

Substitute for HOUSE BILL No. 2783

By Committee on Appropriations

3-16

10 AN ACT concerning **[state finance; relating to]** the governor's budget
11 report **[and appropriation bills]**; excluding certain transfers from
12 special revenue funds to state general fund; amending K.S.A. 2003
13 Supp. 75-3721 and repealing the existing section.

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

16 Section 1. K.S.A. 2003 Supp. 75-3721 is hereby amended to read as
17 follows: 75-3721. (a) On or before the eighth calendar day of each regular
18 legislative session, the governor shall submit the budget report to the
19 legislature, except that in the case of the regular legislative session im-
20 mediately following the election of a governor who was elected to the
21 office of governor for the first time, that governor shall submit the budget
22 report to the legislature on or before the 21st calendar day of that regular
23 legislative session.

24 (b) The budget report of the governor shall be set up in three parts,
25 the nature and contents of which shall include the following:

26 (1) Part one shall consist of a budget message by such governor, in-
27 cluding the governor's recommendations with reference to the fiscal pol-
28 icy of the state government for the current fiscal year and the ensuing
29 fiscal year, describing the important features of the budget plan for each
30 of the fiscal years included, embracing a general budget summary setting
31 forth the aggregate figures of the budget so as to show the balanced
32 relation between the total proposed expenditures and the total anticipated
33 income for the current fiscal year and the ensuing fiscal year, with the
34 basis and factors upon which the estimates were made, and the means of
35 financing the budget plan for the each of the fiscal years included, com-
36 pared with the corresponding figures for at least the last completed fiscal
37 year, and the director of the budget shall prepare the figures for the
38 governor for such comparisons.

39 (A) The budget plan shall not include (i) any proposed expenditures
40 of anticipated income attributable to proposed legislation that would pro-
41 vide additional revenues from either current or new sources of revenue,
42 ~~or~~ (ii) any proposed expenditures of moneys in the ending balance in the
43 state general fund required by K.S.A. 75-6702, and amendments thereto,

1 *or (iii) any transfer, including any authorization or direction to transfer,*
2 *of any moneys from any special revenue fund to the state general fund if*
3 *existing law does not provide for moneys in such special revenue fund to*
4 *be transferred.*

5 (B) The general budget summary may be supported by explanatory
6 schedules or statements, classifying the expenditures contained therein
7 by state agencies, objects, and funds, and the income by state agencies,
8 funds, sources and types. The general budget summary shall include all
9 special or fee funds as well as the state general fund, and shall include
10 the estimated amounts of federal aids, for whatever purpose provided,
11 together with estimated expenditures therefrom.

12 (2) Part two shall embrace the detailed budget estimates for each of
13 the fiscal years included, both of expenditures and revenues, showing the
14 requests of the state agencies, if any, and the incoming governor's rec-
15 ommendations thereon. It shall also include statements of the bonded
16 indebtedness of the state, showing the actual amount of the debt service
17 for at least the last completed fiscal year, and the estimated amount for
18 the current fiscal year and for each of the ensuing fiscal years included,
19 the debt authorized and unissued, and the condition of the sinking funds.

20 (3) Part three shall consist of a draft of a legislative measure or meas-
21 ures reflecting the incoming governor's budget for all of the fiscal years
22 included in the budget report.

23 (c) The division of the budget shall compile a children's budget doc-
24 ument consisting of the information contained in agency budget estimates
25 regarding programs that provide services for children and their families.
26 Such document shall be provided to the Kansas commission on children,
27 youth and families, established by the governor's executive order number
28 91-145, and other persons or entities on request.

29 (d) The division of the budget, upon request, shall furnish the gov-
30 ernor or the legislature with any further information required concerning
31 the budget.

32 (e) Nothing in this section shall be construed to restrict or limit the
33 privilege of the governor to present supplemental budget messages or
34 amendments to previous budget messages, which may include proposals
35 for expenditure of new or increased sources of revenue derived from
36 proposed legislation *or transfers from special revenue funds to the state*
37 *general fund that are not provided for in existing law.*

38 (f) The budget estimate for the judicial branch of state government
39 as submitted to the director of the budget pursuant to K.S.A. 20-158, and
40 amendments thereto, shall be included in the governor's budget report.

41 **[New Sec. 2. An appropriation bill shall not transfer, or con-**
42 **tain any provision or proviso that authorizes or directs the transfer**
43 **of, moneys from any special revenue fund, or any account thereof,**

1 **to the state general fund if existing law does not provide for such**
2 **moneys in such special revenue fund, or account thereof, to be**
3 **transferred to the state general fund.]**
4 Sec. ~~2~~. [3.] K.S.A. 2003 Supp. 75-3721 is hereby repealed.
5 Sec. ~~3~~. [4.] This act shall take effect and be in force from and after
6 its publication in the statute book.