfer any unen-
20 cumbered balance in the Kansas endowment for youth fund of the Kansas
21 public employees retirement system to the state general fund: *Provided*,
22 That, at the same time that such certification is made by the director of
23 the budget to the director of accounts and reports under this subsection,
24 the director of the budget shall deliver a copy of such certification to the
25 director of the legislative research department.

26 (c) On the effective date of this act, the amount in each account of the
27 state general fund of each state agency that is appropriated for the fiscal
28 year ending June 30, 2003, by chapter 204 or 205 of the 2002 Session
29 Laws of Kansas or by this or other appropriation act of the 2003 regular
30 session of the legislature and that is budgeted for payment of the cost of
31 the plan of death and long-term disability benefits under K.S.A. 74-4927
32 and amendments thereto, as certified by the director of the budget to the
33 director of accounts and reports, for the period commencing on April 1,
34 2003, and ending on June 30, 2003, is hereby lapsed: *Provided*, That, at
35 the same time that each certification is made by the director of the budget
36 to the director of accounts and reports under this subsection, the director
37 of the budget shall deliver a copy of such certification to the director of
38 the legislative research department.

39 (d) On the effective date of this act, the director of accounts and reports
40 shall transfer the amount in each account of each special revenue fund
41 of each state agency that is appropriated for the fiscal year ending June
42 30, 2003, by chapter 204 or 205 of the 2002 Session Laws of Kansas or
43 by this or other appropriation act of the 2003 regular session of the leg-

1 islature and that is budgeted for payment of the cost of the plan of death
2 and long-term disability benefits under K.S.A. 74-4927 and amendments
3 thereto, as certified by the director of the budget to the director of ac-
4 counts and reports, for the period commencing on April 1, 2003, and
5 ending on June 30, 2003, from such special revenue fund, or account
6 thereof, to the state general fund: *Provided*, That the aggregate amount
7 transferred from all such special revenue funds and accounts to the state
8 general fund during fiscal year 2003 pursuant to this subsection shall not
9 exceed \$858,000: *Provided further*, That, at the same time that each cer-
10 tification is made by the director of the budget to the director of accounts
11 and reports under this subsection, the director of the budget shall deliver
12 a copy of such certification to the director of the legislative research de-
13 partment: *And provided further*, That the amount transferred from each
14 such special revenue fund or account to the state general fund pursuant
15 to this subsection is to reimburse the state general fund for accounting,
16 auditing, budgeting, legal, payroll, personnel and purchasing services and
17 any other governmental services which are performed on behalf of the
18 state agency involved by other state agencies which receive appropriations
19 from the state general fund to provide such services.

20 (e) Notwithstanding the provisions of K.S.A. 74-4924 and 74-4924f, and
21 amendments thereto, no participating employer under the Kansas public
22 employees retirement system shall pay any amount to the system for the
23 cost of the plan and death and long-term disability benefits under K.S.A.
24 74-4927 and amendments thereto for the period commencing on April
25 1, 2003, through June 30, 2003.

26 Sec. 15.

27 STATE BOARD OF TAX APPEALS

28 (a) On the effective date of this act, of the \$1,817,644 appropriated for
29 the above agency for the fiscal year ending June 30, 2003, by section 84(a)
30 of chapter 204 of the 2002 Session Laws of Kansas from the state general
31 fund in the operating expenditures account, the sum of \$100,000 is hereby
32 lapsed.

33 Sec. 16.

34 DEPARTMENT OF REVENUE

35 (a) On the effective date of this act, the expenditure limitation estab-
36 lished by section 85(b) of chapter 204 of the 2002 Session Laws of Kansas
37 on the electronic databases fee fund is hereby increased from \$5,700,644
38 to \$6,592,103.

39 Sec. 17.

40 KANSAS RACING AND GAMING COMMISSION

41 (a) On the effective date of this act, the expenditure limitation estab-
42 lished by section 87(a) of chapter 204 of the 2002 Session Laws of Kansas
43 on the state racing fund is hereby decreased from \$3,155,357 to

1 \$2,997,628.

2 Sec. 18.

3 DEPARTMENT OF COMMERCE AND HOUSING

4 (a) On or after the effective date of this act during the fiscal year ending
5 June 30, 2003, the director of accounts and reports shall transfer the
6 amount or amounts specified by the secretary of commerce and housing
7 from the Kansas venture capital companies certificate fee fund to the
8 general fees fund to reimburse the amount expended from the general
9 fees fund for consulting services purchased by the department of com-
10 merce and housing in connection with establishing a program to admin-
11 ister the certified capital formation company act.

12 (b) The director of accounts and reports shall not make the transfer of
13 any unencumbered balance from the operating grant (including official
14 hospitality) account of the state economic development initiatives fund to
15 the state general fund which was directed to be made on June 30, 2003,
16 by section 16 of chapter 205 of the 2002 Session Laws of Kansas.

17 Sec. 19.

18 KANSAS TECHNOLOGY ENTERPRISE CORPORATION

19 (a) On the effective date of this act, of the \$11,596,888 appropriated
20 for the above agency for the fiscal year ending June 30, 2003, by section
21 90(a) of chapter 204 of the 2002 Session Laws of Kansas from the state
22 economic development initiatives fund in the operations, assistance and
23 grants (including official hospitality) account, the sum of \$132,530 is
24 hereby lapsed.

25 Sec. 20.

26 KANSAS COMMISSION ON VETERANS AFFAIRS

27 (a) In addition to the other purposes for which expenditures may be
28 made by the Kansas commission on veterans affairs from moneys appro-
29 priated in the operations — state veterans cemeteries account of the state
30 general fund for fiscal year 2003 as authorized by section 92(a) of chapter
31 204 of the 2002 Session Laws of Kansas, expenditures may be made by
32 the above agency from the operations — state veterans cemeteries ac-
33 count of the state general fund for fiscal year 2003 for official hospitality:
34 *Provided*, That expenditures for official hospitality from the operations
35 — state veterans cemeteries account of the state general fund for fiscal
36 year 2003 shall not exceed \$500.

37 Sec. 21.

38 DEPARTMENT OF HEALTH AND ENVIRONMENT

39 (a) There is appropriated for the above agency from the following spe-
40 cial revenue fund or funds for the fiscal year ending June 30, 2003, 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	Brownfields revolving loan federal fund.....	No limit
2	HRSA federal grant fund.....	No limit
3	One-stop national environmental exchange network	
4	fund	No limit

5 (b) On the effective date of this act, the director of accounts and reports
6 shall transfer \$1,000,000 from the waste tire management fund of the
7 department of health and environment to the state general fund: *Pro-*
8 *vided*, That the amount transferred from the waste tire management fund
9 of the department of health and environment to the state general fund
10 pursuant to this subsection is to reimburse the state general fund for
11 accounting, auditing, budgeting, legal, payroll, personnel and purchasing
12 services and any other governmental services which are performed on
13 behalf of the state agency involved by other state agencies which receive
14 appropriations from the state general fund to provide such services.

15 (c) On the effective date of this act, the director of accounts and reports
16 shall transfer \$10,000,000 from the underground petroleum storage tank
17 release trust fund of the department of health and environment to the
18 state general fund: *Provided*, That the amount transferred from the un-
19 derground petroleum storage tank release trust fund of the department
20 of health and environment to the state general fund pursuant to this
21 subsection is to reimburse the state general fund for accounting, auditing,
22 budgeting, legal, payroll, personnel and purchasing services and any other
23 governmental services which are performed on behalf of the state agency
24 involved by other state agencies which receive appropriations from the
25 state general fund to provide such services.

26 Sec. 22.

27 DEPARTMENT ON AGING

28 (a) There is appropriated for the above agency from the following spe-
29 cial revenue fund or funds for the fiscal year ending June 30, 2003, all
30 moneys now or hereafter lawfully credited to and available in such fund
31 or funds, except that expenditures other than refunds authorized by law
32 shall not exceed the following:

33	Senior citizen nutrition check-off fund	No limit
34	Other federal grants and assistance fund.....	No limit

35 (b) On the effective date of this act, the director of accounts and reports
36 shall transfer \$170,838 from the aging — IGT fund of the department
37 on aging to the state medicaid match fund — department on aging of the
38 department on aging.

39 (c) On the effective date of this act, the director of accounts and reports
40 shall transfer \$3,618,418 from the long-term care loan and grant fund of
41 the department on aging to the state medicaid match fund — department
42 on aging of the department on aging.

43 (d) On the effective date of this act, the director of accounts and reports

1 shall transfer \$7,416,587 from the long-term care loan and grant fund of
2 the department on aging to the state general fund.

3 Sec. 23.

4 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

5 (a) There is appropriated for the above agency from the state general
6 fund for the fiscal year ending June 30, 2003, the following:

7 State operations	\$4,226,514
8 Other medical assistance	\$19,602,092
9 Cash assistance	\$323,920
10 Vocational rehabilitation aid and assistance	\$332

11 (b) On the effective date of this act, of the \$3,535,388 appropriated for
12 the above agency for the fiscal year ending June 30, 2003, by section 95(a)
13 of chapter 204 of the 2002 Session Laws of Kansas from the state general
14 fund in the alcohol and drug abuse services grants account, the sum of
15 \$151,620 is hereby lapsed.

16 (c) On the effective date of this act, of the \$89,151,475 appropriated
17 for the above agency for the fiscal year ending June 30, 2003, by section
18 95(a) of chapter 204 of the 2002 Session Laws of Kansas from the state
19 general fund in the mental health and retardation services aid and assis-
20 tance account, the sum of \$6,499,804 is hereby lapsed.

21 (d) On the effective date of this act, of the \$70,738,364 appropriated
22 for the above agency for the fiscal year ending June 30, 2003, by section
23 95(a) of chapter 204 of the 2002 Session Laws of Kansas from the state
24 general fund in the youth services aid and assistance account, the sum of
25 \$7,656,554 is hereby lapsed.

26 (e) On the effective date of this act, of the \$12,785,911 appropriated
27 for the above agency for the fiscal year ending June 30, 2003, by section
28 95(a) of chapter 204 of the 2002 Session Laws of Kansas from the state
29 general fund in the children’s health insurance account, the sum of
30 \$838,655 is hereby lapsed.

31 (f) On the effective date of this act, of the \$20,217,984 appropriated
32 for the above agency for the fiscal year ending June 30, 2003, by section
33 95(a) of chapter 204 of the 2002 Session Laws of Kansas from the state
34 general fund in the community based services account, the sum of
35 \$1,819,038 is hereby lapsed.

36 (g) On the effective date of this act, of the \$9,787,828 appropriated for
37 the above agency for the fiscal year ending June 30, 2003, by section 95(a)
38 of chapter 204 of the 2002 Session Laws of Kansas from the state general
39 fund in the Kansas neurological institute — operating expenditures ac-
40 count, the sum of \$200,150 is hereby lapsed.

41 (h) On the effective date of this act, of the \$10,551,306 appropriated
42 for the above agency for the fiscal year ending June 30, 2003, by section
43 95(a) of chapter 204 of the 2002 Session Laws of Kansas from the state

1 general fund in the Larned state hospital — operating expenditures ac-
2 count, the sum of \$642,296 is hereby lapsed.

3 (i) On the effective date of this act, of the \$6,298,953 appropriated for
4 the above agency for the fiscal year ending June 30, 2003, by section 95(a)
5 of chapter 204 of the 2002 Session Laws of Kansas from the state general
6 fund in the Osawatomie state hospital-operating expenditures account,
7 the sum of \$120,936 is hereby lapsed.

8 (j) On the effective date of this act, of the \$6,704,185 appropriated for
9 the above agency for the fiscal year ending June 30, 2003, by section 95(a)
10 of chapter 204 of the 2002 Session Laws of Kansas from the state general
11 fund in the Parsons state hospital and training center — operating ex-
12 penditures account, the sum of \$152,196 is hereby lapsed.

13 (k) On the effective date of this act, of the \$697,077 appropriated for
14 the above agency for the fiscal year ending June 30, 2003, by section 95(a)
15 of chapter 204 of the 2002 Session Laws of Kansas from the state general
16 fund in the Rainbow mental health facility — operating expenditures
17 account, the sum of \$55,234 is hereby lapsed.

18 (l) On the effective date of this act, the expenditure limitation estab-
19 lished by section 95(b) of chapter 204 of the 2002 Session Laws of Kansas
20 on the Title XIX fund is hereby increased from \$50,538,731 to
21 \$51,068,483.

22 (m) On the effective date of this act, the expenditure limitation estab-
23 lished by section 95(b) of chapter 204 of the 2002 Session Laws of Kansas
24 on the Larned state hospital fee fund is hereby increased from \$1,675,160
25 to \$2,811,230.

26 (n) On the effective date of this act, the expenditure limitation estab-
27 lished by section 95(b) of chapter 204 of the 2002 Session Laws of Kansas
28 on the Osawatomie state hospital fee fund is hereby increased from
29 \$2,988,456 to \$3,531,601.

30 (o) On the effective date of this act, the director of accounts and reports
31 shall transfer \$1,033,222 from the SRS — IGT fund of the department
32 of social and rehabilitation services to the state medicaid match fund —
33 SRS of the department of social and rehabilitation services.

34 (p) On the effective date of this act, the director of accounts and reports
35 shall transfer \$691,037 from the long-term care loan and grant fund of
36 the department on aging to the state medicaid match fund — SRS of the
37 department of social and rehabilitation services.

38 (q) On the effective date of this act, the expenditure limitation estab-
39 lished by section 95(b) of chapter 204 of the 2002 Session Laws of Kansas
40 on the Rainbow mental health facility fee fund is hereby increased from
41 \$364,678 to \$489,863.

42 (r) On the effective date of this act, the expenditure limitation estab-
43 lished by section 95(b) of chapter 204 of the 2002 Session Laws of Kansas

1 on the Kansas neurological institute fee fund is hereby increased from
2 \$1,044,781 to \$1,109,081.

3 (s) On the effective date of this act, the expenditure limitation estab-
4 lished by section 95(b) of chapter 204 of the 2002 Session Laws of Kansas
5 on the SRS — IGT fund is hereby increased from \$62,529,094 to
6 \$66,529,094.

7 (t) On the effective date of this act, the expenditure limitation estab-
8 lished by section 95(b) of chapter 204 of the 2002 Session Laws of Kansas
9 on the social services block grant — federal fund is hereby increased from
10 \$22,928,100 to \$25,272,872.

11 (u) On the effective date of this act, the expenditure limitation estab-
12 lished by section 95(b) of chapter 204 of the 2002 Session Laws of Kansas
13 on the mental health block grant federal fund is hereby increased from
14 \$3,389,293 to \$3,427,726.

15 Sec. 24.

16 DEPARTMENT OF EDUCATION

17 (a) There is appropriated for the above agency from the state general
18 fund for the fiscal year ending June 30, 2003, the following:

19 General state aid	\$4,637,027
20 Supplemental general state aid	\$21,999,043

21 (b) On the effective date of this act, of the \$252,186,766 appropriated
22 for the above agency for the fiscal year ending June 30, 2003, by section
23 97(a) of chapter 204 of the 2002 Session Laws of Kansas from the state
24 general fund in the special education services aid account, the sum of
25 \$254,991 is hereby lapsed.

26 Sec. 25.

27 KANSAS STATE HISTORICAL SOCIETY

28 (a) There is appropriated for the above agency from the following spe-
29 cial revenue fund or funds for the fiscal year ending June 30, 2003, all
30 moneys now or hereafter lawfully credited to and available in such fund
31 or funds, except that expenditures other than refunds authorized by law
32 shall not exceed the following:

33 Grinter place federal grant fund	No limit
34 Native American heritage museum federal grant fund	No limit

35 Sec. 26.

36 EMPORIA STATE UNIVERSITY

37 (a) On the effective date of this act, or as soon thereafter as moneys
38 are available, the director of accounts and reports shall transfer \$101,695
39 from the student union account of the restricted fees fund of Emporia
40 state university to the state general fund: *Provided*, That the amount
41 transferred from the student union account of the restricted fees fund of
42 Emporia state university to the state general fund pursuant to this sub-
43 section is to reimburse the state general fund for accounting, auditing,

1 budgeting, legal, payroll, personnel and purchasing services and any other
2 governmental services which are performed on behalf of the state agency
3 involved by other state agencies which receive appropriations from the
4 state general fund to provide such services.

5 (b) On the effective date of this act, or as soon thereafter as moneys
6 are available, the director of accounts and reports shall transfer \$4,897
7 from the housing systems operations fund of Emporia state university to
8 the state general fund: *Provided*, That the amount transferred from the
9 housing systems operations fund of Emporia state university to the state
10 general fund pursuant to this subsection is to reimburse the state general
11 fund for accounting, auditing, budgeting, legal, payroll, personnel and
12 purchasing services and any other governmental services which are per-
13 formed on behalf of the state agency involved by other state agencies
14 which receive appropriations from the state general fund to provide such
15 services.

16 Sec. 27.

17 WICHITA STATE UNIVERSITY

18 (a) There is appropriated for the above agency from the following spe-
19 cial revenue fund or funds for the fiscal year ending June 30, 2003, all
20 moneys now or hereafter lawfully credited to and available in such fund
21 or funds, except that expenditures shall not exceed the following:

22 Education opportunity grant — federal fund..... No limit

23 Sec. 28.

24 STATE BOARD OF REGENTS

25 (a) There is appropriated for the above agency from the following spe-
26 cial revenue fund or funds for the fiscal year ending June 30, 2003, all
27 moneys now or hereafter lawfully credited to and available in such fund
28 or funds, except that expenditures shall not exceed the following:

29 Tuition waiver gifts, grants and reimbursements fund..... No limit

30 (b) On the effective date of this act, of the \$3,645,583 appropriated for
31 the above agency for the fiscal year ending June 30, 2003, by section
32 112(a) of chapter 204 of the 2002 Session Laws of Kansas from the state
33 general fund in the operating expenditures (including official hospitality)
34 account, the sum of \$345,000 is hereby lapsed.

35 Sec. 29.

36 DEPARTMENT OF CORRECTIONS

37 (a) There is appropriated for the above agency from the state general
38 fund for the fiscal year ending June 30, 2003, the following:

39 Treatment and programs \$2,692,595

40 Facilities operations \$1,305,259

41 (b) There is appropriated for the above agency from the following spe-
42 cial revenue fund or funds for the fiscal year ending June 30, 2003, all
43 moneys now or hereafter lawfully credited to and available in such fund

1 or funds, except that expenditures other than refunds authorized by law
2 shall not exceed the following:

3 Topeka correctional facility — bureau of prisons contract
4 — federal fund No limit

5 Sec. 30.

6 JUVENILE JUSTICE AUTHORITY

7 (a) On the effective date of this act, or as soon thereafter as moneys
8 are available therefor, the director of accounts and reports shall transfer
9 \$500,000 from the juvenile detention facilities fund to the state general
10 fund: *Provided*, That the amount transferred from the juvenile detention
11 facilities fund to the state general fund pursuant to this subsection is to
12 reimburse the state general fund for accounting, auditing, budgeting, le-
13 gal, payroll, personnel and purchasing services and any other govern-
14 mental services which are performed on behalf of the juvenile justice
15 authority by other state agencies which receive appropriations from the
16 state general fund to provide such services.

17 Sec. 31.

18 ADJUTANT GENERAL

19 (a) On the effective date of this act, of the \$25,000 appropriated for
20 the above agency for the fiscal year ending June 30, 2003, by section
21 115(a) of chapter 204 of the 2002 Session Laws of Kansas from the state
22 general fund in the additional operating expenditures account, the sum
23 of \$18,750 is hereby lapsed.

24 Sec. 32.

25 KANSAS HIGHWAY PATROL

26 (a) There is appropriated for the above agency from the following spe-
27 cial revenue fund or funds for the fiscal year ending June 30, 2003, all
28 moneys now or hereafter lawfully credited to and available in such fund
29 or funds, except that expenditures other than refunds authorized by law
30 shall not exceed the following:

31 Kansas highway patrol operations fund \$13,111,912

32 (b) On the effective date of this act, of the \$26,027,733 appropriated
33 for the above agency for the fiscal year ending June 30, 2003, by section
34 118(a) of chapter 204 of the 2002 Session Laws of Kansas from the state
35 general fund in the operating expenditures account, the sum of
36 \$12,085,011 is hereby lapsed.

37 (c) On the effective date of this act, or as soon thereafter as moneys
38 are available, the director of accounts and reports shall transfer
39 \$13,111,912 from the state highway fund of the department of transpor-
40 tation to the Kansas highway patrol operations fund of the Kansas highway
41 patrol.

42
43

1 Sec. 33.

2 KANSAS DEPARTMENT OF AGRICULTURE

3 (a) On the effective date of this act, the expenditure limitation for the
4 fiscal year ending June 30, 2003, by section 123(b) of chapter 204 of the
5 2002 Session Laws of Kansas on the wheat quality survey fund is hereby
6 increased from \$29,341 to \$33,500.

7 (b) On the effective date of this act, the expenditure limitation for the
8 fiscal year ending June 30, 2003, by section 123(b) of chapter 204 of the
9 2002 Session Laws of Kansas on the petroleum inspection fee fund is
10 hereby increased from \$623,605 to \$632,593.

11 (c) There is appropriated for the above agency from the state water
12 plan fund for the fiscal year ending June 30, 2003, for the water plan
13 project or projects specified, the following:

14 Water use study \$10,000

15 (d) On the effective date of this act, of the \$218,297 appropriated for
16 the above agency for the fiscal year ending June 30, 2003, by section
17 123(c) of chapter 204 of the 2002 Session Laws of Kansas from the state
18 water plan fund in the interstate water issues account, the sum of \$315
19 is hereby lapsed.

20 (e) On the effective date of this act, of the \$493,508 appropriated for
21 the above agency for the fiscal year ending June 30, 2003, by section
22 123(c) of chapter 204 of the 2002 Session Laws of Kansas from the state
23 water plan fund in the subbasin water resources management account,
24 the sum of \$633 is hereby lapsed.

25 Sec. 34.

26 STATE FAIR BOARD

27 (a) On the effective date of this act, the position limitation established
28 by section 131(a) of chapter 204 of the 2002 Session Laws of Kansas for
29 the state fair board is hereby increased from 22.0 to 23.0.

30 Sec. 35.

31 STATE CONSERVATION COMMISSION

32 (a) On the effective date of this act, of the \$2,835,000 appropriated for
33 the above agency for the fiscal year ending June 30, 2003, by section
34 127(c) of chapter 204 of the 2002 Session Laws of Kansas from the state
35 water plan fund in the nonpoint source pollution assistance account, the
36 sum of \$145,000 is hereby lapsed.

37 (b) On the effective date of this act, of the \$3,896,770 appropriated for
38 the above agency for the fiscal year ending June 30, 2003, by section
39 127(c) of chapter 204 of the 2002 Session Laws of Kansas from the state
40 water plan fund in the land treatment cost share account, the sum of
41 \$75,808 is hereby lapsed.

42 (c) On the effective date of this act, of the aggregate of (1) the \$62,490
43 appropriated for the above agency for the fiscal year ending June 30, 2003,

1 by section 127(c) of chapter 204 of the 2002 Session Laws of Kansas from
2 the state water plan fund in the water rights purchase account and (2)
3 the amount reappropriated for the above agency for the fiscal year ending
4 June 30, 2003, by section 127(c) of chapter 204 of the 2002 Session Laws
5 of Kansas from the state water plan fund in the water rights purchase
6 account, the sum of \$131,923 is hereby lapsed.

7 Sec. 36.

8 KANSAS WATER OFFICE

9 (a) On the effective date of this act, of the \$392,668 appropriated for
10 the above agency for the fiscal year ending June 30, 2003, by section
11 128(c) of chapter 204 of the 2002 Session Laws of Kansas from the state
12 water plan fund in the technical assistance to water users account, the
13 sum of \$10,000 is hereby lapsed.

14 Sec. 37.

15 DEPARTMENT OF TRANSPORTATION

16 (a) On the effective date of this act, the expenditure limitation estab-
17 lished by section 130(b) of chapter 204 of the 2002 Session Laws of Kan-
18 sas on the agency operations account of the state highway fund is hereby
19 decreased from \$227,072,321 to \$225,634,631.

20 (b) The director of accounts and reports shall not make the transfer of
21 \$94,608,648 from the state general fund to the state highway fund, which
22 was directed to be made on or before June 30, 2003, by section 40(b) of
23 chapter 205 of the 2002 Session Laws of Kansas.

24 Sec. 38. (a) On or after the effective date of this act, during the fiscal
25 year ending June 30, 2003, the director of accounts and reports shall not
26 make any transfer directed to be made by either subsection (f)(2) of
27 K.S.A. 2002 Supp. 75-4265 and amendments thereto or by section 56 of
28 chapter 204 of the 2002 Session Laws of Kansas from the intergovern-
29 mental transfer fund of the department on aging to the senior services
30 trust fund established by K.S.A. 2002 Supp. 75-4266 and amendments
31 thereto.

32 (b) On or after the effective date of this act, during the fiscal year
33 ending June 30, 2003, the director of accounts and reports shall not make
34 any transfer directed to be made by either subsection (f)(2) of K.S.A.
35 2002 Supp. 75-4265 and amendments thereto or by section 56 of chapter
36 204 of the 2002 Session Laws of Kansas from the intergovernmental trans-
37 fer fund of the department on aging to the long-term care loan and grant
38 fund of the department on aging established by K.S.A. 2002 Supp. 75-
39 4265 and amendments thereto.

40 (c) On or after the effective date of this act, during the fiscal year ending
41 June 30, 2003, the director of accounts and reports shall not make any
42 transfer directed to be made by either subsection (f)(2) of K.S.A. 2002
43 Supp. 75-4265 and amendments thereto or by section 56 of chapter 204

1 of the 2002 Session Laws of Kansas from the intergovernmental transfer
2 fund of the department on aging to the state medicaid match fund —
3 department on aging established by K.S.A. 2002 Supp. 75-4265 and
4 amendments thereto.

5 (d) On or after the effective date of this act, during the fiscal year
6 ending June 30, 2003, the director of accounts and reports shall not make
7 any transfer directed to be made by either subsection (f)(2) of K.S.A.
8 2002 Supp. 75-4265 and amendments thereto or by section 56 of chapter
9 204 of the 2002 Session Laws of Kansas from the intergovernmental trans-
10 fer fund of the department on aging to the state medicaid match fund —
11 SRS established by K.S.A. 2002 Supp. 75-4265 and amendments thereto.

12 (e) On or after the effective date of this act, during the fiscal year
13 ending June 30, 2003, the director of accounts and reports shall not make
14 any transfer directed to be made by either subsection (f)(2) of K.S.A.
15 2002 Supp. 75-4265 and amendments thereto or by section 56 of chapter
16 204 of the 2002 Session Laws of Kansas from the intergovernmental trans-
17 fer fund of the department on aging to the aging — IGT fund of the
18 department on aging.

19 (f) Commencing on the effective date of this act, or as soon as moneys
20 are available therefor, during the fiscal year ending June 30, 2003, the
21 director of accounts and reports shall transfer to the SRS — IGT fund of
22 the department of social and rehabilitation services, on the dates when
23 the following transfers would have been made under the statutes speci-
24 fied, the following: (1) All amounts of money that would have been di-
25 rected by subsection (f)(2) of K.S.A. 2002 Supp. 75-4265 and amend-
26 ments thereto or by section 56(b) of chapter 204 of the 2002 Session
27 Laws of Kansas to be transferred from the intergovernmental transfer
28 fund of the department on aging to the senior services trust fund, the
29 long-term care loan and grant fund, the state medicaid match fund —
30 department on aging, and the state medicaid match fund — SRS; and (2)
31 all amounts of money that would have been directed by section 56(b) of
32 chapter 204 of the 2002 Session Laws of Kansas to be transferred from
33 the intergovernmental transfer fund of the department on aging to the
34 aging — IGT fund of the department on aging.

35 Sec. 39. On the effective date of this act, K.S.A. 2-223 is hereby
36 amended to read as follows: 2-223. (a) There is hereby established in the
37 state treasury the state fair capital improvements fund. All expenditures
38 of moneys in the state fair capital improvements fund shall be used for
39 the payment of capital improvements and maintenance for the state fair-
40 grounds and the payment of capital improvement obligations that have
41 been financed. Capital improvement projects for the Kansas state fair-
42 grounds are hereby approved for the purposes of subsection (b) of K.S.A.
43 74-8905 and amendments thereto and the authorization of the issuance

1 of bonds by the Kansas development finance authority in accordance with
2 that statute.

3 (b) On each June 30, the state fair board shall certify to the director of
4 accounts and reports an amount to be transferred from the state fair fee
5 fund to the state fair capital improvements fund, which amount shall be
6 not less than the amount equal to 5% of the total gross receipts during
7 the current fiscal year from state fair activities and non-fair days activities.
8 Upon receipt of such certification, the director of accounts and reports
9 shall transfer moneys from the state fair fee fund to the state fair capital
10 improvements fund in accordance with such certification.

11 (c) On each July 1, the director of accounts and reports shall transfer
12 from the state general fund to the state fair capital improvements fund,
13 an amount equal to the amount certified by the state fair board pursuant
14 to subsection (b), except that (1) no transfer from the state general fund
15 under this subsection shall exceed \$300,000 in any fiscal year; and (2) no
16 amount shall be transferred under this section from the state general fund
17 to the state fair capital improvements fund during the fiscal year ending
18 June 30, 2002. *All transfers from the state general fund to the state fair
19 capital improvements fund pursuant to this section during the fiscal year
20 ending June 30, 2003, shall be considered to be revenue transfers from
21 the state general fund.*

22 Sec. 40. On the effective date of this act, K.S.A. 2002 Supp. 79-2959
23 is hereby amended to read as follows: 79-2959. (a) There is hereby created
24 the local ad valorem tax reduction fund. All moneys transferred or cred-
25 ited to such fund under the provisions of this act or any other law shall
26 be apportioned and distributed in the manner provided herein.

27 (b) On January 15 and on July 15 of each year, the director of accounts
28 and reports shall make transfers in equal amounts which in the aggregate
29 equal ~~4.5%~~ 3.63% of the total retail sales and compensating taxes credited
30 to the state general fund pursuant to articles 36 and 37 of chapter 79 of
31 Kansas Statutes Annotated and acts amendatory thereof and supplement-
32 al thereto during the preceding calendar year from the state general fund
33 to the local ad valorem tax reduction fund, except that: ~~(1) The transfers~~
34 ~~on January 15 and July 15 of each year shall be in equal amounts which~~
35 ~~in the aggregate equal 3.630% of such taxes credited to the state general~~
36 ~~fund during the preceding calendar year, and (2) the amount of the trans-~~
37 ~~fer on each such date during state fiscal year 2003 shall be \$26,246,722~~
38 *no moneys shall be transferred from the state general fund to the local ad*
39 *valorem tax reduction fund on or after November 26, 2002, during state*
40 *fiscal year 2003. All such transfers are subject to reduction under K.S.A.*
41 *75-6704 and amendments thereto. All transfers made in accordance with*
42 *the provisions of this section shall be considered to be demand transfers*
43 *from the state general fund, except that all such transfers during the fiscal*

1 year ending June 30, 2003, shall be considered revenue transfers from
2 the state general fund.

3 (c) The state treasurer shall apportion and pay the amounts transferred
4 under subsection (b) to the several county treasurers on January 15 and
5 on July 15 in each year as follows: (1) Sixty-five percent of the amount to
6 be distributed shall be apportioned on the basis of the population figures
7 of the counties certified to the secretary of state pursuant to K.S.A. 11-
8 201 and amendments thereto on July 1 of the preceding year; and (2)
9 thirty-five percent of such amount shall be apportioned on the basis of
10 the equalized assessed tangible valuations on the tax rolls of the counties
11 on November 1 of the preceding year as certified by the director of prop-
12 erty valuation.

13 Sec. 41. On the effective date of this act, K.S.A. 2002 Supp. 79-2964
14 is hereby amended to read as follows: 79-2964. There is hereby created
15 the county and city revenue sharing fund. All moneys transferred or cred-
16 ited to such fund under the provisions of this act or any other law shall
17 be allocated and distributed in the manner provided herein. The director
18 of accounts and reports in each year on July 15 and December 10, shall
19 make transfers in equal amounts which in the aggregate equal ~~3.5%~~
20 2.823% of the total retail sales and compensating taxes credited to the
21 state general fund pursuant to articles 36 and 37 of chapter 79 of the
22 Kansas Statutes Annotated and acts amendatory thereof and supplement-
23 al thereto during the preceding calendar year from the state general fund
24 to the county and city revenue sharing fund, except that: ~~(a) The transfers~~
25 ~~on July 15 and December 10 of each year shall be in equal amounts which~~
26 ~~in the aggregate equal 2.823% of such taxes credited to the state general~~
27 ~~fund during the preceding calendar year, and (b) the amount of the trans-~~
28 ~~fer on each such date during state fiscal year 2003 shall be \$16,740,646~~
29 *no moneys shall be transferred from the state general fund to the county*
30 *and city revenue sharing fund on or after November 26, 2002, during*
31 *state fiscal year 2003. All such transfers are subject to reduction under*
32 *K.S.A. 75-6704 and amendments thereto. All transfers made in accord-*
33 *ance with the provisions of this section shall be considered to be demand*
34 *transfers from the state general fund, except that all such transfers during*
35 *the fiscal year ending June 30, 2003, shall be considered revenue transfers*
36 *from the state general fund.*

37 Sec. 42. K.S.A. 2002 Supp. 79-3425i is hereby amended to read as
38 follows: 79-3425i. On January 15 and July 15 of each year, the director
39 of accounts and reports shall transfer a sum equal to the total taxes col-
40 lected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amend-
41 ments thereto, and credited to the state general fund during the six
42 months next preceding the date of transfer, from the state general fund
43 to the special city and county highway fund, created by K.S.A. 79-3425,

1 and amendments thereto, except that: (1) Such transfers are subject to
2 reduction under K.S.A. 75-6704, and amendments thereto; and (2) ~~the~~
3 ~~amount of the transfer on each such date during state fiscal year 2003~~
4 ~~shall not exceed \$5,031,822~~ no moneys shall be transferred from the state
5 general fund to the special city and county highway fund on or after
6 November 26, 2002, during state fiscal year 2003. All transfers under this
7 section shall be considered to be demand transfers from the state general
8 fund, except that all such transfers during the fiscal year ending June 30,
9 2003, shall be considered revenue transfers from the state general fund.

10 Sec. 43. *Appeals to exceed position limitations.* (a) The limitations im-
11 posed by this act on the number of full-time and regular part-time posi-
12 tions equated to full-time, excluding seasonal and temporary positions,
13 paid from appropriations for the fiscal year ending June 30, 2003, made
14 in this act or in any appropriation act of the 2002 regular session of the
15 legislature or in any other appropriation act of the 2003 regular session
16 of the legislature may be exceeded upon approval of the state finance
17 council.

18 Sec. 44. *Appeals to exceed limitations.* Upon written application to the
19 governor and approval of the state finance council, expenditures from
20 special revenue funds may exceed the amounts specified in this act.

21 Sec. 45. On the effective date of this act, K.S.A. 2-223 and K.S.A. 2002
22 Supp. 79-2959, 79- 2964 and 79-3425i are hereby repealed.

23 Sec. 46. This act shall take effect and be in force from and after its
24 publication in the Kansas register.

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