

[As Amended by House Committee of the Whole]

As Amended by House Committee

Session of 2004

HOUSE BILL No. 2900

By Committee on Appropriations

2-19

12 AN ACT making and concerning appropriations for the fiscal years ending
13 **[June 30, 2004,]** June 30, 2005, and June 30, 2006, for state agencies;
14 authorizing certain transfers, capital improvement projects and fees,
15 imposing certain restrictions and limitations, and directing or author-
16 izing certain receipts, disbursements and acts incidental to the fore-
17 going; amending K.S.A. 2003 Supp. 2-223, 55-193, 75-2319, **[75-**
18 **6702,]** 76-775, 79-2959, 79-2964, 79-3425c, 79-3425i, 79-34,147 and
19 82a-953a and repealing the existing 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, 2004,]** June 30,
23 2005, and June 30, 2006, appropriations are hereby made, restrictions
24 and limitations are hereby imposed, and transfers, capital improvement
25 projects, fees, receipts, disbursements and acts incidental to the foregoing
26 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 not be subject to the provisions of subsection**
32 **(a) of K.S.A. 75-6702 and amendments thereto.]**

33 Sec. 2.

34 LEGISLATIVE COORDINATING COUNCIL

35 (a) There is appropriated for the above agency from the state general
36 fund for the fiscal year ending June 30, 2005, the following:

37 Legislative coordinating council — operations \$568,730

38 *Provided,* That any unencumbered balance in the legislative coordinating
39 council — operations account in excess of \$100 as of June 30, 2004, is
40 hereby reappropriated for fiscal year 2005.

41 Legislative research department —

42 operations ~~\$2,603,987~~ **\$2,628,039**

43 *Provided,* That any unencumbered balance in the legislative research de-

1 partment — operations account in excess of \$100 as of June 30, 2004, is
 2 hereby reappropriated for fiscal year 2005.

3 Office of revisor of statutes — operations ~~\$2,342,579~~ **\$2,355,464**

4 *Provided*, That any unencumbered balance in the office of revisor of
 5 statutes — operations account in excess of \$100 as of June 30, 2004, is
 6 hereby reappropriated for fiscal year 2005.

7 (b) There is appropriated for the above agency from the following spe-
 8 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 9 moneys now or hereafter lawfully credited to and available in such fund
 10 or funds, except that expenditures other than refunds authorized by law
 11 shall not exceed the following:

12 Legislative research department special revenue fund..... No limit
 13 Sec. 3.

14 LEGISLATURE

15 (a) There is appropriated for the above agency from the state general
 16 fund for the fiscal year ending June 30, 2005, the following:

17 Operations (including official hospitality) ~~\$12,758,831~~ **\$12,743,480**

18 *Provided*, That any unencumbered balance in the operations (including
 19 official hospitality) account in excess of \$100 as of June 30, 2004, is hereby
 20 reappropriated for fiscal year 2005: *Provided further*, That expenditures
 21 may be made from this account, pursuant to vouchers approved by the
 22 chairperson or vice-chairperson of the legislative coordinating council, to
 23 pay compensation and travel expenses and subsistence expenses or allow-
 24 ances as authorized by K.S.A. 75-3212 and amendments thereto for mem-
 25 bers and associate members of the advisory committee to the Kansas
 26 commission on interstate cooperation established under K.S.A. 46-407a
 27 and amendments thereto for attendance at meetings of the advisory com-
 28 mittee which are authorized by the legislative coordinating council, except
 29 that (1) the legislative coordinating council may establish restrictions or
 30 limitations, or both, on travel expenses, subsistence expenses or allow-
 31 ances, or any combination thereof, paid to members and associate mem-
 32 bers of such advisory committee, and (2) any person who is an associate
 33 member of such advisory committee, by reason of such person having
 34 been accredited by the national conference of commissioners on uniform
 35 state laws as a life member of that organization, shall receive the same
 36 travel expenses and subsistence expenses for attendance at meetings of
 37 the advisory committee as a regular member, but shall receive no per
 38 diem compensation: *And provided further*, That expenditures may be
 39 made from this account for services, facilities and supplies provided for
 40 legislators in addition to those provided under the approved budget and
 41 for related copying, facsimile transmission and other services provided to
 42 persons other than legislators, in accordance with policies and any restric-
 43 tions or limitations prescribed by the legislative coordinating council: *And*

1 *provided further*, That no expenditures shall be made from this account
 2 for any meeting of any joint committee of the legislature during fiscal
 3 year 2005 unless such meeting is approved by the legislative coordinating
 4 council, ~~except that expenditures shall be made by the legislature from~~
 5 ~~this account for any meeting of the joint committee on state building~~
 6 ~~construction during fiscal year 2005 that is called in accordance with~~
 7 ~~K.S.A. 46-1701, and amendments thereto, notwithstanding that such~~
 8 ~~meeting has not been approved by the legislative coordinating council];~~
 9 *And provided further*, **That no expenditures shall be made from this**
 10 **account for any meeting of the compensation commission estab-**
 11 **lished by K.S.A. 46-3101 and amendments thereto during fiscal**
 12 **year 2005].**

13 (b) There is appropriated for the above agency from the following spe-
 14 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 15 moneys now or hereafter lawfully credited to and available in such fund
 16 or funds, except that expenditures other than refunds authorized by law
 17 shall not exceed the following:

18 Legislative special revenue fund No limit

19 *Provided*, That expenditures may be made from the legislative special
 20 revenue fund, pursuant to vouchers approved by the chairperson or the
 21 vice-chairperson of the legislative coordinating council, to pay compen-
 22 sation and travel expenses and subsistence expenses or allowances as au-
 23 thorized by K.S.A. 75-3212 and amendments thereto for members and
 24 associate members of the advisory committee to the Kansas commission
 25 on interstate cooperation established under K.S.A. 46-407a and amend-
 26 ments thereto for attendance at meetings of the advisory committee
 27 which are authorized by the legislative coordinating council, except that
 28 (1) the legislative coordinating council may establish restrictions or limi-
 29 tations, or both, on travel expenses, subsistence expenses or allowances,
 30 or any combination thereof, paid to members and associate members of
 31 such advisory committee, and (2) any person who is an associate member
 32 of such advisory committee, by reason of such person having been ac-
 33 credited by the national conference of commissioners on uniform state
 34 laws as a life member of that organization, shall receive the same travel
 35 expenses and subsistence expenses for attendance at meetings of the ad-
 36 visory committee as a regular member, but shall receive no per diem
 37 compensation: *Provided further*, That expenditures may be made from
 38 this fund for services, facilities and supplies provided for legislators in
 39 addition to those provided under the approved budget and for related
 40 copying, facsimile transmission and other services provided to persons
 41 other than legislators, in accordance with policies and any restrictions or
 42 limitations prescribed by the legislative coordinating council: *And pro-*
 43 *vided further*, That amounts are hereby authorized to be collected for

1 such services, facilities and supplies in accordance with policies of the
 2 council: *And provided further*, That such amounts shall be fixed in order
 3 to recover all or part of the expenses incurred for providing such services,
 4 facilities and supplies and shall be consistent with policies and fees estab-
 5 lished in accordance with K.S.A. 46-1207a and amendments thereto: *And*
 6 *provided further*, That all such amounts received shall be deposited in
 7 the state treasury to the credit of the legislative special revenue fund: *And*
 8 *provided further*, That all donations, gifts or bequests of money for the
 9 legislative branch of government which are received and accepted by the
 10 legislative coordinating council shall be deposited in the state treasury
 11 and credited to an account of the legislative special revenue fund: *And*
 12 *provided further*, That no expenditures shall be made from this fund for
 13 any meeting of any joint committee of the legislature during fiscal year
 14 2005 unless such meeting is approved by the legislative coordinating
 15 council; ~~except that expenditures shall be made by the legislature from~~
 16 ~~this fund for any meeting of the joint committee on state building con-~~
 17 ~~struction during fiscal year 2005 that is called in accordance with K.S.A.~~
 18 ~~46-1701, and amendments thereto, notwithstanding that such meeting~~
 19 ~~has not been approved by the legislative coordinating council]; *And pro-*~~
 20 ~~*vided further*, **That no expenditures shall be made from this fund**~~
 21 ~~**for any meeting of the compensation commission established by**~~
 22 ~~**K.S.A. 46-3101 and amendments thereto during fiscal year 2005].**~~

23 Sec. 4.

24 DIVISION OF POST AUDIT

25 (a) There is appropriated for the above agency from the state general
 26 fund for the fiscal year ending June 30, 2005, the following:
 27 Operations (including legislative post audit committee).... \$1,833,570
 28 *Provided*, That any unencumbered balance in the operations (including
 29 legislative post audit committee) account in excess of \$100 as of June 30,
 30 2004, is hereby reappropriated for fiscal year 2005.

31 (b) There is appropriated for the above agency from the following spe-
 32 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 33 moneys now or hereafter lawfully credited to and available in such fund
 34 or funds, except that expenditures shall not exceed the following:
 35 Audit services fund..... No limit
 36 *Provided*, That the division of post audit is hereby authorized to fix, charge
 37 and collect fees for copies of public records of the division, including
 38 distribution of such copies: *Provided further*, That such fees shall be fixed
 39 to recover all or part of the expenses incurred for reproducing and dis-
 40 tributing such copies and shall be consistent with policies and fees estab-
 41 lished in accordance with K.S.A. 46-1207a and amendments thereto: *And*
 42 *provided further*, That all moneys received for such fees shall be depos-
 43 ited in the state treasury to the credit of the audit services fund.

1	Conversion of materials and equipment fund	No limit
2	State agency audits fund.....	No limit
3	Sec. 5.	

GOVERNOR'S DEPARTMENT

4
5 (a) There is appropriated for the above agency from the state general
6 fund for the fiscal year ending June 30, 2005, the following:

7	Governor's department	\$1,624,479
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8 *Provided*, That any unencumbered balance in the governor's department
9 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
10 for fiscal year 2005: *Provided further*, That expenditures may be made
11 from this account for official hospitality and contingencies without limita-
12 tion at the discretion of the governor.

13 (b) Expenditures may be made by the above agency for travel expenses
14 of the governor's spouse when accompanying the governor or when rep-
15 resenting the governor on official state business, for travel and subsistence
16 expenditures for security personnel when traveling with the governor and
17 for entertainment of officials and other persons as guests from the amount
18 appropriated for the fiscal year ending June 30, 2005, by subsection (a)
19 from the state general fund in the governor's department account.

20 (c) There is appropriated for the above agency from the following spe-
21 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
22 moneys now or hereafter lawfully credited to and available in such fund
23 or funds, except that expenditures shall not exceed the following:

24	Special programs fund.....	No limit
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25 *Provided*, That expenditures may be made from the special programs
26 fund for operating expenditures for the governor's department, including
27 conferences and official hospitality: *Provided further*, That the governor
28 is hereby authorized to fix, charge and collect fees for such conferences:
29 *And provided further*, That fees for such conferences shall be fixed in
30 order to recover all or part of the operating expenses incurred for such
31 conferences, including official hospitality: *And provided further*, That all
32 fees received for such conferences and all fees received by the governor's
33 department under the open records act for providing access to or fur-
34 nishing copies of public records, shall be credited to this fund.

35	Conversion of materials and equipment fund	No limit
36	Federal grants fund	No limit
37	Sec. 6.	

LIEUTENANT GOVERNOR

38
39 (a) There is appropriated for the above agency from the state general
40 fund for the fiscal year ending June 30, 2005, the following:

41	Operations	\$114,817
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42 *Provided*, That any unencumbered balance in the operations account in
43 excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal

1 year 2005.

2 (b) Expenditures may be made by the above agency for travel expenses
3 of the lieutenant governor's spouse when accompanying the lieutenant
4 governor on official state business and for travel and subsistence expend-
5 itures for security personnel when traveling with the lieutenant governor
6 on official state business from the amount appropriated by subsection (a)
7 from the state general fund for the fiscal year ending June 30, 2005, in
8 the operations account.

9 (c) Expenditures may be made by the above agency for official hospi-
10 tality and contingencies from the amount appropriated by subsection (a)
11 from the state general fund for the fiscal year ending June 30, 2005, in
12 the operations account without limit at the discretion of the lieutenant
13 governor.

14 Sec. 7.

15 ATTORNEY GENERAL

16 (a) There is appropriated for the above agency from the state general
17 fund for the fiscal year ending June 30, 2005, the following:

18 Operating expenditures~~\$3,743,512~~ **\$3,943,512**

19 *Provided*, That any unencumbered balance in the operating expenditures
20 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
21 for fiscal year 2005: *Provided further*, That expenditures from this account
22 for official hospitality shall not exceed \$1,200: *Provided further*, That the
23 attorney general may make expenditures from this account for the rent
24 of office space in the memorial building: *Provided, however*, That any
25 reduction in utilization of space in the memorial building and correspond-
26 ing reduction in rent assessed the attorney general must be so certified
27 by the secretary of administration: *Provided further*, That any savings in
28 rent as the result of the secretary of administration certifying that there
29 has been a reduction in the utilization of space in the memorial building
30 by the office of the attorney general may be used for any operating ex-
31 penses authorized to be paid from this account.

32 Litigation costs..... \$62,967

33 *Provided*, That any unencumbered balance in the litigation costs account
34 in excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
35 year 2005.

36 Any unencumbered balance in excess of \$100 as of June 30, 2004, in each
37 of the following accounts is hereby reappropriated for fiscal year 2005:
38 Additional operating expenditures for investigation and litigation regard-
39 ing interstate water rights, operating expenditures relating to interstate
40 water rights regarding the Republican river and its tributaries.

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, 2005, 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 Court cost fund..... No limit
- 4 Bond transcript review fee fund No limit
- 5 Conversion of materials and equipment fund No limit
- 6 Attorney general’s antitrust special revenue fund No limit
- 7 Private gifts fund..... No limit
- 8 Medicaid fraud reimbursement fund..... No limit
- 9 Attorney general’s antitrust suspense fund No limit
- 10 Attorney general’s consumer protection clearing fund..... No limit
- 11 Attorney general’s committee on crime prevention fee

12 fund No limit

13 *Provided*, That expenditures may be made from the attorney general’s
 14 committee on crime prevention fee fund for operating expenditures di-
 15 rectly or indirectly related to conducting training seminars organized by
 16 the attorney general’s committee on crime prevention, including official
 17 hospitality: *Provided further*, That the attorney general is hereby author-
 18 ized to fix, charge and collect fees for conducting training seminars or-
 19 ganized by the attorney general’s committee on crime prevention: *And*
 20 *provided further*, That such fees shall be fixed in order to recover all or
 21 part of the direct and indirect operating expenses incurred for conducting
 22 such seminars, including official hospitality: *And provided further*, That
 23 all fees received for conducting such seminars shall be deposited in the
 24 state treasury and credited to this fund.

25 Tort claims fund..... No limit

26 *Provided*, That, of the moneys transferred during fiscal year 2005 from
 27 the state general fund to the tort claims fund pursuant to K.S.A. 75-6117
 28 and amendments thereto, the aggregate amount transferred during fiscal
 29 year 2005 for costs of defending the state or an employee of the state in
 30 any actions or proceedings on claims against the state or an employee of
 31 the state under the tort claims act or under the civil rights laws of the
 32 United States or of the state of Kansas, shall not exceed \$1,026,072, ex-
 33 cept upon approval of the state finance council acting on this matter which
 34 is hereby characterized as a matter of legislative delegation and subject
 35 to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and
 36 amendments thereto: *Provided, however*, That such approval also may be
 37 given while the legislature is in session.

38 Crime victims compensation fund..... No limit

39 *Provided*, That expenditures from the crime victims compensation fund
 40 for state operations shall not exceed \$323,311: *Provided further*, That any
 41 expenditures for payment of compensation to crime victims are author-
 42 ized to be made from this fund regardless of when the claim was awarded.

43 Crime victims assistance fund No limit

1 Protection from abuse fund No limit
2 Victims of crime assistance act — federal fund No limit
3 Crime victims grants and gifts fund..... No limit
4 *Provided*, That all private grants and gifts received by the crime victims
5 compensation board shall be deposited to the credit of the crime victims
6 grants and gifts fund.
7 Attorney general’s medicaid fraud control fund..... No limit
8 Other federal grants and reimbursement fund No limit
9 Debt collection administration cost recovery fund..... No limit
10 *Provided*, That the attorney general shall deposit in the state treasury to
11 the credit of the debt collection administration cost recovery fund all
12 moneys remitted to the attorney general as administrative costs under
13 contracts entered into pursuant to K.S.A. 75-719 and amendments
14 thereto: *Provided further*, That the attorney general shall authorize the
15 director of accounts and reports to transfer \$30,000 from this fund to the
16 state general fund at such time as receipts to this fund are sufficient to
17 sustain expenditures for administering and monitoring such contracts as
18 well as to repay the state general fund for money advanced for such
19 purpose: *And provided further*, That, upon receipt of such authorization,
20 the director of accounts and reports shall transfer \$30,000 from the debt
21 collection administration cost recovery fund to the state general fund.
22 Medicaid fraud prosecution revolving fund No limit
23 *Provided*, That all moneys recovered by the medicaid fraud and abuse
24 division of the attorney general’s office in the enforcement of state and
25 federal law which are in excess of any restitution for overcharges and
26 interest, including all moneys recovered as recoupment of expenses of
27 investigation and prosecution, shall be deposited in the state treasury to
28 the credit of the medicaid fraud prosecution revolving fund.
29 Interstate water litigation fund No limit
30 *Provided*, That, in addition to the other purposes authorized by K.S.A.
31 82a-1802 and amendments thereto, expenditures may be made from the
32 interstate water litigation fund for: (1) Litigation costs for the case of
33 Kansas v. Colorado No. 105, Original in the Supreme Court of the United
34 States, including repayment of past contributions; (2) expenses related to
35 the appointment of a river master or such other official as may be ap-
36 pointed by the Supreme Court to administer, implement or enforce its
37 decree or other orders of the Supreme Court related to this case; and (3)
38 expenses incurred by agencies of the state of Kansas to monitor actions
39 of the state of Colorado and its water users and to enforce any settlement,
40 decree or order of the Supreme Court related to this case: *Provided*,
41 **That, in addition to the other purposes authorized by K.S.A. 82a-**
42 **1802 and amendments thereto, expenditures may be made from**
43 **the interstate water litigation fund for: (1) Litigation costs for the**

1 **case of Kansas v. Colorado No. 105, Original in the Supreme Court**
 2 **of the United States, including repayment of past contributions;**
 3 **(2) expenses related to the appointment of a river master or such**
 4 **other official as may be appointed by the Supreme Court to ad-**
 5 **minister, implement or enforce its decree or other orders of the**
 6 **Supreme Court related to this case; and (3) expenses incurred by**
 7 **agencies of the state of Kansas to monitor actions of the state of**
 8 **Colorado and its water users and to enforce any settlement, decree**
 9 **or order of the Supreme Court related to this case.**

10 Suspense fund No limit

11 (c) During the fiscal year ending June 30, 2005, grants made pursuant
 12 to K.S.A. 74-7325 and amendments thereto from the protection from
 13 abuse fund and grants made pursuant to K.S.A. 74-7334 and amendments
 14 thereto from the crime victims assistance fund shall be made after con-
 15 sideration of the recommendation of an entity that has been designated
 16 by the United States department of health and human services and by
 17 the centers for disease control as the official domestic violence or sexual
 18 assault coalition.

19 (d) **During the fiscal year ending June 30, 2005, of the aggregate**
 20 **amount of fines, penalties and forfeitures remitted each month to**
 21 **the state treasurer by the clerks of the district courts, the state**
 22 **treasurer shall credit (1) the amount equal to 1% of each such**
 23 **aggregate monthly remittance to the crime victims compensation**
 24 **fund; and (2) the amount equal to 1% of each such aggregate**
 25 **monthly remittance to the crime victims assistance fund: *Provided,***
 26 **That all moneys credited to the crime victims compensation fund**
 27 **pursuant to this subsection shall be in addition to all other amounts**
 28 **credited to the crime victims compensation fund as prescribed by**
 29 **K.S.A. 74-7336 and amendments thereto or by any other statute:**
 30 *Provided further,* **That all moneys credited to the crime victims as-**
 31 **sistance fund pursuant to this subsection shall be in addition to all**
 32 **other amounts credited to the crime victims assistance fund as pre-**
 33 **scribed by K.S.A. 20-367 and 74-7336 and amendments thereto or**
 34 **by any other statute.**

35 (e) During the fiscal year ending June 30, 2005, the director of
 36 accounts and reports is hereby authorized to transfer an amount
 37 certified by the attorney general of not to exceed \$100,000 from
 38 the crime victims compensation fund to the crime victims assis-
 39 tance fund.

40 Sec. 8.

41 SECRETARY OF STATE

42 (a) There is appropriated for the above agency from the state general
 43 fund for the fiscal year ending June 30, 2005, the following:

1 Any unencumbered balance in excess of \$100 as of June 30, 2004, in the
2 HAVA match account is hereby reappropriated for fiscal year 2005.

3 (b) There is appropriated for the above agency from the following spe-
4 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
5 moneys now or hereafter lawfully credited to and available in such fund
6 or funds, except that expenditures shall not exceed the following:

- 7 Cemetery and funeral audit fee fund..... No limit
- 8 Conversion of materials and equipment fund No limit
- 9 Information and services fee fund..... No limit

10 **Provided, That expenditures from the information and services fee**
11 **fund for official hospitality shall not exceed \$2,500.**

- 12 State register fee fund..... No limit
- 13 Uniform commercial code fee fund..... No limit
- 14 State flag and banner fund..... No limit
- 15 Secretary of state fee refund fund..... No limit
- 16 Electronic voting machine examination fund No limit
- 17 Suspense fund No limit
- 18 Prepaid services fund..... No limit
- 19 Athlete agent registration fee fund..... No limit
- 20 Franchise fee recovery fund..... No limit
- 21 Democracy fund No limit
- 22 Technology communication fee fund..... No limit
- 23 HAVA federal grants fund No limit

24 ~~(c) During each month of the fiscal year ending June 30, 2005, the~~
25 ~~secretary of state shall certify to the director of accounts and reports the~~
26 ~~amount equal to the product of \$1 multiplied by the number of annual~~
27 ~~reports received by the secretary of state during the preceding month~~
28 ~~from professional corporations, domestic or foreign corporations, corpo-~~
29 ~~rations organized not for profit, domestic or foreign limited liability com-~~
30 ~~panies, domestic or foreign limited partnerships or any other entities pur-~~
31 ~~suant to statute, which include the receipt of an annual franchise tax or~~
32 ~~privilege fee. Upon receipt of each such certification, the director of ac-~~
33 ~~counts and reports shall transfer an amount equal to the amount certified~~
34 ~~from the state general fund to the franchise fee recovery fund of the~~
35 ~~secretary of state.~~

36 Sec. 9.

37 STATE TREASURER

38 (a) There is appropriated for the above agency from the following spe-
39 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
40 moneys now or hereafter lawfully credited to and available in such fund
41 or funds, except that expenditures shall not exceed the following:

- 42 Fiscal agency fund..... No limit
- 43 Bond services fee fund..... No limit

1	City bond finance fund.....	No limit
2	Local ad valorem tax reduction fund	No limit
3	County and city revenue sharing fund	No limit
4	Suspense fund	No limit
5	County and city retailers' sales tax fund	No limit
6	County and city compensating use tax fund.....	No limit
7	Local alcoholic liquor fund	No limit
8	Local alcoholic liquor equalization fund.....	No limit
9	Unclaimed property claims fund.....	No limit
10	Unclaimed property expense fund	No limit
11	<i>Provided</i> , That expenditures from the unclaimed property expense fund	
12	for official hospitality shall not exceed \$2,000.	
13	Unclaimed property fee fund	No limit
14	County and city transient guest tax fund	No limit
15	Racing admissions tax fund	No limit
16	Rental motor vehicle excise tax fund	No limit
17	Transportation development district sales tax fund	No limit
18	Redevelopment bond fund	No limit
19	Services reimbursement fund.....	No limit
20	<i>Provided</i>, That the state treasurer is hereby authorized to fix,	
21	charge and collect a cash management fee for services provided	
22	by the state treasurer for banking services and for processing war-	
23	rants and direct deposits except that payroll warrants shall not be	
24	subject to any fee prescribed by this section: <i>Provided further</i>, That	
25	such fees shall be fixed to recover all or part of the operating ex-	
26	penditures incurred in providing such services: <i>And provided fur-</i>	
27	<i>ther</i>, That fees fixed by the state treasurer for services provided by	
28	the state treasurer in providing banking services shall be fixed to	
29	collect an estimated aggregate amount not to exceed the actual	
30	transaction costs for the fiscal year ending June 30, 2005: <i>And pro-</i>	
31	<i>vided further</i>, That fees fixed by the state treasurer for processing	
32	warrants and direct deposits shall be fixed to collect an estimated	
33	aggregate amount not to exceed \$979,303 for the fiscal year end-	
34	ing June 30, 2005: <i>And provided further</i>, That the state treasurer is	
35	hereby authorized to fix, charge and collect a voucher processing	
36	fee for services provided by the state treasurer in processing	
37	vouchers and maintaining the voucher system: <i>And provided further</i>,	
38	That such fees shall be fixed to recover all or part of the operating	
39	expenditures incurred in providing such services: <i>And provided fur-</i>	
40	<i>ther</i>, That fees fixed by the state treasurer for services provided by	
41	the state treasurer in processing vouchers and maintaining the	
42	voucher system shall be fixed to collect an estimated aggregate	
43	amount not to exceed \$180,000 for the fiscal year ending June 30,	

1 **2005: And provided further, That all moneys received from such fees**
 2 **shall be deposited in the state treasury and credited to the services**
 3 **reimbursement fund: And provided further, That expenditures from**
 4 **this fund may be made for operating expenditures for the state**
 5 **treasurer’s office: And provided further, That during the fiscal year**
 6 **ending June 30, 2005, the director of accounts and reports shall**
 7 **transfer to the services reimbursement fund of the state treasurer**
 8 **one or more amounts certified by the state treasurer, for expenses**
 9 **incurred for warrants issued and processed and electronic trans-**
 10 **actions processed for the department of human resources payable**
 11 **from the employment security fund, from moneys made available**
 12 **to the state under section 903(d) of the federal social security act,**
 13 **as amended, and credited to the employment security fund, except**
 14 **that the aggregate of such amounts transferred shall not exceed**
 15 **\$451,000.**

16 Municipal investment pool fund No limit
 17 Pooled money investment portfolio fee fund No limit

18 *Provided*, That on or before the fifth day of each month of the fiscal year
 19 ending June 30, 2005, the state treasurer shall certify to the pooled money
 20 investment board an accounting of the banking fees incurred by the state
 21 treasurer during the second preceding month that are attributable to the
 22 investment of the pooled money investment portfolio during such month:
 23 *Provided further*, That prior to the 10th day of each month during the
 24 fiscal year ending June 30, 2005, the pooled money investment board
 25 shall review the certification from the state treasurer and shall make ex-
 26 penditures from the pooled money investment portfolio fee fund to pay
 27 the amount of banking fees incurred by the state treasurer during the
 28 second preceding month that are attributable to the investment of the
 29 pooled money investment portfolio during the second preceding month,
 30 as determined by the pooled money investment board.

31 Kansas postsecondary education savings program trust
 32 fund No limit
 33 Kansas postsecondary education savings program expense
 34 fund No limit
 35 Conversion of materials and equipment fund No limit
 36 Tax increment financing revenue replacement fund No limit

37 Sec. 10.

38 INSURANCE DEPARTMENT

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, 2005, 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 Insurance department service regulation fund No limit
- 2 *Provided*, That expenditures from the insurance department service reg-
- 3 ulation fund for official hospitality shall not exceed \$2,000: *Provided fur-*
- 4 *ther*, That any transfers from this fund to the insurance building principal
- 5 and interest payment fund or the insurance department rehabilitation and
- 6 repair fund of the department of insurance shall be in addition to any
- 7 expenditure limitation imposed on the insurance department service reg-
- 8 ulation fund.
- 9 Insurance company examination fund..... No limit
- 10 *Provided*, That any transfers from the insurance company examination
- 11 fund to the insurance building principal and interest payment fund or the
- 12 insurance department rehabilitation and repair fund of the department
- 13 of insurance shall be in addition to any expenditure limitation imposed
- 14 on the insurance company examination fund.
- 15 Insurance company annual statement examination fund... No limit
- 16 Insurance company examiner training fund No limit
- 17 Conversion of materials and equipment fund No limit
- 18 Commissioner’s travel reimbursement fund..... No limit
- 19 *Provided*, That expenditures may be made from the commissioner’s travel
- 20 reimbursement fund only to reimburse the commissioner of insurance,
- 21 or any designated employee, for expenses incurred for in-state or out-of-
- 22 state travel for official purposes, including travel to meetings of public or
- 23 private associations: *Provided further*, That all moneys received by the
- 24 commissioner of insurance for such travel from any non-state agency
- 25 source shall be deposited in the state treasury to the credit of this fund.
- 26 Workers compensation fund No limit
- 27 *Provided*, That expenditures from the workers compensation fund for
- 28 attorney fees and other costs and benefit payments may be made regard-
- 29 less of when services were rendered or when the initial award of benefits
- 30 was made: *Provided further*, That any transfers from the workers com-
- 31 pensation fund to the insurance building principal and interest payment
- 32 fund or the insurance department rehabilitation and repair fund of the
- 33 department of insurance shall be in addition to any expenditure limitation
- 34 imposed on the workers compensation fund.
- 35 State firefighters relief fund..... No limit
- 36 *Provided*, That any transfers from the state firefighters relief fund to the
- 37 insurance building principal and interest payment fund or the insurance
- 38 department rehabilitation and repair fund of the department of insurance
- 39 shall be in addition to any expenditure limitation imposed on the state
- 40 firefighters relief fund.
- 41 Insurance company tax and fee refund fund..... No limit
- 42 Group-funded workers’ compensation pools fee fund No limit
- 43 *Provided*, That any transfers from the group-funded workers’ compen-

1 sation pools fee fund to the insurance building principal and interest
2 payment fund or the insurance department rehabilitation and repair fund
3 of the department of insurance shall be in addition to any expenditure
4 limitation imposed on the group-funded workers' compensation pools fee
5 fund.

6 Municipal group-funded pools fee fund..... No limit
7 *Provided*, That any transfers from the municipal group-funded pools fee
8 fund to the insurance building principal and interest payment fund or the
9 insurance department rehabilitation and repair fund of the department
10 of insurance shall be in addition to any expenditure limitation imposed
11 on this fund.

12 Uninsurable health insurance plan fund..... No limit
13 Insurance education and training fund No limit
14 *Provided*, That expenditures may be made from the insurance education
15 and training fund for training programs and official hospitality: *Provided*
16 *further*, That the insurance commissioner is hereby authorized to fix,
17 charge and collect fees for such training programs: *And provided further*,
18 That fees for such training programs shall be fixed in order to collect all
19 or part of the operating expenses incurred for such training programs,
20 including official hospitality: *And provided further*, That all fees received
21 for such training programs shall be deposited in the state treasury and
22 credited to this fund.

23 Other federal grants fund No limit
24 *Provided*, That the above agency is authorized to make expenditures from
25 the other federal grants fund of any moneys credited to this fund from
26 any individual grant if the grant is: (1) Less than or equal to \$250,000 in
27 the aggregate, and (2) does not require the matching expenditure of any
28 other moneys in the state treasury during fiscal year 2005 other than
29 moneys appropriated by this or other appropriation act of the 2004 reg-
30 ular session of the legislature: *Provided, however*, That, upon application
31 to and authorization by the governor, the above agency may make ex-
32 penditures of moneys credited to this fund from any individual federal
33 grant which is more than \$250,000 in the aggregate or which requires the
34 matching expenditure of moneys in the state treasury during fiscal year
35 2005, other than moneys appropriated by this or other appropriation act
36 of the 2004 regular session of the legislature.

37 **Monumental life settlement fund..... \$12,396**
38 ***Provided*, That all expenditures from the monumental life settle-**
39 **ment fund shall be made for scholarship purposes: *Provided further*,**
40 **That the scholarship recipients shall be African-American students**
41 **in good academic standing who are attending Washburn university**
42 **of Topeka or Kansas state university and who have taken courses**
43 **necessary to successfully complete the first or second actuarial**

1 **qualification examination.**

2 (b) In addition to the other purposes for which expenditures may be
3 made by the insurance department from the insurance company exami-
4 nation fund for fiscal year 2005 as authorized by K.S.A. 40-223 and
5 amendments thereto, notwithstanding the provisions of K.S.A. 40-223 or
6 75-3721 and amendments thereto or any other statute, expenditures may
7 be made by the insurance department from the insurance company ex-
8 amination fund for fiscal year 2005 for the examination of annual state-
9 ments filed with the commissioner of insurance, regardless of when the
10 services were rendered, when the expenses were incurred or when any
11 claim was submitted or processed for payment and regardless of whether
12 or not the services were rendered or the expenses were incurred prior to
13 the effective date of this act.

14 (c) On July 1, 2004, or as soon thereafter as moneys are available,
15 notwithstanding the provisions of K.S.A. 40-112 and amendments thereto
16 or of any other statute, the director of accounts and reports shall transfer
17 \$920,000 from the insurance department service regulation fund to the
18 state general fund: *Provided*, That the transfer of such amount shall be
19 in addition to any other transfer from the insurance department service
20 regulation fund to the state general fund as prescribed by law: *Provided*
21 *further*, That the amount transferred from the insurance department
22 service regulation fund to the state general fund pursuant to this subsec-
23 tion is to reimburse the state general fund for accounting, auditing, budg-
24 eting, legal, payroll, personnel and purchasing services and any other gov-
25 ernmental services which are performed on behalf of the insurance
26 department by other state agencies which receive appropriations from
27 the state general fund to provide such services.

28 Sec. 11.

29 HEALTH CARE STABILIZATION FUND BOARD OF
30 GOVERNORS

31 (a) There is appropriated for the above agency from the following spe-
32 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
33 moneys now or hereafter lawfully credited to and available in such fund
34 or funds, except that expenditures other than refunds authorized by law
35 shall not exceed the following:

36 Health care stabilization fund..... No limit

37 (b) Expenditures from the health care stabilization fund for the fiscal
38 year ending June 30, 2005, other than refunds authorized by law for the
39 following specified purposes shall not exceed the limitations prescribed
40 therefor as follows:

41 Operating expenditures \$1,041,610

42 *Provided*, That expenditures from the operating expenditures account for
43 official hospitality shall not exceed \$400.

- 1 Fees — legal and professional services No limit
- 2 *Provided*, That expenditures from the fees — legal and professional serv-
- 3 ices account for attorney fees and other professional service fees may be
- 4 made regardless of when services were rendered or when the judgment
- 5 or settlement was made.
- 6 Claims and benefits No limit
- 7 *Provided*, That expenditures from the claims and benefits account for
- 8 claim and benefit payments may be made regardless of when services
- 9 were rendered or when the judgment or settlement was made.

10 Sec. 12.

11 JUDICIAL COUNCIL

12 (a) There is appropriated for the above agency from the following spe-
13 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
14 moneys now or hereafter lawfully credited to and available in such fund
15 or funds, except that expenditures other than refunds authorized by law
16 shall not exceed the following:

- 17 Judicial council fund No limit
- 18 Grants and gifts fund No limit
- 19 *Provided*, That all private grants and gifts received by the judicial council,
- 20 other than moneys received as grants, gifts or donations for the prepa-
- 21 ration, publication or distribution of legal publications, shall be deposited
- 22 to the credit of the grants and gifts fund.
- 23 Publications fee fund No limit
- 24 *Provided*, That, notwithstanding the provisions of K.S.A. 2003 Supp. 20-
- 25 2207 and amendments thereto, expenditures are authorized to be made
- 26 from the publications fee fund for operating expenses that are not related
- 27 to publications activities.

28 (b) On June 30, 2005, the director of accounts and reports shall transfer
29 the amount of any unencumbered balance in the publications fee fund
30 as of June 30, 2005, in excess of \$175,000 from the publications fee fund
31 to the state general fund: *Provided*, That the transfer of such amount shall
32 be in addition to any other transfer from the publications fee fund to the
33 state general fund as prescribed by law: *Provided further*, That the
34 amount transferred from the publications fee fund to the state general
35 fund pursuant to this subsection is to reimburse the state general fund
36 for accounting, auditing, budgeting, legal, payroll, personnel and pur-
37 chasing services and any other governmental services which are per-
38 formed on behalf of the judicial council by other state agencies which
39 receive appropriations from the state general fund to provide such serv-
40 ices.

41 Sec. 13.

42 STATE BOARD OF INDIGENTS' DEFENSE SERVICES

43 (a) There is appropriated for the above agency from the state general

1 fund for the fiscal year ending June 30, 2005, the following:

2 Operating expenditures \$15,400,621

3 *Provided*, That any unencumbered balance in the operating expenditures

4 account in excess of \$100 as of June 30, 2004, is hereby reappropriated

5 for fiscal year 2005: *Provided, however*, That any expenditures for indi-

6 gents' defense services are authorized to be made from the operating

7 expenditures account regardless of when services were rendered: *Pro-*

8 *vided further*, That expenditures may be made from the operating ex-

9 penditures account for negotiated contracts for malpractice insurance for

10 public defenders and deputy or assistant public defenders: *And provided*

11 *further*, That all contracts for malpractice insurance for public defenders

12 and deputy or assistant public defenders shall be negotiated and pur-

13 chased by the state board of indigents' defense services, shall not be

14 subject to approval or purchase by the committee on surety bonds and

15 insurance under K.S.A. 75-4114 and 75-6111 and amendments thereto

16 and shall not be subject to the provisions of K.S.A. 75-3739 and amend-

17 ments thereto: *And provided further*, That during the fiscal year ending

18 June 30, 2005, the executive director of the state board of indigents'

19 defense services, with the approval of the director of the budget, may

20 transfer moneys in the operating expenditures account of the state general

21 fund to any other item of appropriation from the state general fund for

22 the state board of indigents' defense services: *And provided further*, That

23 the executive director shall certify each such transfer to the director of

24 accounts and reports and shall transmit a copy of each such certification

25 to the director of the legislative research department.

26 Capital defense operations \$1,922,489

27 *Provided*, That any unencumbered balance in excess of \$100 as of June

28 30, 2004, in the capital defense operations account is hereby reappro-

29 priated for fiscal year 2005.

30 Legal services for prisoners \$359,300

31 (b) There is appropriated for the above agency from the following spe-

32 cial revenue fund or funds for the fiscal year ending June 30, 2005, all

33 moneys now or hereafter lawfully credited to and available in such fund

34 or funds, except that expenditures other than refunds authorized by law

35 shall not exceed the following:

36 Indigents' defense services fund No limit

37 *Provided*, That expenditures may be made from the indigents' defense

38 services fund for the purpose of assigned counsel and other professional

39 services related to contract cases.

40 Inservice education workshop fee fund No limit

41 *Provided*, That expenditures may be made from the inservice education

42 workshop fee fund for operating expenditures, including official hospi-

43 tality, incurred for inservice workshops and conferences: *Provided fur-*

1 *ther*, That the state board of indigents' defense services is hereby au-
2 thorized to fix, charge and collect fees for inservice workshops and
3 conferences: *And provided further*, That such fees shall be fixed in order
4 to recover all or part of such operating expenditures incurred for inservice
5 workshops and conferences: *And provided further*, That all fees received
6 for inservice workshops and conferences shall be deposited in the state
7 treasury and credited to the inservice education workshop fee fund.

8 Sec. 14.

9

JUDICIAL BRANCH

10 (a) There is appropriated for the above agency from the state general
11 fund for the fiscal year ending June 30, 2005, the following:

12 Judiciary operations ~~\$93,392,348~~ **\$91,282,145**

13 *Provided*, That any unencumbered balance in the judiciary operations
14 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
15 for fiscal year 2005: *Provided further*, That contracts for computer input
16 of judicial opinions under this appropriation shall be executed in the name
17 of the supreme court by the chief justice and may be interrelated with
18 contracts for the comprehensive legislative information system: *And pro-*
19 *vided further*, That all such contracts for computer input of judicial opin-
20 ions and all purchases thereunder shall not be subject to the provisions
21 of K.S.A. 75-3739 and amendments thereto: *And provided further*, That
22 expenditures may be made from the judicial operations account for con-
23 tingencies without limitation at the discretion of the chief justice: *And*
24 *provided further*, That expenditures from the judicial operations account
25 for such contingencies shall not exceed \$25,000: *And provided further*,
26 That expenditures from the judicial operations account for official hos-
27 pitality shall not exceed \$4,000: *And provided further*, That expenditures
28 shall be made from the judicial operations account for the travel expenses
29 of panels of the court of appeals for travel to cities across the state to hear
30 appealed cases.

31 (b) There is appropriated for the above agency from the following spe-
32 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
33 moneys now or hereafter lawfully credited to and available in such fund
34 or funds, except that expenditures other than refunds authorized by law
35 shall not exceed the following:

36	Emergency surcharge fee fund.....	No limit
37	Library report fee fund	No limit
38	Judiciary technology fund	No limit
39	Judicial branch gifts fund.....	No limit
40	Dispute resolution fund.....	No limit
41	Judicial branch education fund.....	No limit

42 *Provided*, That expenditures may be made from the judicial branch ed-
43 ucation fund to provide services and programs for the purpose of edu-

1 cating and training judicial branch officers and employees, administering
 2 the training, testing and education of municipal judges as provided in
 3 K.S.A. 12-4114 and amendments thereto, education and training munic-
 4 ipal judges and municipal court support staff, and for the planning and
 5 implementation of a family court system, as provided by law, including
 6 official hospitality: *Provided further*, That the judicial administrator is
 7 hereby authorized to fix, charge and collect fees for such services and
 8 programs: *And provided further*, That such fees may be fixed to cover all
 9 or part of the operating expenditures incurred in providing such services
 10 and programs, including official hospitality: *And provided further*, That
 11 all fees received for such services and programs, including official hos-
 12 pitality, shall be credited to the judicial branch education fund.

13 Conversion of materials and equipment fund	No limit
14 Child welfare federal grant fund.....	No limit
15 Child support enforcement contractual agreement fund...	No limit
16 Bar admission fee fund	No limit
17 Permanent families account — family and children invest-	
18 ment fund	No limit
19 Duplicate law book fund	No limit
20 Court reporter fund.....	No limit
21 Access to justice fund.....	No limit
22 Judicial technology and building and grounds fund.....	No limit
23 Judicial branch nonjudicial salary initiative fund.....	No limit

24 Sec. 15.

25 **KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM**

26 (a) There is appropriated for the above agency from the state general
 27 fund for the fiscal year ending June 30, 2005, the following:

28 13th retirement check — debt service..... \$3,212,624

29 (b) There is appropriated for the above agency from the following spe-
 30 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 31 moneys now or hereafter lawfully credited to and available in such fund
 32 or funds, except that expenditures other than refunds authorized by law
 33 shall not exceed the following:

34 Kansas public employees retirement fund.....	No limit
35 <i>Provided</i> , That no expenditures may be made from the Kansas public	
36 employees retirement fund other than for benefits, investments, refunds	
37 authorized by law, and other purposes specifically authorized by this or	
38 other appropriation act.	
39 Group insurance reserve fund	No limit
40 Optional death benefit plan reserve fund.....	No limit
41 Kansas endowment for youth fund.....	No limit
42 Senior services trust fund	No limit

43

1 Family and children endowment account — family and
 2 children investment fund..... No limit
 3 Non-retirement administration fund..... No limit
 4 *Provided*, That the executive officer of the Kansas public employees re-
 5 tirement system shall certify to the director of accounts and reports the
 6 amount of moneys to transfer from the Kansas endowment for youth
 7 fund, the senior services trust fund, the family and children endowment
 8 account — family and children investment fund, and the unclaimed prop-
 9 erty account of the state general fund for the purpose of reimbursing the
 10 costs of non-retirement related administrative activities and investment-
 11 related expenses for managing such funds in accordance with K.S.A. 74-
 12 4909b and amendments thereto.

13 (c) Expenditures may be made from the expense reserve of the Kansas
 14 public employees retirement fund for the fiscal year ending June 30,
 15 2005, for the following specified purposes:

16 Agency operations \$6,826,058

17 *Provided*, That expenditures from the agency operations account may be
 18 made for official hospitality.

19 Investment-related expenses No limit

20 KPERS technology project No limit

21 (d) Expenditures may be made from the non-retirement administration
 22 fund for the fiscal year ending June 30, 2005, for the following specified
 23 purposes:

24 Agency operations \$150,009

25 Investment-related expenses No limit

26 (e) On June 30, 2005, or as soon thereafter as moneys are available,
 27 notwithstanding the provisions of K.S.A. 38-2101 and amendments
 28 thereto or of any other statute, the director of accounts and reports shall
 29 transfer \$4,611,533 from the Kansas endowment for youth fund to the
 30 state general fund.

31 (f) On July 1, 2004, or as soon thereafter as moneys are available, not-
 32 withstanding the provisions of K.S.A. 38-2102 and amendments thereto
 33 or of any other statute, the director of accounts and reports shall transfer
 34 \$3,857,460 from the Kansas endowment for youth fund to the children's
 35 initiatives fund: *Provided*, That the transfer of such amount shall be in
 36 addition to any other transfer from the Kansas endowment for youth fund
 37 to the children's initiatives fund as prescribed by law.

38 Sec. 16.

39 KANSAS HUMAN RIGHTS COMMISSION

40 (a) There is appropriated for the above agency from the state general
 41 fund for the fiscal year ending June 30, 2005, the following:

42 Operating expenditures \$1,392,724

43 *Provided*, That any unencumbered balance in the operating expenditures

1 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 2 for fiscal year 2005: *Provided, however,* That expenditures from such
 3 reappropriated balance shall be made only upon approval of the state
 4 finance council: *Provided further,* That expenditures from this account
 5 for official hospitality shall not exceed \$150: *And provided further,* That
 6 expenditures for mediation services contracted with Kansas legal services
 7 shall be made only upon certification by the executive director of the
 8 human rights commission to the director of accounts and reports that
 9 private moneys are available to match the expenditure of state moneys
 10 on a \$1 of private moneys to \$3 of state moneys basis.

11 (b) There is appropriated for the above agency from the following spe-
 12 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 13 moneys now or hereafter lawfully credited to and available in such fund
 14 or funds, except that expenditures other than refunds authorized by law
 15 shall not exceed the following:

- 16 Federal fund..... No limit
- 17 Conversion of materials and equipment fund No limit
- 18 Annual banquet fund No limit

19 *Provided,* That expenditures may be made from the annual banquet fund
 20 for operating expenditures for the commission’s annual banquet, includ-
 21 ing official hospitality: *Provided further,* That the executive director is
 22 hereby authorized to fix, charge and collect fees for such banquet: *And*
 23 *provided further,* That such fees shall be fixed in order to recover all or
 24 part of the operating expenses incurred for such banquet, including of-
 25 ficial hospitality: *And provided further,* That all fees received for such
 26 banquet shall be credited to this fund.

- 27 Education and training fund No limit

28 *Provided,* That expenditures may be made from the education and train-
 29 ing fund for operating expenditures for the commission’s education and
 30 training programs for the general public, including official hospitality:
 31 *Provided further,* That the executive director is hereby authorized to fix,
 32 charge and collect fees for such programs: *And provided further,* That
 33 such fees shall be fixed in order to recover all or part of the operating
 34 expenses incurred for such training programs, including official hospita-
 35 lity: *And provided further,* That all fees received for such programs shall
 36 be credited to this fund.

37 Sec. 17.

38 STATE CORPORATION COMMISSION

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, 2005, 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 Public service regulation fund No limit
 2 Motor carrier license fees fund..... No limit
 3 Conservation fee fund..... No limit
 4 *Provided*, That any expenditure made from the conservation fee fund for
 5 plugging abandoned wells, cleanup of pollution from oil and gas activities
 6 and testing of wells shall be in addition to any expenditure limitation
 7 imposed on this fund: *Provided further*, That expenditures may be made
 8 from this fund for debt collection and set-off administration: *And pro-*
 9 *vided further*, That a percentage of the fees collected, not to exceed 27%,
 10 shall be transferred from the conservation fee fund to the accounting
 11 services recovery fund of the department of administration for services
 12 rendered in collection efforts: *And provided further*, That all expenditures
 13 made from the conservation fee fund for debt collection and set-off ad-
 14 ministration shall be in addition to any expenditure limitation imposed
 15 on this fund: *And provided further*, That the state corporation commis-
 16 sion shall include as part of the fiscal year 2006 budget estimates for the
 17 state corporation commission submitted pursuant to K.S.A. 75-3717 and
 18 amendments thereto, a three-year projection of receipts to and expend-
 19 itures from the conservation fee fund for fiscal years 2006, 2007 and 2008.
 20 Natural gas underground storage fee fund No limit
 21 Gas pipeline inspection fee fund..... No limit
 22 Abandoned oil and gas well fund No limit
 23 Well plugging assurance fund..... No limit
 24 Facility conservation improvement program fund..... No limit
 25 Gas pipeline safety program — federal fund No limit
 26 Energy related grants — federal fund No limit
 27 Energy grants management fund No limit
 28 Energy conservation plan — federal fund No limit
 29 Underground injection control class II — federal fund No limit
 30 Pipeline damage prevention grant program — federal
 31 fund No limit
 32 Other federal grants fund No limit
 33 *Provided*, That the above agency is authorized to make expenditures from
 34 the other federal grants fund of any moneys credited to this fund from
 35 any individual grant if the grant is: (1) Less than or equal to \$250,000 in
 36 the aggregate, and (2) does not require the matching expenditure of any
 37 other moneys in the state treasury during fiscal year 2005 other than
 38 moneys appropriated by this or other appropriation act of the 2004 reg-
 39 ular session of the legislature: *Provided, however*, That, upon application
 40 to and authorization by the governor, the above agency may make ex-
 41 penditures of moneys credited to this fund from any individual federal
 42 grant which is more than \$250,000 in the aggregate or which requires the
 43 matching expenditure of moneys in the state treasury during fiscal year

1 2005, other than moneys appropriated by this or other appropriation act
 2 of the 2004 regular session of the legislature.

3 Inservice education workshop fee fund..... No limit
 4 *Provided*, That expenditures may be made from the inservice education
 5 workshop fee fund for operating expenditures, including official hospi-
 6 tality, incurred for inservice workshops and conferences conducted by the
 7 state corporation commission for staff and members of the state corpo-
 8 ration commission: *Provided further*, That the state corporation commis-
 9 sion is hereby authorized to fix, charge and collect fees for such inservice
 10 workshops and conferences: *And provided further*, That such fees shall
 11 be fixed in order to recover all or part of the operating expenditures
 12 incurred for conducting such inservice workshops and conferences: *And*
 13 *provided further*, That all moneys received for such fees shall be depos-
 14 ited in the state treasury and credited to this fund.

15 Base state registration clearing fund..... No limit
 16 Credit card clearing fund..... No limit
 17 Suspense fund No limit

18 (b) Expenditures for the fiscal year ending June 30, 2005, by the state
 19 corporation commission from the public service regulation fund, the mo-
 20 tor carrier license fees fund and the conservation fee fund shall not ex-
 21 ceed, in the aggregate, \$14,668,997: *Provided*, That, within such limita-
 22 tion on the aggregate of expenditures, expenditures made for fiscal year
 23 2005 from the public service regulation fund, the motor carrier license
 24 fees fund and the conservation fee fund for official hospitality shall not
 25 exceed, in the aggregate, \$600: *Provided further*, That the state corpo-
 26 ration commission is authorized to make expenditures from the public
 27 service regulation fund and the conservation fee fund for the operational
 28 costs of the Kansas energy council: *Provided, however*, That the opera-
 29 tional costs of the Kansas energy council shall not include compensation
 30 for members of the Kansas energy council: *And provided further*, That
 31 expenditures from the public service regulation fund and the conservation
 32 fee fund for the operational costs of the Kansas energy council shall not
 33 exceed, in the aggregate, \$150,000.

34 (c) Expenditures for the fiscal year ending June 30, 2005, by the state
 35 corporation commission from the conservation fee fund or the abandoned
 36 oil and gas well fund may be made for the service of independent on-site
 37 supervision of well plugging contracts: *Provided*, That all expenditures
 38 from the conservation fee fund or the abandoned oil and gas well fund
 39 for the purpose of plugging of abandoned oil and gas wells shall be subject
 40 to the competitive bidding requirements of K.S.A. 75-3739 and amend-
 41 ments thereto and shall not be exempt from such competitive bidding
 42 requirements on the basis of the estimated amount of such purchases.

43 (d) During the fiscal year ending June 30, 2005, the executive director

1 of the state corporation commission, with the approval of the director of
 2 the budget, may transfer additional moneys from the conservation fee
 3 fund of the state corporation commission, which are in excess of \$400,000
 4 prescribed by K.S.A. 2003 Supp 55-193 and amendments thereto, to the
 5 abandoned oil and gas well plugging fund of the state corporation com-
 6 mission: *Provided, however*, That the executive director of the state cor-
 7 poration commission shall certify each such transfer of additional moneys
 8 to the director of accounts and reports and shall transmit a copy of each
 9 such certification to the director of the legislative research department.

10 (e) On July 1, 2004, or as soon thereafter as moneys are available, the
 11 director of accounts and reports shall transfer \$40,000 from the facilities
 12 conservation improvement fund of the department of administration to
 13 the facility conservation improvement program fund of the state corpo-
 14 ration commission.

15 Sec. 18.

16 CITIZENS' UTILITY RATEPAYER BOARD

17 (a) There is appropriated for the above agency from the following spe-
 18 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 19 moneys now or hereafter lawfully credited to and available in such fund
 20 or funds, except that expenditures other than refunds authorized by law
 21 shall not exceed the following:

22 Utility regulatory fee fund \$637,691

23 *Provided*, That expenditures may be made by the citizens' utility ratepayer
 24 board from the utility regulatory fee fund pursuant to contracts for pro-
 25 fessional services, which are hereby authorized to be entered into by the
 26 board: *Provided further*, That such professional services shall include but
 27 are not limited to the services of engineers, accountants, attorneys and
 28 economists, to assist in carrying out the duties of the board, which assis-
 29 tance may include preparation and presentation of expert testimony,
 30 when the expenses of such professional services are required to be as-
 31 sessed under K.S.A. 66-1502 and amendments thereto against the public
 32 utilities involved: *And provided further*, That such contracts shall be ne-
 33 gotiated by a negotiating committee composed of the following persons:
 34 The consumer counsel of the citizens' utility ratepayer board or the con-
 35 sumer counsel's designee, the director of the budget or that director's
 36 designee, the director of accounts and reports or that director's designee,
 37 and the chairperson of the citizens' utility ratepayer board or the chair-
 38 person's designee: *And provided further*, That the consumer counsel of
 39 the citizens' utility ratepayer board or the consumer counsel's designee
 40 shall convene the negotiating committee for each such contract and the
 41 negotiating committee shall consider all proposals by persons applying to
 42 perform such contract and shall award the contract: *And provided further*,
 43 That such contracts shall not be subject to the provisions of K.S.A. 75-

1 3739 and amendments thereto or to the provisions of the acts contained
 2 in article 58 of chapter 75 of the Kansas Statutes Annotated: *And provided*
 3 *further*, That, of the amount of additional expenditures authorized by the
 4 expenditure limitation prescribed by this subsection, no portion of such
 5 unspent expenditure authority for fiscal year 2005 shall be the basis for
 6 any amount being transferred into a Kansas savings incentive program
 7 account or KSIP account under the Kansas savings incentive program of
 8 any other Kansas savings incentive program section in this or other ap-
 9 propriation act of the 2004 regular session of the legislature: *Provided,*
 10 *however*, That, if the total amount of additional expenditures authorized
 11 by the expenditure limitation prescribed by this section are not expended
 12 or encumbered for fiscal year 2005, then the amount equal to the amount
 13 of such increased expenditure authority for fiscal year 2005 remaining
 14 may be expended from the utility regulatory fee fund for fiscal year 2006
 15 pursuant to contracts for professional services and any such expenditure
 16 for fiscal year 2005 shall be in addition to any expenditure limitation
 17 imposed on the utility regulatory fee fund for the fiscal year ending June
 18 30, 2005.

19 (b) On July 1, 2004, October 1, 2004, January 1, 2005, and April 1,
 20 2005, or as soon after each such date as moneys are available, and upon
 21 receipt of certification by the state corporation commission of the amount
 22 to be transferred, the director of accounts and reports shall transfer from
 23 the public service regulation fund of the state corporation commission to
 24 the utility regulatory fee fund of the citizens' utility ratepayer board all
 25 moneys assessed by the state corporation commission for the citizens'
 26 utility ratepayer board under K.S.A. 66-1502 or 66-1503 and amendments
 27 thereto and deposited in the state treasury to the credit of the public
 28 service regulation fund.

29 Sec. 19.

30 DEPARTMENT OF ADMINISTRATION

31 (a) There is appropriated for the above agency from the state general
 32 fund for the fiscal year ending June 30, 2005, the following:

33 General administration \$1,338,771

34 *Provided*, That any unencumbered balance in the general administration
 35 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 36 for fiscal year 2005: *Provided, however*, That expenditures from such
 37 reappropriated balance shall be made only upon approval of the state
 38 finance council: *Provided further*, That in addition to other positions
 39 within the department of administration in the unclassified service as
 40 prescribed by law, expenditures may be made from the general admin-
 41 istration account for three employees in the unclassified service under
 42 the Kansas civil service act: *And provided further*, That expenditures from
 43 this account for official hospitality shall not exceed \$1,000.

1 Department of administration systems..... \$2,820,466
 2 *Provided*, That any unencumbered balance in the department of admin-
 3 istration systems account in excess of \$100 as of June 30, 2004, is hereby
 4 reappropriated for fiscal year 2005: *Provided, however*, That expenditures
 5 for such reappropriated balance shall be made only upon approval of the
 6 state finance council.

7 Accounting and reporting services \$529,968
 8 *Provided*, That any unencumbered balance in the accounting and re-
 9 porting services account in excess of \$100 as of June 30, 2004, is hereby
 10 reappropriated for fiscal year 2005: *Provided, however*, That expenditures
 11 for such reappropriated balance shall be made only upon approval of the
 12 state finance council.

13 Personnel services \$1,576,086
 14 *Provided*, That any unencumbered balance in the personnel services ac-
 15 count in excess of \$100 as of June 30, 2004, is hereby reappropriated for
 16 fiscal year 2005: *Provided, however*, That expenditures for such reapprop-
 17 riated balance shall be made only upon approval of the state finance
 18 council.

19 Purchasing..... \$476,421
 20 *Provided*, That any unencumbered balance in the purchasing account in
 21 excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
 22 year 2005: *Provided, however*, That expenditures for such reappropriated
 23 balance shall be made only upon approval of the state finance council.

24 Facilities management..... \$1,754,150
 25 *Provided*, That any unencumbered balance in the facilities management
 26 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 27 for fiscal year 2005: *Provided, however*, That expenditures for such reap-
 28 propriated balance shall be made only upon approval of the state finance
 29 council.

30 Budget analysis \$1,291,950
 31 *Provided*, That any unencumbered balance in the budget analysis account
 32 in excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
 33 year 2005: *Provided further*, That, in addition to other positions within
 34 the department of administration in the unclassified service as prescribed
 35 by law, expenditures may be made from the budget analysis account for
 36 two employees in the unclassified service under the Kansas civil service
 37 act: *And provided, further*, That expenditures from this account for of-
 38 ficial hospitality shall not exceed \$1,000.

39 Public broadcasting council grants \$1,813,016
 40 *Provided*, That any unencumbered balance in the public broadcasting
 41 council grants account in excess of \$100 as of June 30, 2004, is hereby
 42 reappropriated for fiscal year 2005: *Provided further*, That all expendi-
 43 tures from the public broadcasting council grants account for capital

1 equipment shall be made to provide matching funds for federal capital
 2 equipment grants awarded to eligible public broadcasting stations: *And*
 3 *provided further*, That expenditures from this account may be made to
 4 provide matching funds for capital equipment projects funded from any
 5 nonstate source in the event federal capital equipment grants are not
 6 awarded: *And provided further*, That in the event the federal facility pro-
 7 grams cease to exist or fail to conduct grant solicitations, expenditures
 8 may be made from this account to provide matching funds for capital
 9 equipment projects funded from any nonstate source without first apply-
 10 ing for federal capital equipment grants.

11 Public TV digital conversion debt service \$470,570

12 Policy analysis initiatives \$194,926

13 *Provided*, That any unencumbered balance in the policy analysis initia-
 14 tives account in excess of \$100 as of June 30, 2004, is hereby reappro-
 15 priated for fiscal year 2005: *Provided further*, That expenditures from this
 16 account for official hospitality shall not exceed \$5,000.

17 Long-term care ombudsman \$119,406

18 *Provided*, That any unencumbered balance in the long-term care om-
 19 budsman account in excess of \$100 as of June 30, 2004, is hereby reap-
 20 propriated for fiscal year 2005: *Provided, however*, That expenditures for
 21 such reapropriated balance shall be made only upon approval of the
 22 state finance council: *Provided further*, That expenditures from this ac-
 23 count for official hospitality shall not exceed \$1,000.

24 (b) There is appropriated for the above agency from the following spe-
 25 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 26 moneys now or hereafter lawfully credited to and available in such fund
 27 or funds, except that expenditures other than refunds or indirect cost
 28 recoveries authorized by law shall not exceed the following:

29 Federal cash management fund..... No limit

30 State budget stabilization fund \$0

31 State leave payment reserve fund..... No limit

32 Building and ground fund..... No limit

33 *Provided*, That expenditures may be made from the building and ground
 34 fund for operating and other expenses for the Hiram Price Dillon
 35 House.

36 General fees fund..... No limit

37 *Provided*, That expenditures may be made from the general fees fund for
 38 operating expenditures for the division of personnel services, including
 39 human resources programs and official hospitality: *Provided further*, That
 40 the director of personnel services is hereby authorized to fix, charge and
 41 collect fees: *And provided further*, That fees shall be fixed in order to
 42 recover all or part of the operating expenses incurred, including official
 43 hospitality: *And provided further*, That all fees received, including fees

1 received under the open records act for providing access to or furnishing
2 copies of public records, shall be credited to this fund.

3 Human resource information systems cost recovery
4 fund No limit

5 Budget fees fund..... No limit

6 *Provided*, That expenditures may be made from the budget fees fund for
7 operating expenditures for the division of the budget, including training
8 programs, special projects and official hospitality: *Provided further*, That
9 the director of the budget is hereby authorized to fix, charge and collect
10 fees for such training programs: *And provided further*, That fees for such
11 training programs and special projects shall be fixed in order to recover
12 all or part of the operating expenses incurred for such training programs
13 and special projects, including official hospitality: *And provided further*,
14 That all fees received for such training programs and special projects and
15 all fees received by the division of the budget under the open records act
16 for providing access to or furnishing copies of public records, shall be
17 credited to this fund.

18 Purchasing fees fund..... No limit

19 *Provided*, That expenditures may be made from the purchasing fees fund
20 for operating expenditures of the division of purchases, including training
21 seminars and official hospitality: *Provided further*, That the director of
22 purchases is hereby authorized to fix, charge and collect fees for operating
23 expenditures incurred to reproduce and disseminate purchasing infor-
24 mation, administer vendor applications, administer state contracts and
25 conduct training seminars, including official hospitality: *And provided fur-*
26 *ther*, That such fees shall be fixed in order to recover all or part of such
27 operating expenses: *And provided further*, That all moneys received for
28 such fees and all moneys received pursuant to the state travel services
29 contract shall be deposited in the state treasury to the credit of this fund.

30 Architectural services fee fund No limit

31 *Provided*, That expenditures may be made from the architectural services
32 fee fund for operating expenditures for distribution of architectural in-
33 formation: *Provided further*, That the director of facilities management
34 is hereby authorized to fix, charge and collect fees for reproduction and
35 distribution of architectural information: *And provided further*, That such
36 fees shall be fixed in order to recover all or part of the operating expenses
37 incurred for reproducing and distributing architectural information: *And*
38 *provided further*, That all fees received for such reproduction and distri-
39 bution of architectural information shall be credited to this fund.

40 Budget equipment conversion fund..... No limit

41 Conversion of materials and equipment fund No limit

42 Architectural services equipment conversion fund..... No limit

43 Property contingency fund..... No limit

1 Flood control emergency — federal fund No limit
 2 CJIS Byrne Grant — federal fund No limit
 3 Digital orthophoto project — federal fund No limit
 4 FICA reimbursements medical residents fund No limit
 5 Information technology fund No limit
 6 Information technology reserve fund No limit
 7 Computer services recovery fund No limit
 8 *Provided*, That expenditures may be made from the computer services
 9 recovery fund to provide central computer system development services,
 10 which shall be in addition to data processing services provided under
 11 K.S.A. 75-4704 and amendments thereto to other state agencies: *Provided*
 12 *further*, That the secretary of administration is hereby authorized, in ac-
 13 cordance with the procedures and guidelines prescribed by K.S.A. 75-
 14 4703 and amendments thereto, to fix, charge and collect fees for such
 15 central computer system development services to other state agencies:
 16 *And provided further*, That such fees shall be fixed in order to recover
 17 all or part of the operating expenses incurred in providing such services:
 18 *And provided further*, That all fees received for such services shall be
 19 credited to this fund: *And provided further*, That all expenditures for the
 20 personnel/payroll project shall be made from the personnel/payroll pro-
 21 ject program account of this fund: *And provided further*, That amounts
 22 may be transferred into this account from any state general fund account
 23 or any special revenue fund of the department of administration or any
 24 other state agency.
 25 State buildings operating fund No limit
 26 *Provided*, That expenditures may be made from the state buildings op-
 27 erating fund for operating and other expenses for the Hiram Price Dillon
 28 House: *Provided further*, That the secretary of administration is hereby
 29 authorized to fix, charge and collect fees for use of the rooms and other
 30 facilities of the Hiram Price Dillon House in accordance with policies
 31 adopted by the legislative coordinating council under K.S.A. 75-3682 and
 32 amendments thereto for approving the use of such property: *And pro-*
 33 *vided further*, That fees for approved use of such property shall be rea-
 34 sonable and directly related to the costs of such use and shall be fixed in
 35 order to recover all or part of the operating expenses incurred for such
 36 use: *And provided further*, That all moneys received for such fees shall
 37 be deposited in the state treasury and credited to the state buildings
 38 operating fund or the building and ground fund, as determined and di-
 39 rected by the secretary of administration: *And provided further*, That the
 40 secretary of administration is hereby authorized to fix, charge and collect
 41 a real estate property leasing services fee at a reasonable rate per square
 42 foot of space leased by state agencies as approved by the secretary of
 43 administration under K.S.A. 75-3739 and amendments thereto to recover

1 the costs incurred by the department of administration in providing serv-
 2 ices to state agencies relating to leases of real property: *And provided*
 3 *further*, That each state agency that is party to a lease of real property
 4 that is approved by the secretary of administration under K.S.A. 75-3739
 5 and amendments thereto shall remit to the secretary of administration
 6 the real estate property leasing services fee upon receipt of the billing
 7 therefor: *And provided further*, That all moneys received for real estate
 8 property leasing services fees shall be deposited in the state treasury and
 9 credited to the state buildings operating fund or the building and ground
 10 fund, as determined and directed by the secretary of administration: *And*
 11 *provided further*, That the net proceeds from the sale of all or any part
 12 of the Topeka state hospital property, as defined by subsection (a) of
 13 K.S.A. 2003 Supp. 75-37,123 and amendments thereto shall be deposited
 14 in the state treasury and credited to the state buildings operating fund or
 15 the building and ground fund, as determined and directed by the secre-
 16 tary of administration: *And provided further*, That the secretary of ad-
 17 ministration is hereby authorized to fix, charge and collect a surcharge
 18 against all state agency leased square footage in Shawnee County includ-
 19 ing both state-owned and privately-owned buildings: *And provided fur-*
 20 *ther*, That all moneys received for such fees shall be deposited in the state
 21 treasury and credited to the state buildings operating fund or the building
 22 and ground fund, as determined and directed by the secretary of admin-
 23 istration.

24 Accounting services recovery fund No limit
 25 *Provided*, That expenditures may be made from the accounting services
 26 recovery fund for the operating expenditures, including official hospital-
 27 ity, of the department of administration: *Provided further*, That the sec-
 28 retary of administration is hereby authorized to fix, charge and collect
 29 fees for services or sales provided by the department of administration
 30 which are not specifically authorized by any other statute: *And provided*
 31 *further*, That all fees received for such services or sales shall be credited
 32 to this fund.

33 Architectural services recovery fund..... No limit
 34 *Provided*, That expenditures may be made from the architectural services
 35 recovery fund for operating expenditures for the division of architectural
 36 services: *Provided further*, That, notwithstanding the provisions of sub-
 37 section (b) of K.S.A. 75-4403 and amendments thereto, the director of
 38 facilities management may exchange an employee with the attorney gen-
 39 eral’s office to assist in the enforcement of K.S.A. 58-1301 *et seq.*, and
 40 amendments thereto: *And provided further*, That the director of facilities
 41 management is hereby authorized to charge and collect fees for services
 42 provided to other state agencies not directly related to the construction
 43 of a capital improvement project: *And provided further*, That the director

1 of facilities management is hereby authorized to charge and collect (1) a
 2 fee equal to 1% of the estimated cost of each capital improvement project
 3 for a state agency which is not financed, in whole or in part, by gifts,
 4 bequests, or donations made by one or more private individuals or other
 5 private entities and for which the division provides architectural, engi-
 6 neering or management services or, in the case of any capital improve-
 7 ment project for a state agency which is partially financed by gifts, be-
 8 quests or donations made by one or more private individuals or other
 9 private entities, a fee equal to 1% of the proportional amount of the
 10 estimated cost of such capital improvement project which is not financed
 11 by gifts, bequests or donations made by one or more private individuals
 12 or other private entities and for which the division provides architectural,
 13 engineering or management services, and (2) an additional fee equal to
 14 8% of the construction cost of each capital improvement project for which
 15 the division provides in-house architectural and engineering design serv-
 16 ices: *And provided further*, That such services shall be subject to the
 17 limitations of K.S.A. 75-1253 and amendments thereto: *And provided*
 18 *further*, That all fees received for such services shall be credited to this
 19 fund.

20 Motor pool service fund No limit
 21 *Provided*, That, notwithstanding the provisions of K.S.A. 75-4607 and
 22 amendments thereto, expenditures may be made from the motor pool
 23 service fund for return of contributed capital of the motor pool service
 24 fund to the state general fund.

25 Motor pool service depreciation reserve fund No limit
 26 *Provided*, That, notwithstanding the provisions of K.S.A. 75-4614 and
 27 amendments thereto, expenditures may be made from the motor pool
 28 service depreciation reserve fund for return of contributed capital of the
 29 motor pool service depreciation reserve fund to the state general fund.

30 Kansas public employees retirement clearing fund No limit
 31 Intragovernmental printing service fund No limit

32 Intragovernmental printing service depreciation reserve
 33 fund No limit

34 Municipal accounting and training services recovery
 35 fund No limit

36 *Provided*, That expenditures may be made from the municipal accounting
 37 and training services recovery fund to provide general ledger, payroll
 38 reporting, utilities billing, data processing, and accounting services to mu-
 39 nicipalities and to provide training programs conducted for municipal
 40 government personnel, including official hospitality: *Provided further*,
 41 That the director of accounts and reports is hereby authorized to fix,
 42 charge and collect fees for such services and programs: *And provided*
 43 *further*, That such fees shall be fixed to cover all or part of the operating

1	expenditures incurred in providing such services and programs, including	
2	official hospitality: <i>And provided further</i> , That all fees received for such	
3	services and programs, including official hospitality, shall be credited to	
4	this fund.	
5	Canceled warrants payment fund.....	No limit
6	State emergency fund	No limit
7	Bid and contract deposit fund	No limit
8	State workers compensation self-insurance fund	No limit
9	Health and hospitalization insurance clearing fund	No limit
10	Federal withholding tax clearing fund.....	No limit
11	State gaming revenues fund.....	No limit
12	Health insurance premium reserve fund	No limit
13	Legal office collection clearing fund.....	No limit
14	Excise tax refund clearing fund	No limit
15	State withholding tax clearing fund	No limit
16	Unemployment compensation tax clearing fund.....	No limit
17	Construction defects recovery fund.....	No limit
18	Preventive health care program fund.....	No limit
19	Facilities conservation improvement fund	No limit
20	State revolving fund services fee fund	No limit
21	Cafeteria benefits fund.....	No limit
22	<i>Provided</i> , That expenditures from the cafeteria benefits fund for salaries	
23	and wages and other operating expenditures shall not exceed \$2,100,362.	
24	Dependent care assistance program fund.....	No limit
25	Conversion of materials and equipment — recycling pro-	
26	gram fund	No limit
27	Curtis office building maintenance reserve fund	No limit
28	Employees faithful performance bond clearing fund.....	No limit
29	Deferred compensation clearing fund.....	No limit
30	Deferred compensation fees fund.....	No limit
31	Equipment lease purchase program administration clear-	
32	ing fund.....	No limit
33	Suspense fund	No limit
34	Series E savings bond clearing fund	No limit
35	Optional life insurance clearing fund.....	No limit
36	Employee organization dues clearing fund	No limit
37	United Way contributions clearing fund.....	No limit
38	Setoff clearing fund	No limit
39	Parking fees clearing fund	No limit
40	Electronic funds transfer suspense fund	No limit
41	State employee contribution clearing fund for OASDHI ..	No limit
42	Intergovernmental cooperation agreement for develop-	
43	ment of statewide cost allocation plan clearing fund	No limit

1 Medicare fund clearing account..... No limit
 2 Surplus property program fund — on budget..... No limit
 3 Surplus property program fund — off budget..... No limit
 4 Non-state employer group benefit fund..... No limit
 5 Leave payment reserve clearing fund No limit
 6 Administrative hearings office fund..... No limit
 7 Older Americans act long term care ombudsman federal
 8 fund No limit
 9 Office of health planning and finance fund..... No limit
 10 *Provided*, That expenditures from the office of health planning and fi-
 11 nance fund for the fiscal year ending June 30, 2005, for official hospitality
 12 shall not exceed \$1,000.
 13 Long term care ombudsman gift and grant fund..... No limit
 14 (c) On or before the 10th of each month during the fiscal year ending
 15 June 30, 2005, the director of accounts and reports shall transfer from
 16 the state general fund to the deferred compensation fees fund of the
 17 department of administration interest earnings based on: (1) The average
 18 daily balance of moneys in the deferred compensation fees fund for the
 19 preceding month; and (2) the net earnings rate for the pooled money
 20 investment portfolio for the preceding month.
 21 (d) On July 1, 2004, the director of accounts and reports shall transfer
 22 \$210,000 from the state highway fund to the state general fund for the
 23 purpose of reimbursing the state general fund for the cost of providing
 24 purchasing services to the department of transportation.
 25 (e) During the fiscal year ending June 30, 2005, the secretary of ad-
 26 ministration is authorized to approve refinancing of equipment being fi-
 27 nanced by state agencies through the department’s equipment financing
 28 program. Such project is approved for the purposes of subsection (b) of
 29 K.S.A. 74-8905 and amendments thereto.
 30 (f) In addition to the other purposes for which expenditures may be
 31 made by the above agency from moneys appropriated in any capital im-
 32 provement account of any special revenue fund or in any capital improve-
 33 ment account of the state general fund for the above agency for fiscal
 34 year 2005 by this or other appropriation act of the 2004 regular session
 35 of the legislature, expenditures may be made by the above agency from
 36 any such capital improvement account of any special revenue fund or any
 37 such capital improvement account of the state general fund for fiscal year
 38 2005 for the purpose of making emergency repairs to any facility that is
 39 under the charge, care, management or control of the department of
 40 administration as provided by law: *Provided*, That the secretary of ad-
 41 ministration shall make a full report on such repairs and expenditures to
 42 the director of the budget and the director of the legislative research
 43 department.

1 (g) On July 1, 2004, or as soon thereafter as moneys are available during
2 the fiscal year ending June 30, 2005, the director of accounts and reports
3 shall transfer an amount or amounts from the appropriate federal fund
4 or funds of the department on aging to the older Americans act long term
5 care ombudsman federal fund of the department of administration: *Pro-*
6 *vided*, That the aggregate of such amount or amounts transferred during
7 fiscal year 2005 shall be equal to and shall not exceed \$321,796.

8 (h) (1) On July 1, 2004, the director of accounts and reports shall record
9 a debit to the state treasurer's receivables for the children's initiatives
10 fund and shall record a corresponding credit to the children's initiatives
11 fund in an amount certified by the director of the budget which shall be
12 equal to 50% of the amount estimated by the director of the budget to
13 be transferred and credited to the children's initiatives fund during the
14 fiscal year ending June 30, 2005, except that such amount shall be pro-
15 portionally adjusted during fiscal year 2005 with respect to any change in
16 the moneys to be transferred and credited to the children's initiatives
17 fund during fiscal year 2005. Among other appropriate factors, the direc-
18 tor of the budget shall take into consideration the estimated and actual
19 receipts and interest earnings of the Kansas endowment for youth fund
20 for fiscal year 2004 and fiscal year 2005 in determining the amount to be
21 certified under this subsection. All moneys transferred and credited to
22 the children's initiatives fund during fiscal year 2005 shall reduce the
23 amount debited and credited to the children's initiatives fund under this
24 subsection.

25 (2) On June 30, 2005, the director of accounts and reports shall adjust
26 the amounts debited and credited to the state treasurer's receivables and
27 to the children's initiatives fund pursuant to this subsection, to reflect all
28 moneys actually transferred and credited to the children's initiatives fund
29 during fiscal year 2005.

30 (3) The director of accounts and reports shall notify the state treasurer
31 of all amounts debited and credited to the children's initiatives fund pur-
32 suant to this subsection and all reductions and adjustments thereto made
33 pursuant to this subsection. The state treasurer shall enter all such
34 amounts debited and credited and shall make reductions and adjustments
35 thereto on the books and records kept and maintained for the children's
36 initiatives fund by the state treasurer in accordance with the notice
37 thereof.

38 (i) (1) On July 1, 2004, the director of accounts and reports shall record
39 a debit to the state treasurer's receivables for the correctional institutions
40 building fund and shall record a corresponding credit to the correctional
41 institutions building fund in an amount certified by the director of the
42 budget which shall be equal to 80% of the amount estimated by the
43 director of the budget to be transferred and credited to the correctional

1 institutions building fund during the fiscal year ending June 30, 2005,
2 except that such amount shall be proportionally adjusted during fiscal year
3 2005 with respect to any change in the moneys to be transferred and
4 credited to the correctional institutions building fund during fiscal year
5 2005. All moneys transferred and credited to the correctional institutions
6 building fund during fiscal year 2005 shall reduce the amount debited
7 and credited to the correctional institutions building fund under this sub-
8 section.

9 (2) On June 30, 2005, the director of accounts and reports shall adjust
10 the amounts debited and credited to the state treasurer's receivables and
11 to the correctional institutions building fund pursuant to this subsection,
12 to reflect all moneys actually transferred and credited to the correctional
13 institutions building fund during fiscal year 2005.

14 (3) The director of accounts and reports shall notify the state treasurer
15 of all amounts debited and credited to the correctional institutions build-
16 ing fund pursuant to this subsection and all reductions and adjustments
17 thereto made pursuant to this subsection. The state treasurer shall enter
18 all such amounts debited and credited and shall make reductions and
19 adjustments thereto on the books and records kept and maintained for
20 the correctional institutions building fund by the state treasurer in ac-
21 cordance with the notice thereof.

22 (j) During the fiscal year ending June 30, 2005, the secretary of ad-
23 ministration, with the approval of the director of the budget, may transfer
24 any part of any item of appropriation for the fiscal year ending June 30,
25 2005, from the state general fund for the department of administration
26 to another item of appropriation for fiscal year 2005 from the state general
27 fund for the department of administration. The secretary of administra-
28 tion shall certify each such transfer to the director of accounts and reports
29 and shall transmit a copy of each such certification to the director of the
30 legislative research department.

31 (k) On October 1, 2004, on January 1, 2005, on April 1, 2005, and on
32 June 30, 2005, the state corporation commission shall transfer any unen-
33 cumbered balance in excess of \$40,000 in the facility conservation im-
34 provement program fund of the state corporation commission to the archi-
35 tectural services recovery fund of the department of administration:
36 *Provided*, That the amounts transferred from the facility conservation
37 improvement program fund of the state corporation commission to the
38 architectural services recovery fund of the department of administration
39 pursuant to this subsection are to reimburse the architectural services
40 recovery fund of the department of administration for architectural and
41 related services which are performed on behalf of the facility conservation
42 improvement program of the state corporation commission by the de-
43 partment of administration.

1 (l) On July 1, 2004, or as soon thereafter as moneys are available, the
2 director of the budget shall certify to the director of accounts and reports
3 the amount equal to that portion of the unencumbered balance in the
4 budget fees fund that originated from private grants to finance the office
5 of health planning and finance. Upon receipt of such certification, the
6 director of accounts and reports shall transfer the amount certified from
7 the budget fees fund of the department of administration to the office of
8 health planning and finance fund of the department of administration.

9 (m) (1) On June 30, 2005, the director of accounts and reports shall
10 transfer any unencumbered balance in the state budget stabilization fund
11 to the state general fund.

12 (2) During the fiscal year ending June 30, 2005, upon the release of
13 each encumbrance of moneys in the state budget stabilization fund, the
14 director of accounts and reports shall transfer the amount equal to the
15 unexpended balance of each such released encumbrance from the state
16 budget stabilization fund to the state general fund.

17 (n) On July 1, 2004, or as soon thereafter as moneys are available during
18 the fiscal year ending June 30, 2005, the director of accounts and reports,
19 in accordance with one or more certifications by the director of the
20 budget, shall transfer one or more amounts from the surplus property
21 program fund — on budget or the surplus property program fund — off
22 budget, or from both such funds, of the department of administration to
23 the state general fund.

24 (o) On July 1, 2004, the director of accounts and reports shall transfer
25 any unencumbered balance in excess of \$40,000 in the facilities conser-
26 vation improvements fund of the department of administration to the
27 architectural services recovery fund of the department of administration.

28 **[(p) In addition to the other purposes for which expenditures**
29 **may be made by the department of administration from the mon-**
30 **eys appropriated from the state general fund or from any special**
31 **revenue fund for fiscal year 2004 and fiscal year 2005 as author-**
32 **ized by chapter 138 or 160 of the 2003 Session Laws of Kansas or**
33 **by this or other appropriation act of the 2004 regular session of**
34 **the legislature, expenditures shall be made by the department of**
35 **administration from moneys appropriated from the state general**
36 **fund or from any special revenue fund for fiscal year 2004 and**
37 **fiscal year 2005 to provide for printing of expense and other war-**
38 **rant advises, which are issued and printed by the division of ac-**
39 **counts and reports for distribution to state officers and employees,**
40 **or to other individuals, when the payments are deposited in finan-**
41 **cial institutions through electronic funds transactions, so that per-**
42 **sonal identification information and payment transaction infor-**
43 **mation is obscured, redacted or omitted to reduce the risk of**

1 **identity theft.]**

2 Sec. 20.

3 STATE BOARD OF TAX APPEALS

4 (a) There is appropriated for the above agency from the state general
5 fund for the fiscal year ending June 30, 2005, the following:

6 Operating expenditures \$1,294,199

7 *Provided*, That any unencumbered balance in the operating expenditures
8 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
9 for fiscal year 2005.

10 (b) There is appropriated for the above agency from the following spe-
11 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
12 moneys now or hereafter lawfully credited to and available in such fund
13 or funds, except that expenditures other than refunds authorized by law
14 shall not exceed the following:

15 Duplicating fees fund..... \$13,994

16 BOTA filing fee fund \$279,220

17 Sec. 21.

18 DEPARTMENT OF REVENUE

19 (a) There is appropriated for the above agency from the state general
20 fund for the fiscal year ending June 30, 2005, the following:

21 Operating expenditures \$20,046,408

22 *Provided*, That any unencumbered balance in the operating expenditures
23 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
24 for fiscal year 2005: *Provided, however*, That expenditures from this ac-
25 count for official hospitality shall not exceed \$1,500.

26 (b) There is appropriated for the above agency from the following spe-
27 cial revenue fund or funds for the fiscal year ending June 30, 2005, 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 Sand royalty fund No limit

32 Division of vehicles operating fund \$39,711,990

33 *Provided*, That all receipts collected under authority of K.S.A. 74-2012
34 and amendments thereto shall be credited to the division of vehicles op-
35 erating fund: *Provided further*, That any expenditure from the division of
36 vehicles operating fund of the department of revenue to reimburse the
37 audit services fund of the division of post audit for a financial-compliance
38 audit in an amount certified by the legislative post auditor shall be in
39 addition to any expenditure limitation imposed on the division of vehicles
40 operating fund for the fiscal year ending June 30, 2005: *And provided*
41 *further*, That, notwithstanding the provisions of K.S.A. 68-416 and
42 amendments thereto or of any statute, expenditures may be made from
43 this fund for other operating expenditures of the department of revenue,

1 including administration and operation of driver license and registration,
 2 administration of the taxation laws, administration of the alcoholic bev-
 3 erage control laws, and the indirect costs of operations in support of these
 4 activities in the department of revenue.

5 Vehicle dealers and manufacturers fee fund No limit

6 Kansas qualified agricultural ethyl alcohol producer incen-
 7 tive fund No limit

8 Local report fee fund No limit

9 Military retirees income tax refund fund No limit

10 Conversion of materials and equipment fund No limit

11 Forfeited property fee fund No limit

12 Setoff services revenue fund No limit

13 Publications fee fund No limit

14 State bingo regulation fund No limit

15 Child support enforcement contractual agreement fund... No limit

16 County treasurers' vehicle licensing fee fund No limit

17 Reappraisal reimbursement fund No limit

18 *Provided*, That all moneys received for the costs incurred for conducting
 19 appraisals for any county shall be deposited in the state treasury and
 20 credited to the reappraisal reimbursement fund: *Provided further*, That
 21 expenditures may be made from this fund for the purpose of conducting
 22 appraisals pursuant to orders of the board of tax appeals under K.S.A. 79-
 23 1479 and amendments thereto.

24 Special training fund No limit

25 *Provided*, That expenditures may be made from the special training fund
 26 for operating expenditures, including official hospitality, incurred for con-
 27 ferences, training seminars, workshops and examinations: *Provided fur-*
 28 *ther*, That the secretary of revenue is hereby authorized to fix, charge and
 29 collect fees for conferences, training seminars, workshops and examina-
 30 tions sponsored or cosponsored by the department of revenue: *And pro-*
 31 *vided further*, That such fees shall be fixed in order to recover all or part
 32 of the operating expenditures incurred for such conferences, training
 33 seminars, workshops and examinations or for qualifying applicants for
 34 such conferences, training seminars, workshops and examinations: *And*
 35 *provided further*, That all fees received for conferences, training semi-
 36 nars, workshops and examinations shall be deposited in the state treasury
 37 and credited to the special training fund.

38 Recovery fund for enforcement actions and attorney
 39 fees No limit

40 Federal commercial motor vehicle safety fund No limit

41 Central stores fund No limit

42 *Provided*, That expenditures may be made from the central stores fund
 43 to operate and maintain a central stores activity to sell supplies to other

1	state agencies: <i>Provided further</i> , That all moneys received for such sup-	
2	plies shall be deposited in the state treasury and credited to this fund.	
3	Microfilming fund	No limit
4	<i>Provided</i> , That expenditures may be made from the microfilming fund to	
5	operate and maintain a microfilming activity to sell microfilming services	
6	to other state agencies: <i>Provided further</i> , That all moneys received for	
7	such services shall be deposited in the state treasury and credited to this	
8	fund.	
9	Miscellaneous trust bonds fund	No limit
10	Liquor excise tax guarantee bond fund	No limit
11	Non-resident contractors cash bond fund.....	No limit
12	Bond guaranty fund.....	No limit
13	Interstate motor fuel user cash bond fund	No limit
14	Motor fuel distributor cash bond fund.....	No limit
15	County and city bingo tax fund.....	No limit
16	Special county mineral production tax fund.....	No limit
17	County drug tax fund.....	No limit
18	Escheat proceeds suspense fund.....	No limit
19	Privilege tax refund fund	No limit
20	Suspense fund	No limit
21	Cigarette tax refund fund	No limit
22	Motor-vehicle fuel tax refund fund	No limit
23	Cereal malt beverage tax refund fund.....	No limit
24	Income tax refund fund.....	No limit
25	Sales tax refund fund	No limit
26	Compensating tax refund fund	No limit
27	Alcoholic liquor tax refund fund	No limit
28	Cigarette/tobacco products regulation fund.....	No limit
29	Motor carrier tax refund fund	No limit
30	Car company tax fund.....	No limit
31	Protested motor carrier taxes fund.....	No limit
32	Tobacco products refund fund	No limit
33	Transient guest tax refund fund established by K.S.A. 12-	
34	1694a.....	No limit
35	Interstate motor fuel taxes clearing fund.....	No limit
36	Bingo refund fund.....	No limit
37	Transient guest tax refund fund established by K.S.A. 12-	
38	16,100.....	No limit
39	Inheritance tax abatement refund fund.....	No limit
40	Interstate motor fuel taxes refund fund	No limit
41	Interfund clearing fund.....	No limit
42	Local alcoholic liquor clearing fund.....	No limit
43	International registration plan distribution clearing fund ..	No limit

1	Rental motor vehicle excise tax refund fund	No limit
2	International fuel tax agreement clearing fund.....	No limit
3	Mineral production tax refund fund	No limit
4	Special fuels tax refund fund.....	No limit
5	LP-gas motor fuels refund fund.....	No limit
6	Local alcoholic liquor refund fund	No limit
7	Sales tax clearing fund.....	No limit
8	Rental motor vehicle excise tax clearing fund	No limit
9	VIPS/CAMA technology hardware fund.....	No limit
10	<i>Provided</i> , That, notwithstanding the provisions of K.S.A. 74-2021 and	
11	amendments thereto or of any other statute, expenditures may be made	
12	from VIPS/CAMA technology hardware fund for the purposes of up-	
13	grading the VIPS/CAMA computer hardware and software for the state	
14	or for the counties, of administration and operation of the department of	
15	revenue, and of the indirect costs of operations in support of these activ-	
16	ities in the department of revenue.	
17	County and city retailers sales tax clearing fund — county	
18	and city sales tax.....	No limit
19	City and county compensating use tax clearing fund	No limit
20	County and city transient guest tax clearing fund	No limit
21	Automated tax systems fund.....	No limit
22	Dyed diesel fuel fee fund	No limit
23	Electronic databases fee fund.....	No limit
24	<i>Provided</i> , That, notwithstanding the provisions of K.S.A. 74-2022 and	
25	amendments thereto or of any other statute, expenditures may be made	
26	from electronic databases fee fund for the purposes of operating expend-	
27	itures, including expenditures for capital outlay; of operating, maintaining	
28	or improving the vehicle information processing system (VIPS), the Kan-	
29	sas computer assisted mass appraisal system (CAMA) and other electronic	
30	database systems of the department of revenue, including the costs in-	
31	curred to provide access to or to furnish copies of public records in such	
32	database systems; of the administration and operation of the department	
33	of revenue; and of the indirect costs of operations in support of these	
34	activities in the department of revenue.	
35	Photo fee fund.....	No limit
36	<i>Provided</i> , That expenditures may be made from the photo fee fund for	
37	administration and operation of the driver license program and related	
38	support operations in the division of administration of the department of	
39	revenue, including costs of implementing Chapter 5 and Chapter 63 of	
40	the 2003 Session Laws of Kansas.	
41	Estate tax abatement refund fund.....	No limit
42	(c) On July 1, 2004, October 1, 2004, January 1, 2005, and April 1,	
43	2005, the director of accounts and reports shall transfer \$9,532,114.25	

1 from the state highway fund of the department of transportation to the
2 division of vehicles operating fund of the department of revenue for the
3 purpose of financing the cost of operation and general expense of the
4 division of vehicles and related operations of the department of revenue.

5 (d) On August 1, 2004, the director of accounts and reports shall trans-
6 fer \$77,250 from the accounting services recovery fund of the department
7 of administration to the setoff services revenue fund of the department
8 of revenue for reimbursing costs of recovering amounts owed state agen-
9 cies under K.S.A. 75-6201 *et seq.*, and amendments thereto.

10 (e) On August 1, 2004, the director of accounts and reports shall trans-
11 fer \$60,000 from the social welfare fund of the department of social and
12 rehabilitation services to the child support enforcement contractual
13 agreement fund of the department of revenue to reimburse costs of ad-
14 ministrative expenses of child support enforcement activities under the
15 agreement.

16 Sec. 22.

17 KANSAS LOTTERY

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, 2005, all
20 moneys now or hereafter lawfully credited to and available in such fund
21 or funds, except that expenditures other than refunds authorized by law
22 shall not exceed the following:

23 Lottery prize payment fund	No limit
24 Lottery operating fund	\$9,303,945 \$8,721,168

25 *Provided*, That all expenditures from the lottery operating fund for on-
26 line terminal communication charges, for on-line vendor commission pay-
27 ments, for instant ticket printing charges, or for refunds and transfers
28 shall be in addition to any expenditure limitation imposed on this fund:
29 *Provided further*, That expenditures from this fund for official hospitality
30 shall not exceed \$5,000; *And provided further*, That any expenditure from
31 the lottery operating fund to reimburse the audit services fund of the
32 division of legislative post audit for audits performed pursuant to K.S.A.
33 74-8707 and amendments thereto in amounts certified by the legislative
34 post auditor shall be in addition to any expenditure limitation imposed
35 on the lottery operating fund for the fiscal year ending June 30, 2005.

36 (b) Notwithstanding the provisions of K.S.A. 74-8711 and amendments
37 thereto, an amount of not less than \$4,500,000 shall be transferred
38 monthly in the fiscal year ending June 30, 2005, with the first transfer to
39 be made on or before ~~July~~ **[August]** 15, 2004, and monthly transfers shall
40 continue until an aggregate total of not less than \$63,250,000 shall be
41 transferred by July 15, 2005, for a total of 12 monthly transfers to be
42 made during the period. The director of accounts and reports shall trans-
43 fer moneys certified by the director of the Kansas lottery from the lottery

1 operating fund to the state gaming revenues fund on or before the 15th
2 of each month in an amount of not less than \$4,500,000 for each transfer
3 during the period ending June 30, 2005.

4 (c) On June 16, 2005, or as soon thereafter as moneys are available,
5 notwithstanding the provisions of K.S.A. 74-8711 and amendments
6 thereto or of any other statute, the director of accounts and reports shall
7 transfer \$500,000 from the lottery operating fund to the state general
8 fund: *Provided*, That the transfer of such amount shall be in addition to
9 any other transfer from the lottery operating fund to the state general
10 fund as prescribed by law: *Provided further*, That the amount transferred
11 from the lottery operating fund to the state general fund pursuant to this
12 subsection is to reimburse the state general fund for accounting, auditing,
13 budgeting, legal, payroll, personnel and purchasing services and any other
14 governmental services which are performed on behalf of the Kansas lot-
15 tery by other state agencies which receive appropriations from the state
16 general fund to provide such services.

17 (d) Notwithstanding the provisions of K.S.A. 79-4801 and amendments
18 thereto and in addition to the requirements of subsection (b) of this sec-
19 tion, on or after January 15, 2005, upon certification by the executive
20 director of the lottery, the director of accounts and reports shall transfer
21 from the lottery operating fund to the state gaming revenues fund the
22 amount of \$500,000: *Provided*, That the director of accounts and reports
23 shall transfer immediately thereafter from the state gaming revenues fund
24 to the state general fund an amount of \$500,000: *Provided further*, That,
25 on or before June 15, 2005, the executive director of the lottery shall
26 certify to the director of accounts and reports the amount of total profit
27 attributed to the special veterans benefits game, reduced by the \$500,000
28 previously transferred pursuant to this subsection: *And provided further*,
29 That, upon receipt of such additional certification from the executive
30 director of the lottery, the director of accounts and reports shall transfer
31 the amount so certified from the lottery operating fund to the state gam-
32 ing revenues fund.

33 Sec. 23.

34 KANSAS RACING AND GAMING COMMISSION

35 (a) There is appropriated for the above agency from the following spe-
36 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
37 moneys now or hereafter lawfully credited to and available in such fund
38 or funds, except that expenditures other than refunds authorized by law
39 shall not exceed the following:

40 State racing fund..... \$3,047,161

41 *Provided*, That all expenditures from the state racing fund for refunds
42 and transfers shall be in addition to any expenditure limitation imposed
43 on this fund: *Provided further*, That expenditures from this fund for of-

1 ficial hospitality shall not exceed \$2,500: *And provided further*, That any
 2 expenditure from the state racing fund to reimburse the audit services
 3 fund of the division of legislative post audit for a financial-compliance
 4 audit in an amount certified by the legislative post auditor shall be in
 5 addition to any expenditure limitation imposed on the state racing fund
 6 for the fiscal year ending June 30, 2005.

7 Racing reimbursable expense fund.....	No limit
8 Racing applicant deposit fund	No limit
9 Kansas horse breeding development fund	No limit
10 Kansas greyhound breeding development fund	No limit
11 Racing investigative expense fund	No limit
12 Horse fair racing benefit fund	No limit
13 Tribal gaming fund	No limit

14 *Provided*, That expenditures from the tribal gaming fund for the fiscal
 15 year ending June 30, 2005, for official hospitality shall not exceed \$1,500.

16 (b) On July 1, 2004, the director of accounts and reports shall transfer
 17 \$450,000 from the state general fund to the tribal gaming fund of the
 18 Kansas racing and gaming commission.

19 (c) During the fiscal year ending June 30, 2005, the director of accounts
 20 and reports shall transfer one or more amounts certified by the executive
 21 director of the state gaming agency from the tribal gaming fund to the
 22 state general fund: *Provided*, That all such transfers shall be for the pur-
 23 pose of reimbursing the state general fund for the amount equal to the
 24 net amount obtained by subtracting (1) the aggregate of any costs in-
 25 curred by the state gaming agency during fiscal year 2005 for any arbi-
 26 tration or litigation in connection with the administration and enforce-
 27 ment of tribal-state gaming compacts or the provisions of the tribal
 28 gaming oversight act, from (2) the aggregate of the amounts transferred
 29 to the tribal gaming fund of the Kansas racing and gaming commission
 30 during fiscal year 2005 for the operating expenditures for the state gaming
 31 agency and any other expenses incurred in connection with the admin-
 32 istration and enforcement of tribal-state gaming compacts or the provi-
 33 sions of the tribal gaming oversight act.

34 (d) Notwithstanding any other provision of law, no transfers shall be
 35 made during the fiscal year ending June 30, 2005, from the state racing
 36 fund to any fund of the Kansas bureau of investigation for any purpose.
 37 All payments during the fiscal year ending June 30, 2005, for services
 38 provided by the Kansas bureau of investigation shall be paid by the Kansas
 39 racing and gaming commission in accordance with subsection (b) of
 40 K.S.A. 75-5516 and amendments thereto, pursuant to bills which are pre-
 41 sented in a timely manner by the Kansas bureau of investigation for serv-
 42 ices rendered. Any expenditure from the state racing fund during fiscal
 43 year 2005 to reimburse the Kansas bureau of investigation for professional

1 services and fees in an amount certified by the director of the Kansas
2 bureau of investigation shall be in addition to any expenditure limitation
3 imposed on the state racing fund for the fiscal year ending June 30, 2005.

4 (e) In addition to the other purposes for which expenditures may be
5 made from the moneys appropriated in the tribal gaming fund for fiscal
6 year 2005 for the Kansas racing and gaming commission by this or other
7 appropriation act of the 2004 regular session of the legislature, expendi-
8 tures may be made from the tribal gaming fund for fiscal year 2005 for
9 the state gaming agency regulatory oversight of class III gaming, including
10 but not limited to the regulatory oversight and law enforcement activities
11 of monitoring compliance with tribal-state gaming compacts and con-
12 ducting investigations of violations of tribal-state gaming compacts, in-
13 vestigations of criminal violations of the laws of this state at tribal gaming
14 facilities, criminal violations of the tribal gaming oversight act, and inves-
15 tigation of other criminal activities related to tribal gaming, which are
16 hereby authorized.

17 (f) In addition to the other purposes for which expenditures may be
18 made from the moneys appropriated in the state racing fund for fiscal
19 year 2005 for the Kansas racing and gaming commission by this or other
20 appropriation act of the 2004 regular session of the legislature, expendi-
21 tures may be made from the state racing fund for fiscal year 2005 for
22 paying salaries and wages of agency personnel performing criminal history
23 record checks, background investigations and other investigations speci-
24 fied in statute.

25 (g) During the fiscal year ending June 30, 2005, notwithstanding the
26 provisions of K.S.A. 74-8826 and amendments thereto, the director of
27 accounts and reports shall transfer in one or more amounts an aggregate
28 of not less than \$115,016 from the state racing fund to the state gaming
29 revenues fund on or before June 30, 2005.

30 Sec. 24.

31 DEPARTMENT OF COMMERCE

32 (a) There is appropriated for the above agency from the state economic
33 development initiatives fund for the fiscal year ending June 30, 2005, the
34 following:

35 State brand and image implementation	\$2,000,000	\$1,200,000
36 Operating grant (including official		
37 hospitality)	\$14,368,030	\$14,868,030

38 *Provided*, That any unencumbered balance in the operating grant (in-
39 cluding official hospitality) account in excess of \$100 as of June 30, 2004,
40 is hereby reappropriated for fiscal year 2005: *Provided further*, That ex-
41 penditures may be made from the operating grant (including official hos-
42 pitality) account for loans pursuant to loan agreements which are hereby
43 authorized to be entered into by the secretary of commerce in accordance

1 with repayment provisions and other terms and conditions as may be
 2 prescribed by the secretary therefor under the agricultural value added
 3 center program: *And provided further*, That expenditures may be made
 4 from the operating grant (including official hospitality) account for cer-
 5 tified development companies that have been determined to be qualified
 6 for grants by the secretary of commerce, except that expenditures for
 7 such grants shall not be made for grants to more than 10 certified devel-
 8 opment companies that have been determined to be qualified for grants
 9 by the secretary of commerce: *And provided further*, That during fiscal
 10 year 2005, expenditures made by the department of commerce from the
 11 operating grant (including official hospitality) account of the state eco-
 12 nomic development initiatives fund shall be made for the purpose of
 13 achieving the following outcome measures:

Measure	Budget Year Projection FY 2005
Jobs created by projects utilizing KDOC assistance	5,361
Jobs retained by projects utilizing KDOC assistance	4,000
Payroll generated by projects utilizing KDOC assistance	\$189,648,000
Capital investment in Kansas resulting from projects utilizing KDOC assistance	\$440,000,000
Funds leveraged through match in projects utilizing KDOC assistance	\$11,450,000
Individuals trained through workforce development programs	7,900
Sales generated by projects utilizing KDOC assistance	\$63,970,000
Increase in visitation resulting from KDOC tourism promotion efforts	335,800
Tourism revenue generated as a result of KDOC tourism promotion	\$26,750,000
Kansans served with counseling, technical assistance or business services	4,552
Number of communities receiving community assistance services	230

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42 (b) There is appropriated for the above agency from the following spe-
 43 cial revenue fund or funds for the fiscal year ending June 30, 2005, all

1 moneys now or hereafter lawfully credited to and available in such fund
 2 or funds, except that expenditures other than refunds authorized by law
 3 shall not exceed the following:

4 Publication and other sales fund	No limit
5 Conversion of equipment and materials fund	No limit
6 Conference registration and disbursement fund	No limit
7 Kansas venture capital companies certificate fee fund.....	No limit
8 Trademark fund	No limit
9 Flood mitigation assistance federal fund	No limit
10 Trade show promotion fund.....	No limit
11 Kansas tourist attraction matching grant development	
12 fund	No limit
13 Greyhound tourism fund	No limit
14 Reimbursement and recovery fund	No limit
15 Community development block grant — federal fund.....	No limit
16 Community development block grant — federal fund —	
17 revolving loan account	No limit
18 Other federal grants fund	No limit

19 *Provided*, That the above agency is authorized to make expenditures from
 20 the other federal grants fund of any moneys credited to this fund from
 21 any individual grant if the grant is: (1) Less than or equal to \$250,000 in
 22 the aggregate, and (2) does not require the matching expenditure of any
 23 other moneys in the state treasury during fiscal year 2005 other than
 24 moneys appropriated by this or other appropriation act of the 2004 reg-
 25 ular session of the legislature: *Provided, however*, That, upon application
 26 to and authorization by the governor, the above agency may make ex-
 27 penditures of moneys credited to this fund from any individual federal
 28 grant which is more than \$250,000 in the aggregate or which requires the
 29 matching expenditure of moneys in the state treasury during the fiscal
 30 year 2005, other than moneys appropriated by this or other appropriation
 31 act of the 2004 regular session of the legislature.

32 National main street center fund	No limit
33 IMPACT program services fund	No limit
34 IMPACT program repayment fund.....	No limit
35 Kansas partnership fund.....	No limit

36 *Provided*, That the interest rate on any loan made from the Kansas part-
 37 nership fund shall be annually indexed to the federal discount rate.

38 Goodyear bond repayment fund	No limit
---------------------------------------	----------

39 *Provided*, That, on July 1, 2004, or as soon thereafter as moneys are
 40 available, the director of the division of accounts and reports shall transfer
 41 from the state general fund to the Goodyear bond repayment fund an
 42 amount sufficient to pay annual debt service on the bond obligations
 43 authorized pursuant to K.S.A. 74-8942 through 74-8945 and amendments

1 thereto as certified by the secretary of commerce, in accordance with and
2 subject to the provisions of K.S.A. 74-8943 and amendments thereto.

3 General fees fund..... No limit

4 *Provided*, That expenditures may be made from the general fees fund for
5 loans pursuant to loan agreements which are hereby authorized to be
6 entered into by the secretary of commerce in accordance with repayment
7 provisions and other terms and conditions as may be prescribed by the
8 secretary therefor under programs of the department.

9 Market development fund No limit

10 *Provided*, That expenditures may be made from the market development
11 fund for loans pursuant to loan agreements which are hereby authorized
12 to be entered into by the secretary of commerce in accordance with re-
13 payment provisions and other terms and conditions as may be prescribed
14 by the secretary therefor under the agricultural value added center pro-
15 gram: *Provided further*, That all moneys received by the department of
16 commerce for repayment of loans made under the agricultural value
17 added center program shall be deposited in the state treasury and cred-
18 ited to this fund.

19 Kansas economic opportunity initiatives fund No limit

20 Kansas existing industry expansion fund..... No limit

21 *Provided*, That expenditures may be made from the Kansas existing in-
22 dustry expansion fund for loans pursuant to loan agreements which are
23 hereby authorized to be entered into by the secretary of commerce in
24 accordance with repayment provisions and other terms and conditions as
25 may be prescribed by the secretary therefor under the Kansas existing
26 industry expansion program: *Provided further*, That all moneys received
27 by the department of commerce for repayment of loans made under the
28 Kansas existing industry expansion program shall be deposited in the state
29 treasury and credited to this fund.

30 (c) The secretary of commerce is hereby authorized to fix, charge and
31 collect fees during the fiscal year ending June 30, 2005, for (1) the pro-
32 vision and administration of conferences held for the purposes of pro-
33 grams and activities of the department of commerce and for which fees
34 are not specifically prescribed by statute, (2) sale of *Kansas!* magazine
35 and other publications of the department of commerce and for sale of
36 educational and other promotional items and for which fees are not spe-
37 cifically prescribed by statute, and (3) promotional and other advertising
38 and related economic development activities and services provided under
39 economic development programs and activities of the department of com-
40 merce, including those provided at tourist information centers: *Provided*,
41 That such fees shall be fixed in order to recover all or part of the operating
42 expenses incurred in providing such services, conferences, publications
43 and items, advertising and other economic development activities and

1 services provided under economic development programs and activities
 2 of the department of commerce for which fees are not specifically pre-
 3 scribed by statute: *Provided further*, That all such fees shall be credited
 4 to one or more special revenue funds of the department of commerce as
 5 specified by the secretary of commerce: *And provided further*, That ex-
 6 penditures may be made from such special revenue funds of the depart-
 7 ment of commerce for fiscal year 2005, in accordance with the provisions
 8 of this or other appropriation act of the 2004 regular session of the leg-
 9 islature, for operating expenses incurred in providing such services, con-
 10 ferences, publications and items, advertising, programs and activities and
 11 for operating expenses incurred in providing similar economic develop-
 12 ment activities and services provided under economic development pro-
 13 grams and activities of the department of commerce.

14 (d) In addition to the other purposes for which expenditures may be
 15 made by the department of commerce from moneys appropriated in any
 16 special revenue fund for fiscal year 2005 for the department of commerce
 17 as authorized by this or other appropriation act of the 2004 regular session
 18 of the legislature, expenditures may be made by the department of com-
 19 merce from moneys appropriated in any special revenue fund for fiscal
 20 year 2005 for official hospitality.

21 (e) On August 15, 2004, and December 15, 2004, or as soon thereafter
 22 as moneys are available, the director of accounts and reports shall transfer
 23 \$1,612,500 from the state economic development initiatives fund to the
 24 Kansas economic opportunity initiatives fund of the department of com-
 25 merce.

26 (f) On August 15, 2004, and December 15, 2004, or as soon after each
 27 such date as moneys are available, the director of accounts and reports
 28 shall transfer \$150,000 from the state economic development initiatives
 29 fund to the Kansas existing industry expansion fund of the department of
 30 commerce.

31 (g) On or after July 1, 2004, during the fiscal year ending June 30, 2005,
 32 the director of accounts and reports shall transfer the amount or amounts
 33 specified by the secretary of commerce from the Kansas venture capital
 34 companies certificate fee fund to the general fees fund to reimburse the
 35 amount expended from the general fees fund for consulting services pur-
 36 chased by the department of commerce in connection with establishing
 37 a program to administer the certified capital formation company act.

38 Sec. 25.

39 KANSAS, INC.

40 (a) There is appropriated for the above agency from the state economic
 41 development initiatives fund for the fiscal year ending June 30, 2005, the
 42 following:

43 Operations (including official hospitality) ~~\$215,906~~ **\$315,906**

1 (b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2005, all
2 moneys now or hereafter lawfully credited to and available in such fund
3 or funds, except that expenditures other than refunds authorized by law
4 shall not exceed the following:

5		
6	Kansas, Inc., matching fund	No limit
7	Conversion of materials and equipment fund	No limit

8 Sec. 26.

9 KANSAS TECHNOLOGY ENTERPRISE CORPORATION

10 (a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2005, the
11 following:

12		
13	Operations, assistance and grants (including official hos-	
14	pitality)	\$11,310,217 \$11,470,217

15 *Provided*, That any unencumbered balance in the operations, assistance
16 and grants (including official hospitality) account as of June 30, 2004, is
17 hereby reappropriated for fiscal year 2005.

18 (b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2005, all
19 moneys now or hereafter lawfully credited to and available in such fund
20 or funds, except that expenditures other than refunds authorized by law
21 shall not exceed the following:

22		
23	MAMTC federal fund	No limit
24	KTEC special revenue fund	No limit

25 (c) No moneys appropriated for the fiscal year or years specified, by
26 this or other appropriation act of the 2004 regular session of the legisla-
27 ture for the Kansas technology enterprise corporation shall be expended
28 for any bonus or other payment of additional compensation for any officer
29 or employee of the Kansas technology enterprise corporation, or any sub-
30 sidiary corporation, agency or instrumentality thereof, except longevity
31 bonus payments pursuant to K.S.A. 75-5541 and amendments thereto or
32 as otherwise specifically authorized by statute.

33 Sec. 27.

34 DEPARTMENT OF HUMAN RESOURCES

35 (a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2005, the following:

36		
37	Operating expenditures	\$1,055,737 \$1,295,167

38 *Provided*, That any unencumbered balance in the operating expenditures
39 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
40 for fiscal year 2005: *Provided further*, That in addition to the other pur-
41 poses for which expenditures may be made by the above agency from this
42 account for the fiscal year ending June 30, 2005, expenditures may be
43 made from this account for the costs incurred for court reporting under

1 K.S.A. 72-5413 *et seq.*, and 75-4321 *et seq.*, and amendments thereto:
 2 *And provided further*, That expenditures from this account for official
 3 hospitality by the secretary of human resources shall not exceed \$2,000.
 4 Any unencumbered balance in excess of \$100 as of June 30, 2004, in each
 5 of the following accounts is hereby reappropriated for fiscal year 2005:
 6 Welfare to work grant — state match.

7 (b) There is appropriated for the above agency from the following spe-
 8 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 9 moneys now or hereafter lawfully credited to and available in such fund
 10 or funds, except that expenditures other than refunds authorized by law
 11 shall not exceed the following:

12	Workmen’s compensation fee fund	\$11,013,511
13	Occupational health and safety — federal fund.....	\$580,153
14	Boiler inspection fee fund.....	No limit
15	General fees fund.....	No limit
16	Special employment security fund.....	No limit
17	<i>Provided</i> , That expenditures may be made from the special employment	
18	security fund for payment of the portion of telecommunications services	
19	provided by the state of Kansas which are required to be paid from non-	
20	federal sources: <i>Provided, however</i> , That expenditures from the special	
21	employment security fund for such purpose shall not exceed \$40,000:	
22	<i>Provided further</i> , That expenditures may be made from the special em-	
23	ployment security fund for payment of debt service on revenue bonds	
24	issued to finance remodeling of the 401 S. Topeka building: <i>Provided,</i>	
25	<i>however</i> , That expenditures from this fund for such debt service shall not	
26	exceed \$279,758: <i>And provided further</i> , That expenditures may be made	
27	from the special employment security fund for the wheat harvest pro-	
28	gram: <i>And provided further</i> , That expenditures from this fund for the	
29	wheat harvest program shall not exceed \$66,082: <i>And provided further,</i>	
30	That expenditures may be made from the special employment security	
31	fund for payment for the department of administration’s lease space	
32	agreement: <i>And provided further</i> , That expenditures from this fund for	
33	payment of such lease space agreement shall not exceed \$21,965.	
34	Employment security administration fund.....	No limit
35	State workplace health and safety fund.....	No limit
36	Wage claims assignment fee fund	No limit
37	Employment security computer systems institute fund.....	No limit
38	Workforce investment act state operations fund.....	No limit
39	Welfare to work grant — federal fund.....	No limit
40	Workforce investment act non-state operations fund	No limit
41	Human resources special projects fund — federal.....	No limit
42	Advisory committee on Hispanic affairs — donations	
43	fund	No limit

1	Committee on employment of the handicapped — gifts,	
2	grants and donations fund.....	No limit
3	Federal indirect cost offset fund.....	\$344,150
4	Dispute resolution fund.....	No limit

5 *Provided*, That all moneys received by the secretary of human resources
6 for reimbursement of expenditures for the costs incurred for mediation
7 under K.S.A. 72-5427 and amendments thereto and for fact-finding under
8 K.S.A. 72-5428 and amendments thereto shall be deposited in the state
9 treasury and credited to the dispute resolution fund: *Provided further*,
10 That expenditures may be made from this fund to pay the costs incurred
11 for mediation under K.S.A. 72-5427 and amendments thereto and for
12 fact-finding under K.S.A. 72-5428 and amendments thereto, subject to
13 full reimbursement therefor by the board of education and the profes-
14 sional employees’ organization involved in such mediation and fact-find-
15 ing procedures.

16	Employment security fund.....	No limit
17	Employment security administration property sale fund...	No limit

18 *Provided*, That the secretary of human resources, in consultation with the
19 secretary of administration, is hereby authorized to make expenditures
20 from the employment security administration property sale fund to pur-
21 chase or acquire by exchange additional real estate to provide space for
22 the job service and unemployment insurance programs of the department
23 of human resources, including the initiation, planning and completion of
24 capital improvements on such real estate for such purposes: *Provided*,
25 *however*, That no expenditures shall be made from this fund for a pro-
26 posed purchase or other acquisition of additional real estate to provide
27 space for the job service and unemployment insurance programs of the
28 department of human resources until such proposed purchase or other
29 acquisition, including the preliminary plans and program statement for
30 any capital improvement project that is proposed to be initiated and com-
31 pleted by or for the department of human resources on such real estate
32 for such purposes, have been reviewed by the joint committee on state
33 building construction.

34 (c) In addition to the other purposes for which expenditures may be
35 made by the department of human resources from moneys appropriated
36 from any special revenue fund for fiscal year 2005 as authorized by this
37 or other appropriation act of the 2004 regular session of the legislature,
38 expenditures may be made by the department of human resources for
39 fiscal year 2005 from the moneys appropriated from any special revenue
40 fund for the expenses of the sale, exchange or other disposition conveying
41 title for any portion or all of the real estate of the department of human
42 resources: *Provided*, That such expenditures may be made and such sale,
43 exchange or other disposition conveying title for any portion or all of the

1 real estate of the department of human resources may be executed or
 2 otherwise effectuated only upon specific authorization by the state fi-
 3 nance council acting on this matter, which is hereby characterized as a
 4 matter of legislative delegation and subject to the guidelines prescribed
 5 in subsection (c) of K.S.A. 75-3711c and amendments thereto and acting
 6 after receiving the recommendations of the joint committee on state
 7 building construction: *Provided, however*, That no such sale, exchange or
 8 other disposition conveying title for any portion of the real estate of the
 9 department of human resources shall be executed until the proposed sale,
 10 exchange or other disposition conveying title for such real estate has been
 11 reviewed by the joint committee on state building construction: *Provided*
 12 *further*, That the net proceeds from the sale of any of the real estate of
 13 the department of human resources shall be deposited in the state treas-
 14 ury to the credit of the employment security administration property sale
 15 fund of the department of human resources: *Provided, however*, That
 16 expenditures from such fund shall not exceed the limitation established
 17 for fiscal year 2005 by this or other appropriation act of the 2004 regular
 18 session of the legislature except upon approval of the state finance coun-
 19 cil.

20 Sec. 28.

21 KANSAS COMMISSION ON VETERANS AFFAIRS

22 (a) There is appropriated for the above agency from the state general
23 fund for the fiscal year ending June 30, 2005, the following:

24 Operating expenditures — veterans affairs \$1,554,183
 25 *Provided*, That any unencumbered balance in the operating expenditures
 26 — veterans affairs account in excess of \$100 as of June 30, 2004, is hereby
 27 reappropriated for fiscal year 2005.

28 Operations — state veterans cemeteries \$437,902
 29 *Provided*, That any unencumbered balance in the operations — state
 30 veterans cemeteries account in excess of \$100 as of June 30, 2004, is
 31 hereby reappropriated for fiscal year 2005: *Provided further*, That ex-
 32 penditures from this account for official hospitality shall not exceed \$500.

33 Operating expenditures — Kansas soldiers’
 34 home ~~\$1,452,603~~ **\$1,730,750**

35 *Provided*, That any unencumbered balance in the operating expenditures
 36 — Kansas soldiers’ home account in excess of \$100 as of June 30, 2004,
 37 is hereby reappropriated for fiscal year 2005.

38 Operating expenditures — Kansas veterans’
 39 home ~~\$1,649,009~~ **\$1,760,410**

40 *Provided*, That any unencumbered balance in the operating expenditures
 41 — Kansas veterans’ home account in excess of \$100 as of June 30, 2004,
 42 is hereby reappropriated for fiscal year 2005.

43 (b) There is appropriated for the above agency from the following spe-

1 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 2 moneys now or hereafter lawfully credited to and available in such fund
 3 or funds, except that expenditures other than refunds authorized by law
 4 shall not exceed the following:

5	Kansas commission on veterans affairs fund	\$50,019
6	Soldiers' home fee fund	\$1,922,298 \$2,074,686
7	Soldiers' home benefit fund	No limit
8	Soldiers' home work therapy fund.....	No limit
9	Veterans' home fee fund	\$6,702,903 \$5,833,139
10	Persian Gulf War veterans health initiative fund	No limit
11	Veterans' home canteen fund	No limit
12	Veterans' home benefit fund	No limit
13	Soldiers' home outpatient clinic fund	\$368,103
14	State veterans cemeteries fee fund.....	\$9,167
15	State veterans cemeteries donations and contributions	
16	fund	No limit
17	Outpatient clinic patient federal reimbursement fund —	
18	federal	No limit
19	VA burial reimbursement fund — federal.....	No limit
20	Veterans home federal fund.....	No limit
21	Soldiers home federal fund.....	No limit
22	Commission on veterans affairs federal fund	No limit

23 Sec. 29.
 24 DEPARTMENT OF HEALTH AND ENVIRONMENT —
 25 DIVISION OF HEALTH

26 (a) There is appropriated for the above agency from the state general
 27 fund for the fiscal year ending June 30, 2005, the following:

28	Operating expenditures (including official hospitality).....	\$6,876,940
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29 *Provided*, That any unencumbered balance in the operating expenditures
 30 (including official hospitality) account of the department of health and
 31 environment — division of health in excess of \$100 as of June 30, 2004,
 32 is hereby reappropriated for fiscal year 2005: *Provided further*, That ex-
 33 penditures from such reappropriated balance shall not exceed \$1,087 ex-
 34 cept upon approval of the state finance council.

35	SIDS network grant.....	\$25,000
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36 *Provided*, That any unencumbered balance in the SIDS network grant
 37 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 38 for fiscal year 2005.

39	Vaccine purchases	\$869,598
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40 *Provided*, That any unencumbered balance in the vaccine purchases ac-
 41 count in excess of \$100 as of June 30, 2004, is hereby reappropriated for
 42 fiscal year 2005.

43	Infant and toddler program.....	\$1,871,305
----	---------------------------------	-------------

1 *Provided*, That any unencumbered balance in the infant and toddler pro-
2 gram account in excess of \$100 as of June 30, 2004, is hereby reapprop-
3 priated for fiscal year 2005.
4 Aid to local units \$4,757,102
5 *Provided*, That any unencumbered balance in the aid to local units ac-
6 count in excess of \$100 as of June 30, 2004, is hereby reappropriated for
7 fiscal year 2005: *Provided further*, That expenditures from the aid to local
8 units account for child care licensure activities are hereby authorized to
9 be made for contracts which are hereby authorized to be entered into by
10 the secretary of health and environment with local health departments,
11 private individuals and others: *And provided further*, That all expendi-
12 tures from this account for state financial assistance to local health de-
13 partments shall be in accordance with the formula prescribed by K.S.A.
14 65-241 through 65-246 and amendments thereto.
15 Aid to local units — primary health projects..... \$1,520,840
16 *Provided*, That any unencumbered balance in the aid to local units —
17 primary health projects account in excess of \$100 as of June 30, 2004, is
18 hereby reappropriated for fiscal year 2005: *Provided further*, That no
19 expenditures shall be made from the aid to local units — primary health
20 projects account to disburse any amount to a local government or other
21 health care unit until the amount has been matched on a \$1 for \$1 basis
22 by the local government or other health care unit on a cash or in-kind
23 basis, or some combination thereof, as approved by the secretary of health
24 and environment.
25 Teen pregnancy prevention activities..... \$537,660
26 *Provided*, That any unencumbered balance in the teen pregnancy pre-
27 vention activities account in excess of \$100 as of June 30, 2004, is hereby
28 reappropriated for fiscal year 2005: *Provided further*, That expenditures
29 from the teen pregnancy prevention activities account shall be made to
30 give highest priority to recipients of temporary assistance to families and
31 other medicaid eligible teens: *And provided further*, That expenditures
32 may be made from this account for grants made pursuant to K.S.A. 65-
33 1,158 and amendments thereto: *And provided further*, That no expend-
34 itures shall be made from this account to disburse any amount to the
35 recipient of any grant pursuant to K.S.A. 65-1,158 and amendments
36 thereto until the amount has been matched in the manner prescribed by
37 K.S.A. 65-1,158 and amendments thereto.
38 Aid to local units — family planning..... \$98,880
39 *Provided*, That any unencumbered balance in the aid to local units —
40 family planning account in excess of \$100 as of June 30, 2004, is hereby
41 reappropriated for fiscal year 2005: *Provided further*, That all expendi-
42 tures from the aid to local units — family planning account shall be in
43 accordance with grant agreements entered into by the secretary of health

1 and environment and grant recipients: *And provided further*, That all
 2 expenditures from this account pursuant to such grant agreements shall
 3 be made only for the costs of pap smears or initial and follow-up labo-
 4 ratory tests.

5 Immunization programs \$350,000

6 *Provided*, That any unencumbered balance in the immunization programs
 7 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 8 for fiscal year 2005: *Provided further*, That all expenditures from the
 9 immunization programs account shall be for the purpose of providing
 10 expanded immunization services at local health departments.

11 (b) There is appropriated for the above agency from the following spe-
 12 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 13 moneys now or hereafter lawfully credited to and available in such fund
 14 or funds, except that expenditures other than refunds authorized by law
 15 shall not exceed the following:

16 Title XIX fund No limit

17 Health care database fee fund..... No limit

18 Breast and cervical cancer program and detection fund ... No limit

19 Health and environment training fee fund — health..... No limit

20 *Provided*, That expenditures may be made from the health and environ-
 21 ment training fee fund — health for acquisition and distribution of divi-
 22 sion of health program literature and films and for participation in or
 23 conducting training seminars for training employees of the division of
 24 health of the department of health and environment, for training recipi-
 25 ents of state aid from the division of health of the department of health
 26 and environment and for training representatives of industries affected
 27 by rules and regulations of the department of health and environment
 28 relating to the division of health: *Provided further*, That the secretary of
 29 health and environment is hereby authorized to fix, charge and collect
 30 fees in order to recover costs incurred for such acquisition and distribu-
 31 tion of literature and films and for the operation of such seminars: *And*
 32 *provided further*, That such fees may be fixed in order to recover all or
 33 part of such costs: *And provided further*, That all moneys received from
 34 such fees shall be deposited in the state treasury and credited to this fund:
 35 *And provided further*, That, in addition to the other purposes for which
 36 expenditures may be made by the department of health and environment
 37 for the division of health from moneys appropriated from the health and
 38 environment training fee fund — health for fiscal year 2005, expenditures
 39 may be made by the department of health and environment from the
 40 health and environment training fee fund — health for fiscal year 2005
 41 for agency operations for the division of health.

42 Health facilities review fund..... No limit

43 Food service inspection reimbursement fund No limit

1 Food inspection fee fund..... No limit
 2 *Provided*, That expenditures may be made from the food inspection fee
 3 fund for operating expenditures for the food inspection program and
 4 other activities for the regulation of food service establishments, food
 5 vending machines, food vending machine companies and food vending
 6 machine dealers under the food service and lodging act: *Provided further*,
 7 That, notwithstanding the provisions of K.S.A. 36-512 and amendments
 8 thereto to the contrary, all moneys received from fees charged and col-
 9 lected by the secretary of health and environment under the food in-
 10 spection program and other activities for the regulation of food service
 11 establishments, food vending machines, food vending machine companies
 12 and food vending machine dealers under the food service and lodging act
 13 shall be deposited in the state treasury and credited to this food inspection
 14 fee fund: *And provided further*, That, on July 1, 2004, and on the first
 15 day of each month thereafter, the director of accounts and reports shall
 16 transfer from the food inspection fee fund to the food service inspection
 17 reimbursement fund an amount equal to 80% of all fees credited to the
 18 food inspection fee fund where food service inspection services are pro-
 19 vided by a local agency under contract with the secretary to inspect food
 20 service establishments located in a municipality.
 21 Insurance statistical plan fund No limit
 22 Health and environment publication fee fund — health... No limit
 23 *Provided*, That expenditures from the health and environment publica-
 24 tion fee fund — health shall be made only for the purpose of paying the
 25 expenses of publishing documents as required by K.S.A. 75-5662 and
 26 amendments thereto.
 27 District coroners fund..... No limit
 28 Sponsored project overhead fund — health..... No limit
 29 Child care facilities licensure fund No limit
 30 Federal cancer registry fund No limit
 31 Child care and development block grant — federal
 32 fund No limit
 33 Office of rural health — federal fund..... No limit
 34 Medicare fund — federal No limit
 35 *Provided*, That transfers of moneys from the medicare fund — federal to
 36 the state fire marshal may be made during fiscal year 2005 pursuant to a
 37 contract which is hereby authorized to be entered into by the secretary
 38 of health and environment and the state fire marshal to provide fire and
 39 safety inspections for hospitals.
 40 Federal migrant health program fund..... No limit
 41 Venereal disease control project fund — federal..... No limit
 42 Disease prevention and health promotion federal grants
 43 fund No limit

1 *Provided*, That no moneys from any grant that requires the matching
 2 expenditure of any other moneys in the state treasury during the current
 3 or any ensuing fiscal year shall be deposited to the credit of the disease
 4 prevention and health promotion federal grants fund: *Provided further*,
 5 That transfers or payments from this fund to other state agencies shall be
 6 in addition to any expenditure limitation placed on this fund.
 7 Federal women, infants and children health program
 8 fund No limit
 9 Federal occupational health and safety statistics program
 10 fund No limit
 11 Other federal grants fund — health No limit
 12 *Provided*, That the department of health and environment is authorized
 13 to make expenditures for the division of health and environment from
 14 the other federal grants fund — health of any moneys credited to this
 15 fund from any individual grant if the grant is: (1) Less than or equal to
 16 \$500,000 in the aggregate, and (2) does not require the matching ex-
 17 penditure of any other moneys in the state treasury during fiscal year
 18 2005 other than moneys appropriated by this or other appropriation act
 19 of the 2004 regular session of the legislature: *Provided, however*, That,
 20 upon application to and authorization by the governor, the division of
 21 health and environment may make expenditures for the division of health
 22 and environment of moneys credited to this fund from any individual
 23 federal grant which is more than \$500,000 in the aggregate or which
 24 requires the matching expenditure of moneys in the state treasury during
 25 the current or any ensuing fiscal year: *Provided further*, That transfers or
 26 payments from this fund to other state agencies shall be in addition to
 27 any expenditure limitation placed on this fund.
 28 Immunization grant funds — federal fund No limit
 29 Title I — P.L. 99-457 child development — federal
 30 fund No limit
 31 Preventive health and health services block grant fund No limit
 32 Maternal and child health services block grant fund No limit
 33 National center for health statistics fund — federal No limit
 34 Federal title X family planning fund..... No limit
 35 Early childhood developmental services — federal fund .. No limit
 36 Commodity supplemental food program fund..... No limit
 37 Special child clinic program — federal fund..... No limit
 38 Make a difference information network — federal fund... No limit
 39 Ryan White Title II — federal fund..... No limit
 40 Bicycle helmet revolving fund No limit
 41 SSA fee fund No limit
 42 Lead poisoning prevention — federal fund No limit
 43 Title IV-E — federal fund..... No limit

1 Trauma fund No limit
2 *Provided*, That, notwithstanding the provisions of K.S.A. 2003 Supp. 75-
3 5670 and amendments thereto, expenditures may be made by the de-
4 partment of health and environment for fiscal year 2005 for the stroke
5 prevention project from the trauma fund of the department of health and
6 environment.
7 Federal homeland security fund No limit
8 AIDS project — education and risk reduction fund —
9 federal No limit
10 Medical student loan repayment fund — federal..... No limit
11 HRSA federal grant fund..... No limit
12 Gifts, grants and donations fund — health No limit
13 Special bequest fund — health..... No limit
14 Civil registration and health statistics fee fund No limit
15 (c) There is appropriated for the above agency from the children’s
16 initiatives fund for the fiscal year ending June 30, 2005, the following:
17 Healthy start..... \$250,000
18 *Provided*, That any unencumbered balance in the healthy start account
19 in excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
20 year 2005.
21 Infants and toddlers program ~~\$800,000~~ [**\$1,000,000**]
22 *Provided*, That any unencumbered balance in the infants and toddlers
23 program account in excess of \$100 as of June 30, 2004, is hereby reap-
24 propriated for fiscal year 2005: *Provided, however*, That expenditures
25 from such reappropriated balance shall be made only upon approval of
26 the state finance council acting on this matter which is hereby character-
27 ized as a matter of legislative delegation and subject to the guidelines
28 prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.
29 Smoking prevention..... \$500,000
30 *Provided*, That any unencumbered balance in the smoking prevention
31 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
32 for fiscal year 2005: *Provided, however*, That expenditures from such
33 reappropriated balance shall be made only upon approval of the state
34 finance council acting on this matter which is hereby characterized as a
35 matter of legislative delegation and subject to the guidelines prescribed
36 in subsection (c) of K.S.A. 75-3711c and amendments thereto.
37 (d) On July 1, 2004, and on other occasions during fiscal year 2005
38 when necessary as determined by the secretary of health and environ-
39 ment, the director of accounts and reports shall transfer amounts speci-
40 fied by the secretary of health and environment, which amounts consti-
41 tute reimbursements, credits and other amounts received by the
42 department of health and environment for activities related to federal
43 programs, from specified special revenue funds of the department of

1 health and environment — division of health or of the department of
2 health and environment — division of environment, to the sponsored
3 project overhead fund — health of the department of health and envi-
4 ronment — division of health.

5 (e) On July 1, 2004, or as soon thereafter as moneys are available, the
6 director of accounts and reports shall transfer \$780,415 from the child
7 care and development fund of the department of social and rehabilitation
8 services to the child care and development block grant — federal fund
9 of the department of health and environment.

10 (f) On July 1, 2004, or as soon thereafter as moneys are available, the
11 director of accounts and reports shall transfer \$617,153 from the foster
12 care assistance federal fund of the department of social and rehabilitation
13 services to the title IV-E — federal fund of the department of health and
14 environment.

15 (g) During the fiscal year ending June 30, 2005, the director of accounts
16 and reports shall transfer an amount or amounts specified by the secretary
17 of health and environment from any one or more special revenue funds
18 of the department of health and environment — division of health, which
19 have available moneys, to the sponsored project overhead fund — health
20 of the department of health and environment — division of health for
21 expenditures, as the case may be, for administrative expenses.

22 (h) In addition to the other purposes for which expenditures may be
23 made by the department of health and environment from moneys appro-
24 priated from the state general fund or from any special revenue fund for
25 fiscal year 2005 and from which expenditures may be made for salaries
26 and wages, as authorized by this or other appropriation act of the 2004
27 regular session of the legislature, expenditures may be made by the de-
28 partment of health and environment from such moneys appropriated
29 from the state general fund or from any special revenue fund for fiscal
30 year 2005 for up to four full-time equivalent positions in the unclassified
31 service under the Kansas civil service act: *Provided*, That all such addi-
32 tional full-time equivalent positions in the unclassified service under the
33 Kansas civil service act shall be in addition to other positions within the
34 department of health and environment in the unclassified service as pre-
35 scribed by law and shall be established by the secretary of health and
36 environment within the position limitation established for the department
37 of health and environment on the number of full-time and regular part-
38 time positions equated to full-time, excluding seasonal and temporary
39 positions, paid from appropriations for fiscal year 2005 made by this or
40 other appropriation act of the 2004 regular session of the legislature:
41 *Provided, however*, That the authority to establish such additional posi-
42 tions in the unclassified service shall not affect the classified service status
43 of any person who is an employee of the department of health and en-

- 1 vironment in the classified service under the Kansas civil service act.
- 2 (i) During the fiscal year ending June 30, 2005, the amounts transferred
3 by the director of accounts and reports from each of the special revenue
4 funds of the department of health and environment — division of health
5 to the sponsored project overhead fund — health of the department of
6 health and environment — division of health pursuant to this section may
7 include amounts equal to up to 25% of the expenditures from such special
8 revenue fund, excepting expenditures for contractual services.
- 9 (j) During the fiscal year ending June 30, 2005, the secretary of health
10 and environment, with approval of the director of the budget, may trans-
11 fer any part of any item of appropriation for the fiscal year ending June
12 30, 2005, from the state general fund for the department of health and
13 environment — division of health or the department of health and en-
14 vironment — division of environment to another item of appropriation
15 for FY 2005 from the state general fund for the department of health and
16 environment — division of health or the department of health and en-
17 vironment — division of environment. The secretary of health and envi-
18 ronment shall certify each such transfer to the director of accounts and
19 reports and shall transmit a copy of each such certification to the director
20 of the legislative research department.
- 21 (k) In addition to the other purposes for which expenditures may be
22 made by the department of health and environment — division of health
23 from moneys appropriated from the district coroners fund for fiscal year
24 2005, as authorized by this or other appropriation act of the 2004 regular
25 session of the legislature, and notwithstanding the provisions of K.S.A.
26 22a-245 and amendments thereto, or any other statute, expenditures may
27 be made by the department of health and environment — division of
28 health from such moneys appropriated from the district coroners fund
29 for fiscal year 2005 pursuant to K.S.A. 22a-242 and amendments thereto.
- 30 (l) On July 1, 2004, the director of accounts and reports shall transfer
31 \$180,000 from the health care stabilization fund of the health care sta-
32 bilization fund board of governors to the health facilities review fund of
33 the department of health and environment for the purpose of financing
34 a review of records of licensed medical care facilities and an analysis of
35 quality of health care services provided to assist in correcting substandard
36 services and to reduce the incidence of liability resulting from the ren-
37 dering of health care services and implementing the risk management
38 provisions of K.S.A. 65-4922 *et seq.*, and amendments thereto.
- 39 **(m) Notwithstanding any other provision of any appropriation**
40 **act of the 2004 regular session of the legislature for fiscal year**
41 **2005, the department of health and environment is hereby pro-**
42 **hibited from making any expenditures from any moneys appro-**
43 **riated from the state general fund or any special revenue funds**

1 for the fiscal year ending June 30, 2005, for the following purposes
2 related to licensure requirements:

3 (1) Facilities, programs or services operated by a school on
4 school property for children five years and older before and after
5 the customary school day during the regular school term;

6 (2) non-residential programs or services designated for mental
7 health treatment of children and adolescents provided by a com-
8 munity mental health center licensed pursuant to K.S.A.75-3307b,
9 and amendments thereto;

10 (3) drop-in recreation programs that are for children five years
11 and older provided by a municipality, the salvation army, the boys
12 and girls club of America where the children are free to come and
13 go from the premises without being escorted by a parent or re-
14 sponsible person and short- term educational programs or classes
15 for children in which the supervision and care of the children are
16 incidental to their participation in the activity or training in spe-
17 cific subjects including, but not limited to, music, dance and relig-
18 ion, and the program provider does not assume responsibility for
19 the provision of daily child care outside the scheduled program;
20 and

21 (4) day camping or recreation programs for children five years
22 and older which have as the primary emphasis outdoor education
23 and recreation and are operated between school terms for no more
24 than seven hours per day or which are accredited by the American
25 camping association or other national standard-setting agency or
26 church camp accreditation programs which must provide stan-
27 dards equivalent to the American camping association standards:
28 *Provided, That this subsection (m) shall not preclude any person*
29 *who is not required to be licensed under K.S.A. 65-501, et seq., and*
30 *amendments thereto, from applying for a license nor shall this sec-*
31 *tion preclude the secretary of health and environment from issuing*
32 *a license to any person not required to be licensed.*

33 Sec. 30.

34 DEPARTMENT OF HEALTH AND ENVIRONMENT —
35 DIVISION OF ENVIRONMENT

36 (a) There is appropriated for the above agency from the state general
37 fund for the fiscal year ending June 30, 2005, the following:

38 Operating expenditures (including official hospitality) \$9,202,485

39 *Provided, That any unencumbered balance in the operating expenditures*
40 *(including official hospitality) account of the department of health and*
41 *environment — division of environment in excess of \$100 as of June 30,*
42 *2004, is hereby reappropriated for fiscal year 2005.*

43 Stream II \$557,843

1 (b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2005, all
 2 moneys now or hereafter lawfully credited to and available in such fund
 3 or funds, except that expenditures other than refunds authorized by law
 4 shall not exceed the following:
 5

6 Mined-land conservation and reclamation fee fund	No limit
7 Solid waste management fund	No limit

8 *Provided*, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2005, for official hospitality: *Provided further*, That such expenditures for official hospitality
 9 shall not exceed \$2,500.
 10

11 Public water supply fee fund.....	No limit
12 Voluntary cleanup fund	No limit
13 Storage tank fee fund.....	No limit
14 Air quality fee fund.....	No limit
15 Hazardous waste collection fund.....	No limit
16 Power generating facility fee fund.....	No limit
17 Health and environment training fee fund — 18 environment	No limit

19 *Provided*, That expenditures may be made from the health and environment training fee fund — environment for acquisition and distribution
 20 of division of environment program literature and films and for participation in or conducting training seminars for training employees of the
 21 division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the
 22 department of health and environment and for training representatives of industries affected by rules and regulations of the department of health
 23 and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized
 24 to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation
 25 of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all
 26 moneys received from such fees shall be deposited in the state treasury and credited to this fund: *And provided further*, That, in addition to the
 27 other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys
 28 appropriated from the health and environment training fee fund — environment for fiscal year 2005, expenditures may be made by the department of health and environment from the health and environment
 29 training fee fund — environment for fiscal year 2005 for agency operations for the division of environment.
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 43 Driving under the influence equipment fund

1 *Provided*, That expenditures from the driving under the influence equip-
 2 ment fund may be made only for the purpose of purchasing blood or
 3 breath alcohol concentration testing equipment, and other related ex-
 4 penditures.
 5 Nuclear safety emergency preparedness special revenue
 6 fund No limit
 7 *Provided*, That all moneys received from the adjutant general from the
 8 nuclear safety management fee fund of the adjutant general shall be cred-
 9 ited to the nuclear safety emergency preparedness special revenue fund
 10 of the department of health and environment — division of environment.
 11 Waste tire management fund No limit
 12 Health and environment publication fee fund —
 13 environment No limit
 14 *Provided*, That expenditures from the health and environment publica-
 15 tion fee fund — environment shall be made only for the purpose of paying
 16 the expenses of publishing documents as required by K.S.A. 75-5662 and
 17 amendments thereto.
 18 Local air quality control authority regulation services
 19 fund No limit
 20 Environmental response fund..... No limit
 21 Sponsored project overhead fund — environment..... No limit
 22 Resource conservation and recovery act — federal fund .. No limit
 23 Water supply fund — federal..... No limit
 24 EPA voluntary cleanup federal fund..... No limit
 25 *Provided*, That all expenditures from the EPA voluntary cleanup federal
 26 fund during fiscal year 2005 shall be supplemental to fees collected for
 27 direct or indirect costs of administering the voluntary cleanup and prop-
 28 erty redevelopment act: *Provided, however*, That such expenditures shall
 29 be in accordance with the federal agreement entered into by the secretary
 30 of health and environment for the grant moneys.
 31 Clinical laboratory improvement amendments — federal
 32 fund No limit
 33 EPA — core support fund..... No limit
 34 Other federal grants fund — environment No limit
 35 *Provided*, That the department of health and environment is authorized
 36 to make expenditures for the division of environment from the other
 37 federal grants fund — environment of any moneys credited to this fund
 38 from any individual grant if the grant is: (1) Less than or equal to \$500,000
 39 in the aggregate, and (2) does not require the matching expenditure of
 40 any other moneys in the state treasury during fiscal year 2005 other than
 41 moneys appropriated by this or other appropriation act of the 2004 reg-
 42 ular session of the legislature: *Provided, however*, That, upon application
 43 to and authorization by the governor, the department of health and en-

1 vironment may make expenditures for the division of environment of
 2 moneys credited to this fund from any individual federal grant which is
 3 more than \$500,000 in the aggregate or which requires the matching
 4 expenditure of moneys in the state treasury during the current or any
 5 ensuing fiscal year: *Provided further*, That transfers or payments from
 6 this fund to other state agencies shall be in addition to any expenditure
 7 limitation placed on this fund.

8 Resource conservation and recovery act — federal fund ..	No limit
9 Federal air quality program fund	No limit
10 Leaking underground storage tank trust — federal fund ..	No limit
11 National surface mining control and reclamation act —	
12 federal fund.....	No limit
13 Abandoned mined-land fund.....	No limit
14 State indoor radon grant — federal fund	No limit
15 EPA non-point source implementation — federal fund....	No limit
16 Pollution prevention program — federal fund	No limit
17 Gifts, grants and donations fund — environment	No limit
18 Special bequest fund.....	No limit
19 Aboveground petroleum storage tank release trust fund...	No limit
20 Underground petroleum storage tank release trust fund...	No limit
21 Drycleaning facility release trust fund	No limit
22 Public water supply loan fund	No limit
23 Kansas water pollution control revolving fund.....	No limit

24 *Provided*, That the proceeds from revenue bonds issued by the Kansas
 25 development finance authority to provide matching grant payments under
 26 the federal clean water act of 1987 (P.L.92-500) shall be credited to the
 27 Kansas water pollution control revolving fund: *Provided further*, That
 28 expenditures from this fund shall be made to provide for the payment of
 29 such matching grants.

30 Cost of issuance fund for Kansas water pollution control	
31 revolving fund revenue bonds	No limit
32 Surcharge fund for Kansas water pollution control revolv-	
33 ing fund revenue bonds.....	No limit
34 Debt service reserve fund.....	No limit
35 EPA water related federal grants fund.....	No limit

36 *Provided*, That no moneys from any grant that requires the matching
 37 expenditure of any other moneys in the state treasury during the current
 38 or any ensuing fiscal year shall be deposited to the credit of the EPA
 39 water related federal grants fund.

40 Chemical control fund — federal.....	No limit
41 Subsurface hydracarbon storage fund	No limit
42 Clean air leadership fund — federal.....	No limit
43 Natural resources damages trust fund.....	No limit

1	Hazardous waste management fund.....	No limit
2	Brownfields revolving loan federal fund.....	No limit
3	Mined—land reclamation fund.....	No limit
4	104 (6) (1) outreach operator training program — federal	
5	fund	No limit
6	Underground storage tank fund — federal.....	No limit
7	Federal EPA underground injection control fund	No limit
8	Laboratory medicaid cost recovery fund —	
9	environment	No limit
10	Diagnostic X-ray program — federal fund.....	No limit
11	Environmental control use fund	No limit
12	(c) There is appropriated for the above agency from the state water	
13	plan fund for the fiscal year ending June 30, 2005, for the state water	
14	plan project or projects specified as follows:	
15	Contamination remediation.....	\$983,867
16	<i>Provided</i> , That any unencumbered balance in the contamination reme-	
17	diation account in excess of \$100 as of June 30, 2004, is hereby reappro-	
18	priated for fiscal year 2005.	
19	TMDL initiatives and use attainability analysis.....	\$320,088
20	Local environmental protection program	\$1,502,737
21	<i>Provided</i> , That any unencumbered balance in the local environmental	
22	protection program account in excess of \$100 as of June 30, 2004, is	
23	hereby reappropriated for fiscal year 2005.	
24	Nonpoint source program.....	\$385,975
25	(d) During the fiscal year ending June 30, 2005, the secretary of health	
26	and environment, with the approval of the director of the budget, may	
27	transfer any part of any item of appropriation for fiscal year 2005 from	
28	the state water plan fund for the department of health and environment	
29	to another item of appropriation for fiscal year 2005 from the state water	
30	plan fund for the department of health and environment: <i>Provided</i> , That	
31	the secretary of health and environment shall certify each such transfer	
32	to the director of accounts and reports and shall transmit a copy of each	
33	such certification to the director of the legislative research department.	
34	(e) During the fiscal year ending June 30, 2005, the director of accounts	
35	and reports shall not make the transfers of amounts of interest earnings	
36	from the state general fund to the air quality fee fund of the department	
37	of health and environment which are directed to be made on or before	
38	the 10th day of each month by K.S.A. 65-3024 and amendments thereto.	
39	(f) On July 1, 2004, and on other occasions during fiscal year 2005	
40	when necessary, the director of accounts and reports shall transfer	
41	amounts specified by the secretary of health and environment, which	
42	amounts constitute reimbursements, credits and other amounts received	
43	by the department of health and environment for activities related to	

1 federal programs, from specified special revenue funds of the department
2 of health and environment — division of health or of the department of
3 health and environment — division of environment, to the sponsored
4 project overhead fund — environment of the department of health and
5 environment — division of environment.

6 (g) During the fiscal year ending June 30, 2005, the director of accounts
7 and reports shall transfer an amount or amounts specified by the secretary
8 of health and environment from any one or more special revenue funds
9 of the department of health and environment — division of environment,
10 which have available moneys, to the sponsored project overhead fund —
11 environment of the department of health and environment — division of
12 environment or to the sponsored project overhead fund — health of the
13 department of health and environment — division of health, as the case
14 may be, for expenditures for administrative expenses.

15 (h) During the fiscal year ending June 30, 2005, the secretary of health
16 and environment, with approval of the director of the budget, may trans-
17 fer any part of any item of appropriation for the fiscal year ending June
18 30, 2005, from the state general fund for the department of health and
19 environment — division of health or the department of health and en-
20 vironment — division of environment to another item of appropriation
21 for FY 2005 from the state general fund for the department of health and
22 environment — division of health or the department of health and en-
23 vironment — division of environment. The secretary of health and envi-
24 ronment shall certify each such transfer to the director of accounts and
25 reports and shall transmit a copy of each such certification to the director
26 of the legislative research department.

27 (i) During the fiscal year ending June 30, 2005, the amounts transferred
28 by the director of accounts and reports from each of the special revenue
29 funds of the department of health and environment — division of envi-
30 ronment to the sponsored project overhead fund — environment of the
31 department of health and environment — division of environment pur-
32 suant to this section may include amounts equal to up to 25% of the
33 expenditures from such special revenue fund, excepting expenditures for
34 contractual services.

35 (j) On July 1, 2004, notwithstanding the provisions of K.S.A. 65-3424g
36 and amendments thereto or any other statute, the director of accounts
37 and reports shall transfer \$311,386 from the waste tire management fund
38 of the department of health and environment — division of environment
39 to the state general fund: *Provided*, That the amount transferred from
40 the waste tire management fund of the department of health and envi-
41 ronment — division of environment to the state general fund pursuant
42 to this subsection is to reimburse the state general fund for accounting,
43 auditing, budgeting, legal, payroll, personnel and purchasing services and

1 any other governmental services which are performed on behalf of the
2 state agency involved by other state agencies which receive appropriations
3 from the state general fund to provide such services.

4 (k) On July 1, 2004, notwithstanding the provisions of K.S.A. 55-1,118
5 and amendments thereto or any other statute, the director of accounts
6 and reports shall transfer \$150,544 from the subsurface hydrocarbon stor-
7 age fund of the department of health and environment — division of
8 environment to the state general fund: *Provided*, That the amount trans-
9 ferred from the subsurface hydrocarbon storage fund of the department
10 of health and environment — division of environment to the state general
11 fund pursuant to this subsection is to reimburse the state general fund
12 for accounting, auditing, budgeting, legal, payroll, personnel and pur-
13 chasing services and any other governmental services which are per-
14 formed on behalf of the state agency involved by other state agencies
15 which receive appropriations from the state general fund to provide such
16 services.

17 (l) On July 1, 2004, notwithstanding the provisions of K.S.A. 65-34,129
18 and amendments thereto or any other statute, the director of accounts
19 and reports shall transfer \$316,749 from the aboveground petroleum stor-
20 age tank release trust fund of the department of health and environment
21 — division of environment to the state general fund: *Provided*, That the
22 amount transferred from the aboveground petroleum storage tank release
23 trust fund of the department of health and environment — division of
24 environment to the state general fund pursuant to this subsection is to
25 reimburse the state general fund for accounting, auditing, budgeting, le-
26 gal, payroll, personnel and purchasing services and any other govern-
27 mental services which are performed on behalf of the state agency in-
28 volved by other state agencies which receive appropriations from the state
29 general fund to provide such services.

30 Sec. 31.

31 DEPARTMENT ON AGING

32 (a) There is appropriated for the above agency from the state general
33 fund for the fiscal year ending June 30, 2005, the following:

34 Administration \$243,399

35 *Provided*, That any unencumbered balance in the administration account
36 in excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
37 year 2005: *Provided further*, That expenditures from this account for of-
38 ficial hospitality by the secretary of aging shall not exceed \$550: *And*
39 *provided further*, That expenditures from this account may be made for
40 printing the agency’s newsletter: *And provided further*, That printing the
41 agency’s newsletter shall not be subject to K.S.A. 75-1005 and amend-
42 ments thereto.

43 Administration — assessments \$123,683

1 *Provided*, That any unencumbered balance in the administration — as-
 2 assessments account in excess of \$100 as of June 30, 2004, is hereby reap-
 3 propriated for fiscal year 2005.
 4 Administration — assessments — Level II care \$33,530
 5 *Provided*, That any unencumbered balance in the administration — as-
 6 assessments — Level II care account in excess of \$100 as of June 30, 2004,
 7 is hereby reappropriated for fiscal year 2005.
 8 Administration — assessments — Level I care \$283,645
 9 *Provided*, That any unencumbered balance in the administration — as-
 10 assessments — Level I care account in excess of \$100 as of June 30, 2004,
 11 is hereby reappropriated for fiscal year 2005.
 12 Administration — medicaid \$1,687,989
 13 *Provided*, That any unencumbered balance in the administration — med-
 14 icaid account in excess of \$100 as of June 30, 2004, is hereby reappro-
 15 priated for fiscal year 2005.
 16 Administration — older Americans act match..... \$182,473
 17 *Provided*, That any unencumbered balance in the administration — older
 18 Americans act match account in excess of \$100 as of June 30, 2004, is
 19 hereby reappropriated for fiscal year 2005.
 20 Senior care act \$6,000,000
 21 *Provided*, That any unencumbered balance in the senior care act account
 22 in excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
 23 year 2005: *Provided further*, That each grant agreement with an area
 24 agency on aging for a grant from the senior care act account shall require
 25 the area agency on aging to submit to the secretary of aging a report for
 26 federal fiscal year 2004 by the area agency on aging which shall include
 27 information about the kinds of services provided and the number of per-
 28 sons receiving each kind of service during federal fiscal year 2004: *And*
 29 *provided further*, That the secretary of aging shall submit to the senate
 30 committee on ways and means and the house of representatives com-
 31 mittee on appropriations at the beginning of the regular session of the
 32 legislature in 2005 a report of the information contained in such reports
 33 from the area agencies on aging on expenditures for federal fiscal year
 34 2004: *And provided further*, That all people receiving or applying for
 35 services that are funded, either partially or entirely, through expenditures
 36 from this account shall be placed in appropriate services which are de-
 37 termined to be the most economical services available with regard to state
 38 general fund expenditures.
 39 Program grants — nutrition — state match..... \$2,270,510
 40 *Provided*, That any unencumbered balance in the program grants — nu-
 41 trition — state match account in excess of \$100 as of June 30, 2004, is
 42 hereby reappropriated for fiscal year 2005: *Provided further*, That each
 43 grant agreement with an area agency on aging for a grant from the pro-

1 gram grants — nutrition — state match account shall require the area
 2 agency on aging to submit to the secretary of aging a report for federal
 3 fiscal year 2004 by the area agency on aging which shall include infor-
 4 mation about the kinds of services provided and the number of persons
 5 receiving each kind of service during federal fiscal year 2004: *And pro-*
 6 *vided further*, That the secretary of aging shall submit to the senate com-
 7 mittee on ways and means and the house of representatives committee
 8 on appropriations at the beginning of the regular session of the legislature
 9 in 2005 a report of the information contained in such reports from the
 10 area agencies on aging on expenditures for federal fiscal year 2004: *And*
 11 *provided further*, That all people receiving or applying for services that
 12 are funded, either partially or entirely, through expenditures from this
 13 account shall be placed in appropriate services which are determined to
 14 be the most economical services available with regard to state general
 15 fund expenditures.

16 LTC — medicaid assistance — TCM/FE..... \$1,951,769

17 *Provided*, That any unencumbered balance in the LTC — medicaid as-
 18 sistance — TCM/FE account in excess of \$100 as of June 30, 2004, is
 19 hereby reappropriated for fiscal year 2005: *Provided further*, That all
 20 people receiving or applying for services that are funded, either partially
 21 or entirely, through expenditures from the LTC — medicaid assistance
 22 — TCM/FE account shall be placed in appropriate services which are
 23 determined to be the most economical services available with regard to
 24 state general fund expenditures.

25 LTC — medicaid assistance — HCBS/FE \$24,091,046

26 *Provided*, That any unencumbered balance in the LTC — medicaid as-
 27 sistance — HCBS/FE account in excess of \$100 as of June 30, 2004, is
 28 hereby reappropriated for fiscal year 2005: *Provided further*, That all
 29 people receiving or applying for services that are funded, either partially
 30 or entirely, through expenditures from the LTC — medicaid assistance
 31 — HCBS/FE account shall be placed in appropriate services which are
 32 determined to be the most economical services available with regard to
 33 state general fund expenditures.

34 LTC — medicaid assistance — NF \$127,660,800

35 *Provided*, That any unencumbered balance in the LTC — medicaid as-
 36 sistance — NF account in excess of \$100 as of June 30, 2004, is hereby
 37 reappropriated for fiscal year 2005: *Provided further*, That expenditures
 38 may be made from the LTC — medicaid assistance — NF account for
 39 the PACE program: *And provided further*, That all people receiving or
 40 applying for services that are funded, either partially or entirely, through
 41 expenditures from this account shall be placed in appropriate services
 42 which are determined to be the most economical services available with
 43 regard to state general fund expenditures: *And provided further*, That the

1 secretary of aging shall implement a base-year model of reimbursement
 2 for nursing facilities for state fiscal year 2005: *And provided further*, That
 3 information from the 2001 cost reports shall be used to calculate the base
 4 year: *And provided further*, That increases in reimbursement rates for
 5 nursing facilities may be made annually on an incremental basis and the
 6 secretary of aging may use a nationally recognized source to determine
 7 an appropriate inflationary factor in calculating such increases: *And pro-*
 8 *vided further*, That the base year model shall allow for incentives and
 9 pass-through mechanisms to encourage desired behaviors from the nurs-
 10 ing facility industry and to recognize potential increases beyond the rate
 11 of normal inflation: *And provided further*, That any decision by the sec-
 12 retary of aging to initiate an incentive or pass-through mechanism shall
 13 be effectuated and funded within direct appropriations.

14 Nursing facilities regulation \$2,084,764
 15 *Provided*, That any unencumbered balance in the nursing facilities reg-
 16 ulation account in excess of \$100 as of June 30, 2004, is hereby reappro-
 17 priated for fiscal year 2005.

18 Nursing facilities regulation — title XIX \$967,622
 19 *Provided*, That any unencumbered balance in the nursing facilities reg-
 20 ulation — title XIX account in excess of \$100 as of June 30, 2004, is
 21 hereby reappropriated for fiscal year 2005.

22 (b) There is appropriated for the above agency from the following spe-
 23 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 24 moneys now or hereafter lawfully credited to and available in such fund
 25 or funds, except that expenditures shall not exceed the following:

- 26 Older Americans act — federal fund..... No limit
- 27 Title XIX fund — federal No limit

28 *Provided*, That transfers of moneys from the title XIX fund — federal to
 29 the state fire marshal may be made during fiscal year 2005 pursuant to a
 30 contract which is hereby authorized to be entered into by the secretary
 31 of aging with the state fire marshal to provide fire and safety inspections
 32 for adult care homes and hospitals.

- 33 Nutrition fund — federal No limit
- 34 Senior citizen nutrition check-off fund No limit
- 35 Conferences and workshops attendance and publications
 36 fees fund..... No limit

37 *Provided*, That the secretary of aging is hereby authorized to fix, charge
 38 and collect conference and workshop attendance fees for conferences and
 39 workshops sponsored by the department on aging and fees for copies of
 40 publications: *Provided further*, That such fees shall be deposited in the
 41 state treasury and credited to the conferences and workshops attendance
 42 and publications fees fund: *And provided further*, That expenditures may
 43 be made from this fund to defray all or part of the costs of such confer-

1 ences and workshops including official hospitality and of such
 2 publications.
 3 General fees fund..... No limit
 4 *Provided*, That the secretary of aging is hereby authorized to collect (1)
 5 fees from the sale of surplus property, (2) fees charged for searching,
 6 copying and transmitting copies of public records, (3) fees paid by em-
 7 ployees for personal long distance calls, postage, faxed messages, copies
 8 and other authorized uses of state property, and (4) other miscellaneous
 9 fees: *Provided further*, That such fees shall be deposited in the state
 10 treasury and credited to the general fees fund: *And provided further*, That
 11 expenditures shall be made from this fund to meet the obligations of the
 12 department on aging, or to benefit and meet the mission of the depart-
 13 ment on aging.
 14 Gifts and donations fund No limit
 15 *Provided*, That the secretary of aging is hereby authorized to receive gifts
 16 and donations of money for services to senior citizens or purposes related
 17 thereto: *Provided further*, That such gifts and donations of money shall
 18 be deposited in the state treasury and credited to the gifts and donations
 19 fund.
 20 Medical resources and collection fund..... No limit
 21 *Provided*, That all moneys received or collected by the secretary of aging
 22 due to medicaid overpayments shall be deposited in the state treasury
 23 and credited to the medical resources and collection fund and expendi-
 24 tures from such fund shall be made for medicaid program-related ex-
 25 penses and used to reduce state general fund outlays for the medicaid
 26 program: *Provided further*, That all moneys received or collected by the
 27 secretary of aging due to civil monetary penalty assessments against adult
 28 care homes shall be deposited in the state treasury and credited to this
 29 fund and expenditures from such fund shall be made to protect the health
 30 or property of adult care home residents as required by federal law.
 31 SHICK fund — grants — federal No limit
 32 SHICK fund — state operations — federal..... No limit
 33 Senior services fund..... \$1,200,000
 34 Long-term care loan and grant fund..... No limit
 35 Intergovernmental transfer administration fund No limit
 36 Non-government grant fund..... No limit
 37 Other federal grants and assistance fund..... No limit
 38 *Provided*, That the above agency is authorized to make expenditures from
 39 the other federal grants and assistance fund of any moneys credited to
 40 this fund from any individual grant if the grant is: (1) Less than or equal
 41 to \$250,000 in the aggregate, and (2) does not require the matching ex-
 42 penditure of any other moneys in the state treasury during fiscal year
 43 2005 other than moneys appropriated by this or other appropriation act

1 of the 2004 regular session of the legislature: *Provided, however*, That,
2 upon application to and authorization by the governor, the above agency
3 may make expenditures of moneys credited to this fund from any indi-
4 vidual federal grant which is more than \$250,000 in the aggregate or
5 which requires the matching expenditure of moneys in the state treasury
6 during the current or any ensuing fiscal year.

7 Alzheimer’s disease demonstration grant — federal	
8 fund	No limit
9 Health facilities review fund.....	No limit
10 Adult care licensing revolving fund	No limit
11 Medicare fund — federal	No limit

12 (c) During the fiscal year ending June 30, 2005, the secretary of aging,
13 with the approval of the director of the budget, may transfer any part of
14 any item of appropriation for the fiscal year ending June 30, 2005, from
15 the state general fund for the department on aging to another item of
16 appropriation for fiscal year 2005 from the state general fund for the
17 department on aging. The secretary of aging shall certify each such trans-
18 fer to the director of accounts and reports and shall transmit a copy of
19 each such certification to the director of the legislative research depart-
20 ment.

21 (d) In addition to the other purposes for which expenditures may be
22 made by the department on aging from the senior care act account of the
23 state general fund for fiscal year 2005 as authorized by this section, ex-
24 penditures shall be made by the above agency from the senior care act
25 account of the state general fund for fiscal year 2005 for the senior com-
26 panion program: *Provided*, That expenditures for such purpose from the
27 senior care act account of the state general fund for fiscal year 2005 shall
28 not exceed \$25,000.

29 (e) During the fiscal years ending June 30, 2005 and June 30, 2006,
30 the secretary of aging shall allocate the moneys appropriated for the de-
31 partment on aging from the state general fund in the program grants —
32 nutrition — state match account for the in-home nutrition program in
33 excess of any amount required to match federal funds under the federal
34 older Americans act during each such fiscal year so that no area agency
35 on aging receives an aggregate amount of moneys from the state general
36 fund for the federal older Americans act nutrition program for such fiscal
37 year that is less than 92% of the aggregate amount received by such area
38 agency on aging for the immediately preceding fiscal year.

39 Sec. 32.

40 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

41 (a) There is appropriated for the above agency from the state general
42 fund for the fiscal year ending June 30, 2005, the following:

43 State operations	\$94,946,260
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1 *Provided*, That any unencumbered balance in the state operations ac-
 2 count in excess of \$100 as of June 30, 2004, is hereby reappropriated for
 3 fiscal year 2005: *Provided further*, That expenditures may be made from
 4 this account for the purchase of professional liability insurance for phy-
 5 sicians and dentists at any institution, as defined by K.S.A. 76-12a01 and
 6 amendments thereto: *And provided further*, That expenditures from this
 7 account for official hospitality by the secretary of social and rehabilitation
 8 services shall not exceed \$500.
 9 Alcohol and drug abuse services grants \$3,495,282
 10 *Provided*, That any unencumbered balance in the alcohol and drug abuse
 11 services grants account in excess of \$100 as of June 30, 2004, is hereby
 12 reappropriated for fiscal year 2005: *Provided, however*, That expenditures
 13 from such reappropriated balance shall not exceed \$62,434 except upon
 14 approval of the state finance council.
 15 Mental health and retardation services aid and
 16 assistance \$140,891,877
 17 ***Provided, That any unencumbered balance in the mental health***
 18 ***and retardation services aid and assistance account in excess of***
 19 ***\$100 as of June 30, 2004, is hereby reappropriated for fiscal year***
 20 ***2005: Provided further, That, during the fiscal year ending June 30,***
 21 ***2005, of the expenditures from this account for HCBS/MRDD***
 22 ***services as authorized by this or other appropriation act of the***
 23 ***2004 regular session, reimbursement rates for consumers with***
 24 ***documented extraordinary needs who currently receive, have***
 25 ***been approved for or leave a state institution or private institu-***
 26 ***tional setting and are approved for special tier or individualized***
 27 ***rates shall be maintained at a level no lower than the rate of re-***
 28 ***imbursement for these consumers on July 1, 2002: Provided, how-***
 29 ***ever, That nothing in this or any other statute shall prohibit a re-***
 30 ***duction or guarantee an increase in the reimbursement rate for***
 31 ***consumers with documented extraordinary needs because of a***
 32 ***change as a result of the annual basis assessment: And provided***
 33 ***further, That any reductions in the HCBS/MRDD funding in fiscal***
 34 ***year 2005 shall be implemented based on information and rec-***
 35 ***ommendations obtained in the most recent rate study required***
 36 ***under subsection (a)(3) of K.S.A. 39-1806 and amendments***
 37 ***thereto.***
 38 Kansas neurological institute — operating expenditures ... \$11,048,774
 39 *Provided*, That any unencumbered balance in the Kansas neurological
 40 institute — operating expenditures account in excess of \$100 as of June
 41 30, 2004, is hereby reappropriated for fiscal year 2005: *Provided further*,
 42 That expenditures from the Kansas neurological institute — operating
 43 expenditures account for official hospitality by the superintendent shall

1 not exceed \$150: *And provided further*, That expenditures may be made
 2 from this account for educational services contracts which are hereby
 3 authorized to be negotiated and entered into by Kansas neurological in-
 4 stitute with unified school districts or other public educational services
 5 providers: *And provided further*, That such educational services contracts
 6 shall not be subject to the competitive bidding requirements of K.S.A.
 7 75-3739 and amendments thereto: *And provided further*, That expendi-
 8 tures shall be made from this account to assist residents of the institution
 9 to take personally-used items, which were constructed for use by such
 10 residents and which are hereby authorized to be transferred to such res-
 11 idents, from the institution to communities when such residents leave the
 12 institution to reside in the communities.

13 Larned state hospital — operating
 14 expenditures ~~\$22,359,876~~ **\$22,809,476**

15 *Provided*, That any unencumbered balance in the Larned state hospital
 16 — operating expenditures account in excess of \$100 as of June 30, 2004,
 17 is hereby reappropriated for fiscal year 2005: *Provided further*, That ex-
 18 penditures from the Larned state hospital — operating expenditures ac-
 19 count for official hospitality by the superintendent shall not exceed \$150:
 20 *And provided further*, That expenditures may be made from this account
 21 for educational services contracts which are hereby authorized to be ne-
 22 gotiated and entered into by Larned state hospital with unified school
 23 districts or other public educational services providers: *And provided fur-*
 24 *ther*, That such educational services contracts shall not be subject to the
 25 competitive bidding requirements of K.S.A. 75-3739 and amendments
 26 thereto.

27 Larned state hospital — sexual predator treatment
 28 program \$3,856,439
 29 Osawatomie state hospital — operating expenditures \$8,035,978

30 *Provided*, That any unencumbered balance in the Osawatomie state hos-
 31 pital — operating expenditures account in excess of \$100 as of June 30,
 32 2004, is hereby reappropriated for fiscal year 2005: *Provided further*, That
 33 expenditures from the Osawatomie state hospital — operating expendi-
 34 tures account for official hospitality by the superintendent shall not ex-
 35 ceed \$150: *And provided further*, That expenditures may be made from
 36 this account for educational services contracts which are hereby author-
 37 ized to be negotiated and entered into by Osawatomie state hospital with
 38 unified school districts or other public educational services providers: *And*
 39 *provided further*, That such educational services contracts shall not be
 40 subject to the competitive bidding requirements of K.S.A. 75-3739 and
 41 amendments thereto.

42 Parsons state hospital and training center — operating
 43 expenditures \$7,245,227

1 *Provided*, That any unencumbered balance in the Parsons state hospital
 2 and training center — operating expenditures account in excess of \$100
 3 as of June 30, 2004, is hereby reappropriated for fiscal year 2005: *Provided*
 4 *further*, That expenditures from the Parsons state hospital and training
 5 center — operating expenditures account for official hospitality by the
 6 superintendent shall not exceed \$150: *And provided further*, That ex-
 7 penditures may be made from this account for educational services con-
 8 tracts which are hereby authorized to be negotiated and entered into by
 9 Parsons state hospital and training center with unified school districts or
 10 other public educational services providers: *And provided further*, That
 11 such educational services contracts shall not be subject to the competitive
 12 bidding requirements of K.S.A. 75-3739 and amendments thereto: *And*
 13 *provided further*, That expenditures shall be made from this account to
 14 assist residents of the institution to take personally-used items, which
 15 were constructed for use by such residents and which are hereby au-
 16 thorized to be transferred to such residents, from the institution to com-
 17 munities when such residents leave the institution to reside in the com-
 18 munities.

19 Rainbow mental health facility — operating
 20 expenditures \$3,841,426

21 *Provided*, That any unencumbered balance in the Rainbow mental health
 22 facility — operating expenditures account in excess of \$100 as of June 30,
 23 2004, is hereby reappropriated for fiscal year 2005: *Provided further*, That
 24 expenditures from the Rainbow mental health facility — operating ex-
 25 penditures account for official hospitality by the superintendent shall not
 26 exceed \$150: *And provided further*, That expenditures may be made from
 27 this account for educational services contracts which are hereby author-
 28 ized to be negotiated and entered into by Rainbow mental health facility
 29 with unified school districts or other public educational services providers:
 30 *And provided further*, That such educational services contracts shall not
 31 be subject to the competitive bidding requirements of K.S.A. 75-3739
 32 and amendments thereto.

33 Children’s mental health initiative..... \$1,000,000

34 *Provided*, That no expenditures shall be made from the children’s mental
 35 health initiative account for inpatient hospital beds for children.

36 Children’s health insurance..... \$14,771,152

37 *Provided*, That any unencumbered balance in the children’s health in-
 38 surance account in excess of \$100 as of June 30, 2004, is hereby reappro-
 39 priated for fiscal year 2005: *Provided, however*, That expenditures from
 40 such reappropriated balance shall not exceed \$421,140 except upon ap-
 41 proval of the state finance council.

42 Youth services aid and assistance \$70,458,231

43 *Provided*, That any unencumbered balance in the youth services aid and

1 assistance account in excess of \$100 as of June 30, 2004, is hereby reap-
2 propriated for fiscal year 2005.

3 Vocational rehabilitation aid and assistance \$3,966,777

4 *Provided*, That any unencumbered balance in the vocational rehabilitation
5 aid and assistance account in excess of \$100 as of June 30, 2004, is hereby
6 reappropriated for fiscal year 2005: *Provided further*, That expenditures
7 may be made from this account for the acquisition of durable medical
8 equipment and assistive technology devices: *Provided, however*, That all
9 such expenditures for durable equipment or assistive technology devices
10 shall require a \$1 for \$1 match from non-state sources: *And provided*
11 *further*, That expenditures may be made from this account by the sec-
12 retary of social and rehabilitation services for the purchase of worker's
13 compensation insurance for consumers of vocational rehabilitation serv-
14 ices and assessments at work site and job tryout sites throughout the state.

15 Cash assistance \$53,895,402

16 *Provided*, That any unencumbered balance in the cash assistance account
17 in excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
18 year 2005.

19 Community based services..... \$41,102,072

20 *Provided*, That any unencumbered balance in the community based serv-
21 ices account in excess of \$100 as of June 30, 2004, is hereby reappro-
22 priated for fiscal year 2005.

23 Other medical assistance ~~\$374,760,855~~ **\$374,311,255**

24 *Provided*, That any unencumbered balance in the other medical assis-
25 tance account in excess of \$100 as of June 30, 2004, is hereby reappro-
26 priated for fiscal year 2005.

27 Sex predator program \$100,481

28 *Provided*, That any unencumbered balance in the sex predator program
29 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
30 for fiscal year 2005: *Provided further*, That expenditures from such reap-
31 propriated balance shall not exceed \$200,000 except upon approval of the
32 state finance council.

33 (b) There is appropriated for the above agency from the following spe-
34 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
35 moneys now or hereafter lawfully credited to and available in such fund
36 or funds, except that expenditures shall not exceed the following:

37 Title XIX fund \$45,439,770

38 *Provided*, That all receipts resulting from payments under title XIX of
39 the federal social security act to any of the institutions under mental
40 health and retardation services may be credited to the title XIX fund:
41 *Provided further*, That moneys in the title XIX fund may be used for
42 expenditures for contractual services to provide for collecting additional
43 payments under title XVIII and title XIX of the federal social security act,

1 for expenditures for premiums and surcharges required to be paid for
 2 physicians' malpractice insurance, and for transfers to the other federal
 3 grants and assistance fund.

4 Nonfederal reimbursements fund No limit

5 *Provided*, That all nonfederal reimbursements received by the depart-
 6 ment of social and rehabilitation services shall be deposited in the state
 7 treasury and credited to the nonfederal reimbursements fund: *Provided*
 8 *further*, That moneys in the nonfederal reimbursements fund may be
 9 used for expenditures for contractual services to provide for collecting
 10 additional payments under title XVIII and title XIX of the federal social
 11 security act, for expenditures for premiums and surcharges required to
 12 be paid for physicians' malpractice insurance, and for transfers to the
 13 social welfare fund.

14 Kansas neurological institute fee fund \$1,037,978

15 Kansas neurological institute — foster grandparents pro-
 16 gram — federal fund No limit

17 Kansas neurological institute — patient benefit fund No limit

18 Kansas neurological institute — work therapy patient ben-
 19 efit fund..... No limit

20 Larned state hospital fee fund..... \$2,377,798

21 Larned state hospital — elementary and secondary edu-
 22 cation fund — federal No limit

23 Larned state hospital — vocational education fund —
 24 federal No limit

25 Larned state hospital — ECIA fund — federal No limit

26 Larned state hospital — canteen fund No limit

27 Larned state hospital — patient benefit fund..... No limit

28 Larned state hospital — motor pool revolving fund..... No limit

29 Osawatomie state hospital fee fund \$3,973,351

30 *Provided*, That all moneys received as fees for the use of video telecon-
 31 ferencing equipment at Osawatomie state hospital shall be deposited to
 32 the credit of the video teleconferencing fee account of the Osawatomie
 33 state hospital fee fund: *Provided further*, That all moneys credited to the
 34 video teleconferencing fee account shall be used solely for the servicing,
 35 technical and program support, maintenance and replacement of associ-
 36 ated equipment at Osawatomie state hospital: *And provided further*, That
 37 any expenditures from the video teleconferencing fee account shall be in
 38 addition to any expenditure limitation imposed on the Osawatomie state
 39 hospital fee fund.

40 Osawatomie state hospital — ECIA fund — federal No limit

41 Osawatomie state hospital — canteen fund No limit

42 Osawatomie state hospital — patient benefit fund..... No limit

43

1 Osawatomie state hospital — work therapy patient benefit
 2 fund No limit
 3 Osawatomie state hospital — motor pool revolving fund .. No limit
 4 Osawatomie state hospital — training fee revolving
 5 fund No limit
 6 *Provided*, That all moneys received as fees for training activities for Os-
 7 awatomie state hospital shall be deposited to the credit of the Osawatomie
 8 state hospital — training fee revolving fund: *Provided further*, That the
 9 superintendent of Osawatomie state hospital is hereby authorized to fix,
 10 charge and collect fees for training activities at Osawatomie state hospital:
 11 *And provided further*, That such fees shall be fixed in order to recover
 12 all or part of the expenses of such training activities for Osawatomie state
 13 hospital.
 14 Parsons state hospital and training center fee fund \$1,254,346
 15 *Provided*, That all moneys received as fees for the use of video telecon-
 16 ferencing equipment at Parsons state hospital and training center shall
 17 be deposited to the credit of the video teleconferencing fee account of
 18 the Parsons state hospital and training center fee fund: *Provided further*,
 19 That all moneys credited to the video teleconferencing fee account shall
 20 be used solely for the servicing, maintenance and replacement of video
 21 teleconferencing equipment at Parsons state hospital and training center:
 22 *And provided further*, That any expenditures from the video teleconfer-
 23 encing fee account shall be in addition to any expenditure limitation im-
 24 posed on the Parsons state hospital and training center fee fund.
 25 Parsons state hospital and training center — canteen
 26 fund No limit
 27 Parsons state hospital and training center — patient ben-
 28 efit fund..... No limit
 29 Parsons state hospital and training center — work therapy
 30 patient benefit fund..... No limit
 31 Rainbow mental health facility fee fund..... \$641,166
 32 Rainbow mental health facility — elementary and second-
 33 ary education fund — federal No limit
 34 Rainbow mental health facility — patient benefit fund No limit
 35 Social services clearing fund..... No limit
 36 *Provided*, That the secretary of social and rehabilitation services shall
 37 certify to the director of the budget on June 30, 2005, that expenditures
 38 from the social services clearing fund for state operations did not exceed
 39 \$306,526,585 for fiscal year 2005: *Provided, however*, That expenditures
 40 from the social services clearing fund for transfers or state operations for
 41 institutions under the control of the department of social and rehabili-
 42 tation services shall be in addition to any expenditure limitation on the
 43 social services clearing fund: *Provided further*, That any transfer made

1 from this fund to another state agency pursuant to a contract with that
 2 agency shall be in addition to any expenditure limitations imposed on this
 3 fund.
 4 Social welfare fund \$58,335,575
 5 *Provided*, That any transfers of funds between the social welfare fund and
 6 state institutions made by the secretary of social and rehabilitation serv-
 7 ices during fiscal year 2005 shall be in addition to any expenditure limi-
 8 tation imposed on this fund.
 9 Health committee insurance fund No limit
 10 Other state fees fund No limit
 11 Alcohol and drug abuse block grant federal fund No limit
 12 *Provided*, That any transfers of moneys from the alcohol and drug abuse
 13 block grant federal fund to any other block grant fund specified in this
 14 subsection during fiscal year 2005 shall be in addition to any expenditure
 15 limitation imposed on this fund.
 16 Ryan White title II federal fund No limit
 17 Child welfare services block grant federal fund..... No limit
 18 Mental health block grant federal fund..... No limit
 19 Social services block grant — federal fund No limit
 20 Child care mandatory federal fund..... No limit
 21 *Provided*, That any transfers from the child care mandatory federal fund
 22 to the department of health and environment during fiscal year 2005 shall
 23 be in addition to any expenditure limitation imposed on this fund.
 24 Children’s cabinet grants federal fund No limit
 25 Temporary assistance to needy families federal fund No limit
 26 Child care matching federal fund..... No limit
 27 Child care discretionary federal fund..... No limit
 28 Disability determination services federal fund No limit
 29 Food stamp assistance federal fund..... No limit
 30 Foster care assistance federal fund..... No limit
 31 Medical assistance federal fund No limit
 32 Rehabilitation services federal fund..... No limit
 33 Other federal grants and assistance fund..... No limit
 34 SRS enterprise fund No limit
 35 SRS trust fund No limit
 36 *Provided*, That all contributions from local entities shall be credited to
 37 the vocational rehabilitation special revenue account of the SRS trust fund
 38 for the purpose of providing the required state match for receipt of fed-
 39 eral vocational rehabilitation funds: *Provided further*, That expenditures
 40 may be made from the vocational rehabilitation special revenue account
 41 of this fund for local community-based vocational rehabilitation programs.
 42 SRS AIDS drug reimbursement — federal fund No limit
 43 SRS — IGT fund No limit

1 Child support enforcement administration fund..... No limit
 2 Energy assistance block grant federal fund..... No limit
 3 Children’s health insurance federal fund..... No limit
 4 Family and children trust account — family and children
 5 investment fund No limit
 6 *Provided*, That expenditures from the family and children trust account
 7 — family and children investment fund for official hospitality shall not
 8 exceed \$1,500.
 9 (c) There is appropriated for the above agency from the children’s
 10 initiatives fund for the fiscal year ending June 30, 2005, the following:
 11 Children’s cabinet accountability fund \$541,802
 12 *Provided*, That any unencumbered balance in the children’s cabinet ac-
 13 countability fund account in excess of \$100 as of June 30, 2004, is hereby
 14 reappropriated for fiscal year 2005.
 15 Children’s mental health waiver..... \$1,800,000
 16 *Provided*, That any unencumbered balance in the children’s mental health
 17 waiver account in excess of \$100 as of June 30, 2004, is hereby reappro-
 18 priated for fiscal year 2005.
 19 Family centered system of care \$5,000,000
 20 *Provided*, That any unencumbered balance in the family centered system
 21 of care account in excess of \$100 as of June 30, 2004, is hereby reappro-
 22 priated for fiscal year 2005.
 23 Therapeutic preschool..... \$1,000,000
 24 *Provided*, That any unencumbered balance in the therapeutic preschool
 25 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 26 for fiscal year 2005.
 27 Child care \$1,400,000
 28 *Provided*, That any unencumbered balance in the child care account in
 29 excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
 30 year 2005.
 31 Community services for child welfare \$3,106,230
 32 *Provided*, That any unencumbered balance in the community services for
 33 child welfare account in excess of \$100 as of June 30, 2004, is hereby
 34 reappropriated for fiscal year 2005.
 35 HealthWave..... \$2,000,000
 36 *Provided*, That any unencumbered balance in the HealthWave account
 37 in excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
 38 year 2005.
 39 Children’s cabinet early childhood discretionary grant pro-
 40 gram ~~\$10,000,000~~ ~~\$7,495,491~~ [**\$7,295,491**]
 41 *Provided*, That any unencumbered balance in the children’s cabinet early
 42 childhood discretionary grant program account in excess of \$100 as of
 43 June 30, 2004, is hereby reappropriated for fiscal year 2005.

1 Medicaid..... \$3,000,000
 2 *Provided*, That any unencumbered balance in the medicaid account in
 3 excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
 4 year 2005.
 5 Immunization outreach ~~\$495,401~~ **\$500,000**
 6 *Provided*, That any unencumbered balance in the immunization outreach
 7 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 8 for fiscal year 2005.
 9 Family preservation ~~\$2,243,770~~ **\$4,243,770**
 10 *Provided*, That any unencumbered balance in the family preservation
 11 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 12 for fiscal year 2005.
 13 Grants to community mental health centers for children’s
 14 programs ~~\$2,000,000~~ **\$2,500,000**
 15 *Provided*, That any unencumbered balance in the grants to community
 16 mental health centers for children’s programs account in excess of
 17 \$100 as of June 30, 2004, is hereby reappropriated for fiscal year 2005.
 18 School violence prevention \$228,000
 19 *Provided*, That any unencumbered balance in the school violence pre-
 20 vention account in excess of \$100 as of June 30, 2004, is hereby reapp-
 21 propriated for fiscal year 2005.
 22 (d) There is appropriated for the above agency from the Kansas en-
 23 dowment for youth fund for the fiscal year ending June 30, 2005, the
 24 following:
 25 Children’s cabinet administration..... \$252,882
 26 (e) During the fiscal year ending June 30, 2005, the secretary of social
 27 and rehabilitation services, with the approval of the director of the budget,
 28 may transfer any part of any item of appropriation for the fiscal year
 29 ending June 30, 2005, from the state general fund for the department of
 30 social and rehabilitation services or any institution or facility under the
 31 general supervision and management of the secretary of social and re-
 32 habilitation services to another item of appropriation for fiscal year 2005
 33 from the state general fund for the department of social and rehabilitation
 34 services or any institution or facility under the general supervision and
 35 management of the secretary of social and rehabilitation services. The
 36 secretary of social and rehabilitation services shall certify each such trans-
 37 fer to the director of accounts and reports and shall transmit a copy of
 38 each such certification to the director of the legislative research depart-
 39 ment.
 40 (f) On July 1, 2004, the superintendent of Osawatomie state hospital,
 41 upon the approval of the director of accounts and reports, shall transfer
 42 an amount specified by the superintendent from the Osawatomie state
 43 hospital — canteen fund to the Osawatomie state hospital — patient

1 benefit fund.

2 (g) On July 1, 2004, the superintendent of Parsons state hospital and
3 training center, upon the approval of the director of accounts and reports,
4 shall transfer an amount specified by the superintendent from the Parsons
5 state hospital and training center — canteen fund to the Parsons state
6 hospital and training center — patient benefit fund.

7 (h) (1) On July 1, 2004, or as soon thereafter as moneys are available,
8 the director of accounts and reports may transfer, in one or more
9 amounts, from the title XIX fund to the other federal grants and assistance
10 fund the amount specified by the secretary of social and rehabilitation
11 services.

12 (2) On July 1, 2004, or as soon thereafter as moneys are available, the
13 director of accounts and reports may transfer, in one or more amounts,
14 from the nonfederal reimbursements fund to the social welfare fund the
15 amount specified by the secretary of social and rehabilitation services.

16 (i) On July 1, 2004, or as soon thereafter as moneys are available, the
17 director of accounts and reports shall transfer \$4,332,070 from the tem-
18 porary assistance to needy families federal fund to the social services block
19 grant — federal fund.

20 (j) During the fiscal year ending June 30, 2005, all moneys received by
21 the secretary of social and rehabilitation services, to provide an endow-
22 ment to provide interest earnings for the purposes for which expenditures
23 may be made from the family and children trust account of the family
24 and children investment fund, shall be deposited in the state treasury to
25 the credit of the family and children endowment account of the family
26 and children investment fund.

27 (k) During the fiscal year ending June 30, 2005, to the extent it is
28 determined by the secretary of social and rehabilitation services to be cost
29 effective, the secretary of social and rehabilitation services shall apply for
30 and accept donations from private sources to provide an endowment to
31 provide interest earnings for the purposes for which expenditures may be
32 made from the family and children trust account of the family and chil-
33 dren investment fund. During the fiscal year ending June 30, 2005, upon
34 receipt of one or more donations of moneys from private sources for
35 deposit to the credit of the family and children endowment account of
36 the family and children investment fund, in addition to the other purposes
37 for which expenditures may be made by the department of social and
38 rehabilitation services from any moneys appropriated from the state gen-
39 eral fund or any special revenue fund or funds for the fiscal year 2005,
40 as authorized by this or other appropriation act of the 2004 regular session
41 of the legislature, expenditures shall be made by the department of social
42 and rehabilitation services from any such moneys appropriated for fiscal
43 year 2005 for payments into the family and children endowment account

1 of the family and children investment fund that match the aggregate
2 amount of all such donations and that are equal to the aggregate amount
3 of moneys donated to and credited to the family and children endowment
4 account of the family and children investment fund during fiscal year
5 2005.

6 (l) In addition to the other purposes for which expenditures may be
7 made by the department of social and rehabilitation services from moneys
8 appropriated from the state general fund or any special revenue fund for
9 fiscal year 2005 for the department of social and rehabilitation services
10 as authorized by this or other appropriation act of the 2004 regular session
11 of the legislature, expenditures shall be made by the secretary of social
12 and rehabilitation services for fiscal year 2005 to fix, charge and collect
13 fees from parents for services provided to their children by an institution
14 or program of the department of social and rehabilitation services: *Pro-*
15 *vided*, That, in accordance with the provisions of federal law, the secretary
16 of social and rehabilitation services shall not deny services to children
17 under the home and community based services programs based on the
18 failure of any parent to pay such fees: *Provided further*, That such fees
19 shall be fixed by adoption of a sliding fee scale established by the secretary
20 of social and rehabilitation services and such fees shall recover all or part
21 of the expenses incurred in providing such services: *And provided further*,
22 That such fees shall be reduced or waived in cases of demonstrable hard-
23 ship and for families at or below 200% of the federal poverty level who
24 are receiving home and community based services: *And provided further*,
25 That all moneys received by the department of social and rehabilitation
26 services for such fees shall be deposited in the state treasury to the credit
27 of the social welfare fund.

28 **(m) During the fiscal year ending June 30, 2005, the director of**
29 **accounts and reports shall transfer the amounts specified by the**
30 **director of the budget from the LTC — medicaid assistance — NF**
31 **account of the state general fund of the department on aging to**
32 **the LTC — medicaid assistance — HCBS/FE account of the state**
33 **general fund of the department on aging or to the community**
34 **based services account of the department of social and rehabili-**
35 **tation services: *Provided*, That such transfers shall be certified by**
36 **the director of the budget on December 1, 2004, and on June 1,**
37 **2005, to reflect the nursing facility rate paid for persons moving**
38 **from a nursing facility to the home and community-based services**
39 **waiver for the physically disabled or the frail elderly for the six**
40 **months preceding the date of certification: *Provided further*, That**
41 **the aggregate of all such transfers certified during fiscal year 2005**
42 **shall not exceed the amount required to support the movement of**
43 **75 individuals from nursing facilities to home and community-**

1 **based services: And provided further, That each of the 75 individuals**
 2 **must meet the requirements described in a policy jointly devel-**
 3 **oped by the secretary of aging and the secretary of social and re-**
 4 **habilitation services governing the operations of this transfer: And**
 5 *provided further, That the director of the budget shall transmit a*
 6 **copy of each such certification to the director of the legislative**
 7 **research department.**

8 Sec. 33.

9 KANSAS GUARDIANSHIP PROGRAM

10 (a) There is appropriated for the above agency from the state general
11 fund for the fiscal year ending June 30, 2005, the following:

12 Kansas guardianship program.....	\$1,027,513
-------------------------------------	-------------

13 *Provided*, That any unencumbered balance in the Kansas guardianship
14 program account in excess of \$100 as of June 30, 2004, is hereby reap-
15 propriated for fiscal year 2005.

16 (b) There is appropriated for the above agency from the following spe-
17 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
18 moneys now or hereafter lawfully credited to and available in such fund
19 or funds, except that expenditures other than refunds authorized by law
20 and transfers to other state agencies shall not exceed the following:

21 Grants and gifts fund	No limit
--------------------------------	----------

22 Sec. 34.

23 DEPARTMENT OF EDUCATION

24 (a) There is appropriated for the above agency from the state general
25 fund for the fiscal year ending June 30, 2005, the following:

26 Operating expenditures (including official hospitality).....	\$9,181,977
---	-------------

27 *Provided*, That any unencumbered balance in the operating expenditures
28 (including official hospitality) account in excess of \$100 as of June 30,
29 2004, is hereby reappropriated for fiscal year 2005.

30 Governor’s teaching excellence scholarships and awards...	\$222,000
--	-----------

31 *Provided*, That all expenditures from the governor’s teaching excellence
 32 scholarships and awards account for teaching excellence scholarships shall
 33 be to provide grants of \$1,000 each to Kansas elementary and secondary
 34 public school teachers who are accepted to participate in the national
 35 board for professional teaching standards certification program under the
 36 governor’s teaching excellence scholarships program which shall be ad-
 37 ministered by the state board of education: *Provided further*, That each
 38 such grant shall be required to be matched on a \$1 for \$1 basis from
 39 nonstate sources: *And provided further*, That award of each such grant
 40 shall be conditioned upon the recipient entering into an agreement re-
 41 quiring the grant to be repaid if the recipient fails to complete the course
 42 of training under the national board for professional teaching standards
 43 certification program: *And provided further*, That all moneys received by

1 the department of education for repayment of grants for governor’s teach-
2 ing excellence scholarships shall be deposited in the state treasury and
3 credited to the governor’s teaching excellence scholarships program re-
4 payment fund.
5 General state aid\$1,760,302,000
6 *Provided*, That any unencumbered balance in the general state aid ac-
7 count in excess of \$100 as of June 30, 2004, is hereby reappropriated for
8 fiscal year 2005.
9 Special education services aid..... \$249,791,845
10 *Provided*, That expenditures shall not be made from the special education
11 services aid account for the provision of instruction for any homebound
12 or hospitalized child unless the categorization of such child as exceptional
13 is conjoined with the categorization of the child within one or more of
14 the other categories of exceptionality: *Provided further*, That expendi-
15 tures shall be made from this account for grants to school districts in
16 amounts determined pursuant to and in accordance with the provisions
17 of K.S.A. 72-983 and amendments thereto: *And provided further*, That
18 expenditures shall be made from the amount remaining in this account,
19 after deduction of the expenditures specified in the foregoing proviso, for
20 payments to school districts in amounts determined pursuant to and in
21 accordance with the provisions of K.S.A. 72-978 and amendments
22 thereto: *And provided further*, That for expenditures from the special
23 education services aid account of the above agency, fully-trained reading
24 recovery teacher leaders, selected by the agency in accordance with es-
25 tablished criteria, shall be considered to be special teachers as defined in
26 subsection (j)(1) of K.S.A. 72-962 and amendments thereto for the pur-
27 pose of determining amounts of payments to be made to school districts
28 in accordance with the provisions of K.S.A. 72-978 and amendments
29 thereto from the amount remaining in the special education services aid
30 account after deduction of expenditures made in accordance with the
31 provisions of K.S.A. 72-893 and amendments thereto: *Provided, however*,
32 That expenditures for fully-trained reading recovery teacher leaders con-
33 sidered to be special teachers shall not exceed \$180,000.
34 Supplemental general state aid \$163,045,000
35 *Provided*, That any unencumbered balance in the supplemental general
36 state aid account in excess of \$100 as of June 30, 2004, is hereby reap-
37 propriated for fiscal year 2005.
38 Kansas foundation for agriculture project grant..... \$35,000
39 *Provided*, That expenditures from the Kansas foundation for agriculture
40 project grant account shall be used for agriculture in the classroom pro-
41 grams to supplement existing elementary and secondary curricula with
42 agricultural information: *Provided further*, That expenditures from this
43 account shall be made only if private funding sources are available to

1 match such state grants on a 60% state and 40% private basis.

2 Discretionary grants..... \$130,000

3 School food assistance..... \$2,510,486

4 School safety hotline..... \$10,000

5 KPERS — employer contributions..... \$134,979,253

6 *Provided*, That any unencumbered balance in the KPERS — employer

7 contributions account in excess of \$100 as of June 30, 2004, is hereby

8 reappropriated for fiscal year 2005: *Provided further*, That all expendi-

9 tures from the KPERS — employer contributions account shall be for

10 payment of participating employers' contributions to the Kansas public

11 employees retirement system as provided in K.S.A. 74-4939 and amend-

12 ments thereto: *And provided further*, That expenditures from this ac-

13 count for the payment of participating employers' contributions to the

14 Kansas public employees retirement system may be made regardless of

15 when the liability was incurred.

16 Parent education program \$4,667,000

17 *Provided*, That expenditures from the parent education program account

18 for each such grant shall be matched by the school district in an amount

19 which is equal to not less than 65% of the grant: *Provided further*, That

20 expenditures from this account for fiscal year 2005 for establishing and

21 maintaining a Kansas training model that meets the requirement for the

22 parents as teachers program shall not exceed \$27,500.

23 Educable deaf-blind and severely handicapped children's

24 programs aid..... \$110,000

25 School district juvenile detention facilities and Flint Hills

26 job corps center grants..... \$5,599,393

27 *Provided*, That expenditures shall be made from the school district ju-

28 venile detention facilities and Flint Hills job corps center grants account

29 for grants to school districts in amounts determined pursuant to and in

30 accordance with the provisions of K.S.A. 72-8187 and amendments

31 thereto.

32 (b) There is appropriated for the above agency from the following spe-

33 cial revenue fund or funds for the fiscal year ending June 30, 2005, all

34 moneys now or hereafter lawfully credited to and available in such fund

35 or funds, except that expenditures other than refunds authorized by law

36 and transfers to other state agencies shall not exceed the following:

37 State school district finance fund No limit

38 School district capital improvements fund..... No limit

39 *Provided*, That expenditures from the school district capital improve-

40 ments fund shall be made only for the payment of general obligation

41 bonds approved by voters under the authority of K.S.A. 72-6761 and

42 amendments thereto.

43 Conversion of materials and equipment fund No limit

1	State safety fund	No limit
2	School bus safety fund	No limit
3	Goals 2000 federal fund	No limit
4	Motorcycle safety fund.....	No limit
5	Federal indirect cost reimbursement fund	No limit
6	Certificate fee fund	No limit
7	Food assistance — federal fund.....	No limit
8	Food assistance — school breakfast program — federal	
9	fund	No limit
10	Food assistance — national school lunch program — fed-	
11	eral fund	No limit
12	Food assistance — child and adult care food program —	
13	federal fund.....	No limit
14	Elementary and secondary school aid — federal fund.....	No limit
15	Elementary and secondary school aid — educationally de-	
16	prived children — federal fund	No limit
17	Educationally deprived children — state operations — fed-	
18	eral fund	No limit
19	Elementary and secondary school — educationally de-	
20	prived children — LEA's fund	No limit
21	ESEA chapter II — state operations — federal fund.....	No limit
22	Education of handicapped children fund — federal.....	No limit
23	Education of handicapped children fund — state opera-	
24	tions — federal	No limit
25	Education of handicapped children fund — preschool —	
26	federal fund.....	No limit
27	Education of handicapped children fund — preschool state	
28	operations — federal	No limit
29	Elementary and secondary school aid — federal fund —	
30	migrant education fund	No limit
31	Elementary and secondary school aid — federal fund —	
32	migrant education — state operations	No limit
33	Vocational education amendments of 1968 — federal	
34	fund	No limit
35	Vocational education title II — federal fund.....	No limit
36	Vocational education title II — federal fund — state	
37	operations	No limit
38	Educational research grants and projects fund.....	No limit
39	Education for economic security act — federal fund	No limit
40	Drug abuse fund — department of education —	
41	federal.....	No limit
42	Federal class size reduction fund.....	No limit
43	School renovation grants — federal fund	No limit

1 Drug abuse funds — federal — state operations fund No limit
2 Inservice education workshop fee fund..... No limit
3 *Provided*, That expenditures may be made from the inservice education
4 workshop fee fund for operating expenditures, including official hospi-
5 tality, incurred for inservice workshops and conferences: *Provided fur-*
6 *ther*, That the state board of education is hereby authorized to fix, charge
7 and collect fees for inservice workshops and conferences: *And provided*
8 *further*, That such fees shall be fixed in order to recover all or part of
9 such operating expenditures incurred for inservice workshops and con-
10 ferences: *And provided further*, That all fees received for inservice work-
11 shops and conferences shall be deposited in the state treasury and cred-
12 ited to the inservice education workshop fee fund.
13 Private donations, gifts, grants and bequests fund No limit
14 Interactive video fee fund..... No limit
15 *Provided*, That expenditures may be made from the interactive video fee
16 fund for operating expenditures incurred in conjunction with the opera-
17 tion and use of the interactive video conference facility of the department
18 of education: *Provided further*, That the state board of education is
19 hereby authorized to fix, charge and collect fees for the operation and
20 use of such interactive video conference facility: *And provided further*,
21 That all fees received for the operation and use of such interactive video
22 conference facility shall be deposited in the state treasury and credited
23 to the interactive video fee fund.
24 Reimbursement for services fund No limit
25 Communities in schools program fund No limit
26 Governor’s teaching excellence scholarships program re-
27 payment fund No limit
28 *Provided*, That all expenditures from the governor’s teaching excellence
29 scholarships program repayment fund shall be to provide grants of \$1,000
30 each to Kansas elementary and secondary public school teachers who are
31 accepted to participate in the national board for professional teaching
32 standards certification program under the governor’s teaching excellence
33 scholarships program which shall be administered by the state board of
34 education: *Provided further*, That each such grant shall be required to be
35 matched on a \$1 for \$1 basis from nonstate sources: *And provided further*,
36 That award of each such grant shall be conditioned upon the recipient
37 entering into an agreement requiring the grant to be repaid if the recip-
38 ient fails to complete the course of training under the national board for
39 professional teaching standards certification program: *And provided fur-*
40 *ther*, That all moneys received by the department of education for re-
41 payment of grants made under the governor’s teaching excellence schol-
42 arships program shall be deposited in the state treasury and credited to
43 this fund.

1	Elementary and secondary school aid — federal fund —	
2	reading first	No limit
3	Elementary and secondary school aid — federal fund —	
4	reading first — state operations	No limit
5	State grants for improving teacher quality — federal	
6	fund	No limit
7	State grants for improving teacher quality — federal fund	
8	— state operations.....	No limit
9	Community service grants — federal fund	No limit
10	21st century community learning centers — federal	
11	fund	No limit
12	State assessments — federal fund	No limit
13	Rural and low-income schools program — federal fund ...	No limit
14	Language assistance state grants — federal fund.....	No limit
15	Service clearing fund	No limit

16 (c) There is appropriated for the above agency from the children's
 17 initiatives fund for the fiscal year ending June 30, 2005, the following:

18 Grant to the Kansas optometric association for vision
 19 study \$300,000

20 *Provided*, That any unencumbered balance in the grant to the Kansas
 21 optometric association for vision study account in excess of \$100 as of
 22 June 30, 2004, is hereby reappropriated for fiscal year 2005.

23 Parent education program \$2,500,000

24 *Provided*, That any unencumbered balance in the parent education pro-
 25 gram account in excess of \$100 as of June 30, 2004, is hereby reappro-
 26 priated for fiscal year 2005.

27 General state aid four-year-old at-risk..... \$4,500,000

28 *Provided*, That any unencumbered balance in the general state aid four-
 29 year-old at-risk account in excess of \$100 as of June 30, 2004, is hereby
 30 reappropriated for fiscal year 2005.

31 Special education services aid..... \$1,225,000

32 *Provided*, That any unencumbered balance in the special education serv-
 33 ices aid account in excess of \$100 as of June 30, 2004, is hereby reappro-
 34 priated for fiscal year 2005.

35 (d) On July 1, 2004, or as soon thereafter as moneys are available, the
 36 director of accounts and reports shall transfer \$50,000 from the family
 37 and children trust account of the family and children investment fund of
 38 the department of social and rehabilitation services to the communities
 39 in schools program fund of the department of education.

40 (e) On July 1, 2004, and quarterly thereafter, the director of accounts
 41 and reports shall transfer \$46,266 from the state highway fund of the
 42 department of transportation to the school bus safety fund of the de-
 43 partment of education.

1 Sec. 35.

2 STATE LIBRARY

3 (a) There is appropriated for the above agency from the state general
4 fund for the fiscal year ending June 30, 2005, the following:

5 Operating expenditures \$1,550,466

6 *Provided*, That any unencumbered balance in the operating expenditures
7 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
8 for fiscal year 2005: *Provided, however*, That expenditures from the op-
9 erating expenditures account for official hospitality shall not exceed
10 \$2,000.

11 Grants to libraries and library systems \$3,404,337

12 *Provided*, That, of the moneys appropriated in the grants to libraries and
13 library systems account, \$2,393,562 shall be distributed as grants-in-aid
14 to libraries in accordance with K.S.A. 75-2555 and amendments thereto,
15 \$624,670 shall be distributed for interlibrary loan development grants and
16 \$386,105 shall be paid according to contracts with the subregional librar-
17 ies of the Kansas talking book services.

18 (b) There is appropriated for the above agency from the following spe-
19 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
20 moneys now or hereafter lawfully credited to and available in such fund
21 or funds, except that expenditures other than refunds authorized by law
22 shall not exceed the following:

23 State library fund No limit

24 Federal library services and technology act — fund..... No limit

25 Grants and gifts fund No limit

26 Sec. 36.

27 KANSAS ARTS COMMISSION

28 (a) There is appropriated for the above agency from the state general
29 fund for the fiscal year ending June 30, 2005, the following:

30 Operating expenditures \$343,392

31 *Provided*, That any unencumbered balance in the operating expenditures
32 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
33 for fiscal year 2005: *Provided, however*, That expenditures from the op-
34 erating expenditures account for official hospitality shall not exceed
35 \$4,000: *Provided further*, That expenditures may be made by the above
36 agency from any amount of savings in the operating expenditures account
37 for the purpose of matching an equal or greater amount of federal grant
38 moneys or local grant moneys, or both, for arts programming projects.

39 Arts programming grants and challenge
40 grants ~~\$1,138,465~~ **\$1,173,465**

41 *Provided*, That expenditures from the arts programming grants and chal-
42 lenge grants account shall be made only for the purpose of matching an
43 equal or greater amount of federal grant moneys or local grant moneys,

1 or both, for arts programming projects: *Provided further*, That expendi-
2 tures from this account shall be made in a manner to benefit the maxi-
3 mum number of Kansas communities in the development of Kansas talent
4 and art.

5 (b) There is appropriated for the above agency from the following spe-
6 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
7 moneys now or hereafter lawfully credited to and available in such fund
8 or funds, except that expenditures other than refunds authorized by law
9 shall not exceed the following:

10	Kansas arts commission fee fund	No limit
11	Kansas arts commission gifts, grants and bequests — fed-	
12	eral fund	No limit
13	Kansas arts commission special gifts fund.....	No limit
14	Arts programming grants fund.....	No limit

15 *Provided*, That moneys received by the Kansas arts commission from the
16 remittance of the unexpended balance of arts programming grants to the
17 commission shall be deposited in the state treasury and credited to the
18 arts programming grants fund: *Provided further*, That expenditures from
19 this fund shall be made only for the purpose of matching an equal or
20 greater amount of federal grant moneys or local grant moneys, or both,
21 for arts programming projects.

22 (c) On July 1, 2004, the Kansas arts commission gifts, grants and be-
23 quests fund of the Kansas arts commission is hereby redesignated as the
24 Kansas arts commission gifts, grants and bequests — federal fund of the
25 Kansas arts commission.

26 Sec. 37.

27 KANSAS STATE SCHOOL FOR THE BLIND

28 (a) There is appropriated for the above agency from the state general
29 fund for the fiscal year ending June 30, 2005, the following:

30	Operating expenditures	\$4,501,339
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31 *Provided*, That any unencumbered balance in the operating expenditures
32 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
33 for fiscal year 2005.

34	Arts for the handicapped	\$145,360
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35 Any unencumbered balance in excess of \$100 as of June 30, 2004, in the
36 technology lending library account is hereby reappropriated for fiscal year
37 2005: *Provided, however*, That all expenditures from the technology lend-
38 ing library account shall be made only for the purpose of matching an
39 equal or greater amount of federal or other nonstate governmental grant
40 moneys or private grant or donation moneys, or any combination thereof,
41 received by the Kansas state school for the blind: *Provided further*, That
42 no expenditures shall be made from this account except upon approval
43 of the state finance council acting on this matter which is hereby char-

1 acterized as a matter of legislative delegation and subject to the guidelines
2 prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto,
3 after receiving information that the Kansas state school for the blind has
4 received the required matching funds.

5 (b) There is appropriated for the above agency from the following spe-
6 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
7 moneys now or hereafter lawfully credited to and available in such fund
8 or funds, except that expenditures other than refunds authorized by law
9 shall not exceed the following:

10	General fees fund.....	No limit
11	Local services reimbursement fund.....	No limit
12	<i>Provided</i> , That the Kansas state school for the blind is hereby authorized	
13	to assess and collect a fee of 20% of the total cost of services provided to	
14	local school districts: <i>Provided further</i> , That all moneys received from	
15	such fees shall be deposited in the state treasury and credited to the local	
16	services reimbursement fund.	
17	Student activity fees fund	No limit
18	Special bequest fund.....	No limit
19	Gift fund.....	No limit
20	Technology lending library fund	No limit
21	Food assistance — cash for commodities — federal	
22	fund	No limit
23	Food assistance — breakfast — federal fund.....	No limit
24	Food assistance — lunch — federal fund.....	No limit
25	Chapter I handicapped — federal fund	No limit
26	Education improvement — federal fund.....	No limit
27	Math and science improvement — federal fund	No limit
28	Elementary and secondary — federal fund.....	No limit
29	Supported employment initiative — federal fund.....	No limit

30 Sec. 38.

31 KANSAS STATE SCHOOL FOR THE DEAF

32 (a) There is appropriated for the above agency from the state general
33 fund for the fiscal year ending June 30, 2005, the following:

34	Operating expenditures	\$7,382,250
----	------------------------------	-------------

35 *Provided*, That any unencumbered balance in the operating expenditures
36 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
37 for fiscal year 2005.

38 (b) There is appropriated for the above agency from the following spe-
39 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
40 moneys now or hereafter lawfully credited to and available in such fund
41 or funds, except that expenditures other than refunds authorized by law
42 shall not exceed the following:

43	General fees fund.....	No limit
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1	Local services reimbursement fund.....	No limit
2	<i>Provided</i> , That the Kansas state school for the deaf is hereby authorized	
3	to assess and collect a fee of 20% of the total cost of services provided to	
4	local school districts: <i>Provided further</i> , That all moneys received from	
5	such fees shall be deposited in the state treasury and credited to the local	
6	services reimbursement fund: <i>And provided further</i> , That all expendi-	
7	tures from this fund shall be for capital outlay.	
8	Student activity fees fund	No limit
9	Elementary and secondary education act — federal	
10	fund	No limit
11	Vocational education fund — federal.....	No limit
12	Special bequest fund.....	No limit
13	Special workshop fund	No limit
14	Gift fund.....	No limit
15	Sec. 39.	

STATE HISTORICAL SOCIETY

17	(a) There is appropriated for the above agency from the state general	
18	fund for the fiscal year ending June 30, 2005, the following:	
19	Operating expenditures	\$5,478,434
20	<i>Provided</i> , That any unencumbered balance in the operating expenditures	
21	account in excess of \$100 as of June 30, 2004, is hereby reappropriated	
22	for fiscal year 2005: <i>Provided, however</i> , That expenditures from the op-	
23	erating expenditures account for official hospitality shall not exceed	
24	\$2,500.	
25	Kansas humanities council	\$81,830
26	(b) There is appropriated for the above agency from the following spe-	
27	cial revenue fund or funds for the fiscal year ending June 30, 2005, 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	Credit card clearing fund.....	No limit
32	Vehicle repair and replacement fund.....	No limit
33	General fees fund.....	No limit
34	Archeology fee fund.....	No limit
35	<i>Provided</i> , That expenditures may be made from the archeology fee fund	
36	for operating expenses for providing archeological services by contract:	
37	<i>Provided further</i> , That the state historical society is hereby authorized to	
38	fix, charge and collect fees for the sale of such services: <i>And provided</i>	
39	<i>further</i> , That such fees shall be fixed in order to recover all or part of the	
40	operating expenses incurred in providing archeological services by con-	
41	tract: <i>And provided further</i> , That all fees received from such services shall	
42	be credited to the archeology fee fund.	
43	Archeology federal fund	No limit

1 Microfilm fees fund No limit
2 *Provided*, That expenditures may be made from the microfilm fees fund
3 for operating expenses for providing microfilming services: *Provided fur-*
4 *ther*, That the state historical society is hereby authorized to fix, charge
5 and collect fees for the sale of such services: *And provided further*, That
6 such fees shall be fixed in order to recover all or part of the operating
7 expenses incurred in providing microfilming services: *And provided fur-*
8 *ther*, That all fees received from such services shall be credited to the
9 microfilm fees fund.

10 Records center fee fund No limit
11 *Provided*, That expenditures may by made from the records center fee
12 fund for operating expenses for providing copying and related services:
13 *Provided further*, That the state historical society is hereby authorized to
14 fix, charge and collect fees for the sale of such services: *And provided*
15 *further*, That such fees shall be fixed in order to recover all or part of the
16 operating expenses incurred in providing such services: *And provided*
17 *further*, That all fees received from such services shall be deposited in
18 the state treasury to the credit of the records center fee fund.

19 Historic properties fee fund No limit
20 National historic preservation act fund — state No limit
21 Historic preservation overhead fees fund No limit
22 National historic preservation act fund — local No limit
23 Private gifts, grants and bequests fund No limit
24 Museum and historic sites visitor donation fund No limit
25 Insurance collection replacement/reimbursement fund No limit
26 Heritage trust fund No limit
27 *Provided*, That expenditures from the heritage trust fund for state oper-
28 ations shall not exceed \$108,932.

29 Land survey fee fund No limit
30 State historical society facilities fund No limit
31 Historic properties fund No limit
32 Law enforcement memorial fund No limit
33 Other federal grants fund No limit
34 *Provided*, That the above agency is authorized to make expenditures from
35 the other federal grants fund of any moneys credited to this fund from
36 any individual grant if the grant is: (1) Less than or equal to \$250,000 in
37 the aggregate, and (2) does not require the matching expenditure of any
38 other moneys in the state treasury during fiscal year 2005 other than
39 moneys appropriated by this or other appropriation act of the 2004 reg-
40 ular session of the legislature: *Provided, however*, That, upon application
41 to and authorization by the governor, the above agency may make ex-
42 penditures of moneys credited to this fund from any individual federal
43 grant which is more than \$250,000 in the aggregate or which requires the

1 matching expenditure of moneys in the state treasury during the current
 2 or any ensuing fiscal year.
 3 Property sale proceeds fund..... No limit
 4 *Provided*, That proceeds from the sale of property pursuant to K.S.A. 75-
 5 2701 and amendments thereto shall be deposited in the state treasury
 6 and credited to the property sale proceeds fund.
 7 Sec. 40.

8 FORT HAYS STATE UNIVERSITY

9 (a) There is appropriated for the above agency from the state general
 10 fund for the fiscal year ending June 30, 2005, the following:

11 Operating expenditures (including official hospitality)..... \$31,238,730
 12 *Provided*, That any unencumbered balance in the operating expenditures
 13 (including official hospitality) account in excess of \$100 as of June 30,
 14 2004, is hereby reappropriated for fiscal year 2005.

15 (b) There is appropriated for the above agency from the following spe-
 16 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 17 moneys now or hereafter lawfully credited to and available in such fund
 18 or funds, except that expenditures shall not exceed the following:

19 Parking fees fund No limit
 20 *Provided*, That expenditures may be made from the parking fees fund for
 21 a capital improvement project for parking lot improvements.
 22 General fees fund..... No limit
 23 *Provided*, That expenditures may be made from the general fees fund to
 24 match federal grant moneys.

25 Restricted fees fund..... No limit
 26 *Provided*, That restricted fees shall be limited to receipts for the following
 27 accounts: Special events; technology equipment; Gross coliseum services;
 28 performing arts center services; farm income; choral music clinic; year-
 29 book; off-campus tours; memorial union activities; student activity (un-
 30 allocated); Leader (newspaper); conferences, clinics and workshops —
 31 noncredit; summer laboratory school; little theater; library services; stu-
 32 dent affairs; speech and debate; student government; counseling center
 33 services; interest on local funds; student identification cards; nurse edu-
 34 cation programs; athletics; placement fees; virtual college classes; speech
 35 and hearing; child care services for dependent students; computer serv-
 36 ices; interactive television contributions; midwestern student exchange;
 37 departmental receipts for all sales, refunds and other collections not spe-
 38 cifically enumerated above: *Provided, however*, That the state board of
 39 regents, with the approval of the state finance council acting on this mat-
 40 ter which is hereby characterized as a matter of legislative delegation and
 41 subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c
 42 and amendments thereto, may amend or change this list of restricted fees:
 43 *Provided further*, That all restricted fees shall be deposited to the credit

1 of the appropriate account of the restricted fees fund and shall be used
 2 solely for the specific purpose or purposes for which collected: *And pro-*
 3 *vided further*, That expenditures may be made from this fund to purchase
 4 insurance for equipment purchased through research and training grants
 5 only if such grants include money for and authorize the purchase of such
 6 insurance: *And provided further*, That expenditures may be made from
 7 this fund to procure a policy of accident, personal liability and excess
 8 automobile liability insurance insuring volunteers participating in the sen-
 9 ior companion program against loss in accordance with specifications of
 10 federal grant guidelines as provided in K.S.A. 75-4101 and amendments
 11 thereto: *And provided further*, That all amounts of tuition received from
 12 students participating in the midwestern student exchange program shall
 13 be deposited to the credit of the midwestern student exchange account
 14 of the restricted fees fund.

15 Education opportunity act — federal fund No limit

16 Service clearing fund No limit

17 *Provided*, That the service clearing fund shall be used for the following
 18 service activities: Computer services, storeroom for official supplies in-
 19 cluding office supplies, paper products, janitorial supplies, printing and
 20 duplicating, car pool, postage, copy center, and telecommunications and
 21 such other internal service activities as are authorized by the state board
 22 of regents under K.S.A. 76-755 and amendments thereto.

23 Commencement fees fund..... No limit

24 Health fees fund No limit

25 *Provided*, That expenditures from the health fees fund may be made for
 26 the purchase of medical malpractice liability coverage for individuals em-
 27 ployed on the medical staff, including pharmacists and physical therapists,
 28 at the student health center.

29 Student union fees fund No limit

30 Kansas career work study program fund No limit

31 Economic opportunity act — federal fund No limit

32 Kansas comprehensive grant fund..... No limit

33 Scholarship funds fund..... No limit

34 Faculty of distinction matching fund No limit

35 Health professions student assistance program fund No limit

36 Nine month payroll clearing account fund..... No limit

37 Oil research library gifts and grants fund No limit

38 Federal Perkins student loan fund No limit

39 Housing system revenue fund No limit

40 Institutional overhead fund..... No limit

41 Oil and gas royalties fund No limit

42 Housing system suspense fund No limit

43 Housing system operations fund..... No limit

1	Housing system repairs, equipment and improvement	
2	fund	No limit
3	Sponsored research overhead fund	No limit
4	Wildlife art fund.....	No limit
5	Kansas distinguished scholarship fund	No limit
6	University federal fund.....	No limit

7 (c) On July 1, 2004, or as soon thereafter as moneys are available, the
8 director of accounts and reports shall transfer an amount specified by the
9 president of Fort Hays state university of not to exceed \$125,000 from
10 the general fees fund to the federal Perkins student loan fund.
11 Sec. 41.

KANSAS STATE UNIVERSITY

12
13 (a) There is appropriated for the above agency from the state general
14 fund for the fiscal year ending June 30, 2005, the following:
15 Operating expenditures (including official hospitality)..... \$103,001,927
16 *Provided*, That any unencumbered balance in the operating expenditures
17 (including official hospitality) account in excess of \$100 as of June 30,
18 2004, is hereby reappropriated for fiscal year 2005.

19 (b) There is appropriated for the above agency from the following spe-
20 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
21 moneys now or hereafter lawfully credited to and available in such fund
22 or funds, except that expenditures shall not exceed the following:

23	Parking fees fund	No limit
24	Faculty of distinction matching fund	No limit
25	General fees fund.....	No limit
26	<i>Provided</i> , That expenditures may be made from the general fees fund to	
27	match federal grant moneys.	
28	Interest on endowment fund.....	No limit
29	Restricted fees fund.....	No limit

30 *Provided*, That restricted fees shall be limited to receipts for the following
31 accounts: Technology equipment; human resources management system;
32 computer services; copy centers; standardized test fees; placement center;
33 recreational services; college of technology and aviation; motor pool; mu-
34 sic; professorships; student activities fees; army and aerospace uniforms;
35 aerospace uniform augmentation; biology sales and services; chemistry;
36 field camps; state department of education; physics storeroom; sponsored
37 research, instruction, public service, equipment and facility grants; chem-
38 ical engineering; nuclear engineering; contract-post office; library collec-
39 tions; civil engineering; continuing education; sponsored construction or
40 improvement projects; attorney, educational and personal development,
41 human resources; student financial assistance; application for undergrad-
42 uate programs; speech and hearing fees; gifts; human development and
43 family research and training; college of education — publications and

1 services; guaranteed student loan application processing; student identi-
 2 fication card; auditorium receipts; catalog sales; emission spectroscopy
 3 fees; interagency consulting; sales and services of educational programs;
 4 transcript fees; facility use fees; human ecology storeroom; college of
 5 human ecology sales; family resource center fees; human movement per-
 6 formance; application for post baccalaureate programs; art exhibit fees;
 7 college of education — Kansas careers; foreign student application fee;
 8 student union repair and replacement reserve; departmental receipts for
 9 all sales, refunds and other collections; institutional support fee; miscel-
 10 laneous renovations; speech receipts; art museum; exchange program;
 11 flight training lab fees; administrative reimbursements; parking fees; post-
 12 age center; printing; short courses and conferences; student government
 13 association receipts; regents educational communications center; late reg-
 14 istration fee; engineering equipment fee; biotechnology facility; English
 15 language program; international programs; Bramlage coliseum; planning
 16 and analysis; telecommunications; other specifically designated receipts
 17 not available for general operations of the university: *Provided, however,*
 18 That the state board of regents, with the approval of the state finance
 19 council acting on this matter which is hereby characterized as a matter
 20 of legislative delegation and subject to the guidelines prescribed in sub-
 21 section (c) of K.S.A. 75-3711c and amendments thereto, may amend or
 22 change this list of restricted fees: *Provided further,* That all restricted fees
 23 shall be deposited to the credit of the appropriate account of the re-
 24 stricted fees fund and shall be used solely for the specific purpose or
 25 purposes for which collected: *And provided further,* That expenditures
 26 may be made from this fund to purchase insurance for equipment pur-
 27 chased through research and training grants only if such grants include
 28 money for and authorize the purchase of such insurance: *And provided*
 29 *further,* That expenditures from the restricted fees fund may be made
 30 for the purchase of insurance for operation and testing of completed
 31 project aircraft and for operation of aircraft used in professional pilot
 32 training, including coverage for public liability, physical damage, medical
 33 payments and voluntary settlement coverages.

34 Kansas career work study program fund No limit

35 Service clearing fund No limit

36 *Provided,* That the service clearing fund shall be used for the following
 37 service activities: Supplies stores; telecommunications services; photo-
 38 graphic services; K-State printing services; postage; facilities services; fa-
 39 cilities carpool; public safety services; facility planning services; facilities
 40 storeroom; and such other internal service activities as are authorized by
 41 the state board of regents under K.S.A. 76-755 and amendments thereto.
 42 Sponsored research overhead fund No limit

43 *Provided,* That the above agency may transfer moneys from the sponsored

- 1 research overhead fund of Kansas state university to the sponsored re-
 2 search overhead fund of Kansas state university extension systems and
 3 agriculture research programs.
- | | | |
|---|---|----------|
| 4 | Housing system suspense fund | No limit |
| 5 | Housing system operations fund | No limit |
| 6 | Housing system repairs, equipment and improvement | |
| 7 | fund | No limit |
| 8 | Mandatory retirement annuity clearing fund | No limit |
| 9 | Student health fees fund | No limit |
- 10 *Provided*, That expenditures from the student health fees fund may be
 11 made for the purchase of medical malpractice liability coverage for in-
 12 dividuals employed on the medical staff, including pharmacists and phys-
 13 ical therapists, at the student health center.
- | | | |
|----|--|----------|
| 14 | Scholarship funds fund..... | No limit |
| 15 | Perkins student loan fund..... | No limit |
| 16 | Engineering and education gift fund | No limit |
| 17 | Board of regents — U.S. department of education awards | |
| 18 | fund | No limit |
| 19 | State agricultural university fund | No limit |
| 20 | Federal extension civil service retirement clearing fund ... | No limit |
| 21 | Salina — student union fees fund | No limit |
| 22 | Salina — housing system operation fund..... | No limit |
| 23 | Kansas distinguished scholarship fund | No limit |
| 24 | Kansas comprehensive grant fund..... | No limit |
| 25 | Temporary deposit fund..... | No limit |
| 26 | Business procurement card clearing fund..... | No limit |
| 27 | Suspense fund | No limit |
| 28 | Voluntary tax shelter annuity clearing fund..... | No limit |
| 29 | Agency payroll deduction clearing fund | No limit |
| 30 | Payroll clearing fund..... | No limit |
| 31 | Pre-tax parking clearing fund | No limit |
| 32 | University federal fund..... | No limit |
- 33 (c) On July 1, 2004, or as soon thereafter as moneys are available, the
 34 director of accounts and reports shall transfer an amount specified by the
 35 president of Kansas state university of not to exceed \$97,924 from the
 36 general fees fund to the Perkins student loan fund.
- 37 (d) On July 1, 2004, the Salina — dormitory and food service fees fund
 38 of Kansas state university is hereby redesignated as the Salina — housing
 39 system operation fund of Kansas state university.
- 40 Sec. 42.
- 41 KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND
 42 AGRICULTURE RESEARCH PROGRAMS
- 43 (a) There is appropriated for the above agency from the state general

1 fund for the fiscal year ending June 30, 2005, the following:

2 Operating expenditures (including official hospitality)..... \$767,531

3 *Provided*, That any unencumbered balance in the operating expenditures

4 (including official hospitality) account in excess of \$100 as of June 30,

5 2004, is hereby reappropriated for fiscal year 2005.

6 Cooperative extension service (including official

7 hospitality) ~~\$18,054,253~~ **\$18,245,703**

8 *Provided*, That any unencumbered balance in the cooperative extension

9 service (including official hospitality) account in excess of \$100 as of June

10 30, 2004, is hereby reappropriated for fiscal year 2005.

11 Agricultural experiment stations (including official

12 hospitality) ~~\$28,892,074~~ **\$29,200,624**

13 *Provided*, That any unencumbered balance in the agricultural experiment

14 stations (including official hospitality) account in excess of \$100 as of June

15 30, 2004, is hereby reappropriated for fiscal year 2005.

16 (b) There is appropriated for the above agency from the following spe-

17 cial revenue fund or funds for the fiscal year ending June 30, 2005, all

18 moneys now or hereafter lawfully credited to and available in such fund

19 or funds, except that expenditures shall not exceed the following:

20 Restricted fees fund..... No limit

21 *Provided*, That restricted fees shall be limited to receipts for the following

22 accounts: Plant pathology; technology equipment; professorships; agri-

23 cultural experiment station, director's office; agronomy — Ashland farm;

24 KSU agricultural research center — Hays; KSU southeast agricultural

25 research center; KSU southwest research extension center; agronomy —

26 general; agronomy — experimental field crop sales; entomology sales;

27 grain science and industry — Kansas state university; food and nutrition

28 research; extension services and publication; sponsored construction or

29 improvement projects; gifts; animal resource facility; sales and services of

30 educational programs; animal sciences and industry livestock and product

31 sales; horticulture greenhouse and farm products sales; Konza prairie op-

32 erations; departmental receipts for all sales, refunds and other collections;

33 institutional support fee; KSU northwest research extension center op-

34 erations; sponsored research, public service, equipment and facility

35 grants; statistical laboratory; equipment/pesticide storage building; other

36 specifically designated receipts not available for general operations of the

37 university: *Provided, however*, That the state board of regents, with the

38 approval of the state finance council acting on this matter which is hereby

39 characterized as a matter of legislative delegation and subject to the

40 guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amend-

41 ments thereto, may amend or change this list of restricted fees: *Provided*

42 *further*, That all restricted fees shall be deposited to the credit of the

43 appropriate account of the restricted fees fund and shall be used solely

1 for the specific purpose or purposes for which collected: *And provided*
 2 *further*, That expenditures may be made from this fund to purchase in-
 3 surance for equipment purchased through research and training grants
 4 only if such grants include money for and authorize the purchase of such
 5 insurance: *And provided further*, That expenditures may be made from
 6 the Kansas agricultural mediation service account of the restricted fees
 7 fund during fiscal year 2005.

8 Fertilizer research fund.....	No limit
9 Sponsored research overhead fund	No limit
10 Federal extension fund.....	No limit
11 Federal experimental station fund.....	No limit
12 Federal awards — advance payment fund.....	No limit
13 Smith-Lever special program grant — federal fund.....	No limit
14 Faculty of distinction matching fund	No limit
15 Kansas artificial breeding service unit fees fund.....	No limit
16 Agricultural land use-value fund	No limit
17 University federal fund.....	No limit

18 Sec. 43.

19 KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

20 (a) There is appropriated for the above agency from the state general
 21 fund for the fiscal year ending June 30, 2005, the following:
 22 Operating expenditures (including official hospitality)..... \$9,823,702
 23 *Provided*, That any unencumbered balance in the operating expenditures
 24 (including official hospitality) account in excess of \$100 as of June 30,
 25 2004, is hereby reappropriated for fiscal year 2005.

26 (b) There is appropriated for the above agency from the following spe-
 27 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 28 moneys now or hereafter lawfully credited to and available in such fund
 29 or funds, except that expenditures shall not exceed the following:

30 General fees fund.....	No limit
31 <i>Provided</i> , That expenditures may be made from the general fees fund to 32 match federal grant moneys.	
33 Hospital and diagnostic laboratory revenue fund.....	No limit
34 Faculty of distinction matching fund	No limit
35 Hospital and diagnostic laboratory improvement fund	No limit
36 Restricted fees fund.....	No limit

37 *Provided*, That restricted fees shall be limited to receipts for the following
 38 accounts: Sponsored research, instruction, public service, equipment and
 39 facility grants; sponsored construction or improvement projects; technol-
 40 ogy equipment; pathology fees; laboratory test fees; miscellaneous reno-
 41 vations; dean of veterinary medicine receipts; gifts; application for post-
 42 baccalaureate programs; embryo transfer unit; swine serology; rapid focal
 43 fluorescent inhibition test; storerooms; departmental receipts for all sales

1 refunds and other collections; other specifically designated receipts not
 2 available for general operation of the Kansas state university veterinary
 3 medical center: *Provided, however*, That the state board of regents, with
 4 the approval of the state finance council acting on this matter which is
 5 hereby characterized as a matter of legislative delegation and subject to
 6 the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amend-
 7 ments thereto, may amend or change this list of restricted fees: *Provided*
 8 *further*, That all restricted fees shall be deposited to the credit of the
 9 appropriate account of the restricted fees fund and shall be used solely
 10 for the specific purpose or purposes for which collected: *And provided*
 11 *further*, That expenditures may be made from this fund to purchase in-
 12 surance for equipment purchased through research and training grants
 13 only if such grants include money for and authorize the purchase of such
 14 insurance.

15 Sponsored research overhead fund	No limit
16 Health professions student loan fund	No limit
17 H.E.W. veterinary revolving student loan fund	No limit
18 Suspense fund	No limit
19 University federal fund.....	No limit

20 (c) On July 1, 2004, or as soon thereafter as moneys are available, the
 21 director of accounts and reports shall transfer an amount specified by the
 22 president of Kansas state university of not to exceed a total of \$10,000
 23 from the general fees fund to the health professions student loan fund.

24 Sec. 44.

25 EMPORIA STATE UNIVERSITY

26 (a) There is appropriated for the above agency from the state general
 27 fund for the fiscal year ending June 30, 2005, the following:

28 Operating expenditures (including official hospitality).....	\$29,740,258
29 <i>Provided</i> , That any unencumbered balance in the operating expenditures	
30 (including official hospitality) account in excess of \$100 as of June 30,	
31 2004, is hereby reappropriated for fiscal year 2005.	
32 Reading recovery program.....	\$242,889
33 Nat'l Board Cert/Future Teacher Academy.....	\$145,766

34 (b) There is appropriated for the above agency from the following spe-
 35 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 36 moneys now or hereafter lawfully credited to and available in such fund
 37 or funds, except that expenditures shall not exceed the following:

38 Parking fees fund	No limit
39 <i>Provided</i> , That expenditures may be made from the parking fees fund for	
40 a capital improvement project for parking lot improvements.	
41 General fees fund.....	No limit

42 *Provided*, That expenditures may be made from the general fees fund to
 43 match federal grant moneys.

- 1 Interest on state normal school fund fund..... No limit
- 2 Restricted fees fund..... No limit
- 3 *Provided*, That restricted fees shall be limited to receipts for the following
- 4 accounts: Computer services, student activity; technology equipment; stu-
- 5 dent union; sponsored research; computer services; extension classes;
- 6 gifts and grants (for teaching, research and capital improvements); busi-
- 7 ness school contributions; state department of education (vocational); li-
- 8 brary services; library collections; interest on local funds; receipts from
- 9 conferences, clinics, and workshops held on campus for which no college
- 10 credit is given; physical plant reimbursements from auxiliary enterprises;
- 11 midwestern exchange; departmental receipts — for all sales, refunds and
- 12 other collections or receipts not specifically enumerated above: *Provided*,
- 13 *however*, That the state board of regents, with the approval of the state
- 14 finance council acting on this matter which is hereby characterized as a
- 15 matter of legislative delegation and subject to the guidelines prescribed
- 16 in subsection (c) of K.S.A. 75-3711c and amendments thereto, may
- 17 amend or change this list of restricted fees: *Provided further*, That all
- 18 restricted fees shall be deposited to the credit of the appropriate account
- 19 of the restricted fees fund and shall be used solely for the specific purpose
- 20 or purposes for which collected: *And provided further*, That expenditures
- 21 may be made from this fund to purchase insurance for equipment pur-
- 22 chased through research and training grants only if such grants include
- 23 money for and authorize the purchase of such insurance: *And provided*
- 24 *further*, That all amounts of tuition received from students participating
- 25 in the midwestern student exchange program shall be deposited to the
- 26 credit of the midwestern student exchange account of the restricted fees
- 27 fund.
- 28 Service clearing fund No limit
- 29 *Provided*, That the service clearing fund shall be used for the following
- 30 service activities: Telecommunications services; office supplies inventory;
- 31 state car operation; E.S.U. press including duplicating and reproducing;
- 32 postage; physical plant storeroom including motor fuel inventory; data
- 33 processing center; and such other internal service activities as are au-
- 34 thorized by the state board of regents under K.S.A. 76-755 and amend-
- 35 ments thereto.
- 36 Commencement fees fund..... No limit
- 37 Kansas career work study program fund No limit
- 38 Student health fees fund No limit
- 39 *Provided*, That expenditures from the student health fees fund may be
- 40 made for the purchase of medical malpractice liability coverage for in-
- 41 dividuals employed on the medical staff, including pharmacists and phys-
- 42 ical therapists, at the student health center.
- 43 Faculty of distinction matching fund No limit

1	Bureau of educational measurements fund.....	No limit
2	National direct student loan fund	No limit
3	Economic opportunity act — work study — federal	
4	fund	No limit
5	Educational opportunity grants — federal fund	No limit
6	Basic opportunity grant program — federal fund	No limit
7	Research and institutional overhead fund.....	No limit
8	Kansas comprehensive grant fund.....	No limit
9	Housing system suspense fund.....	No limit
10	Housing system operations fund.....	No limit
11	Housing system repairs, equipment and improvement	
12	fund	No limit
13	Kansas distinguished scholarship fund	No limit
14	University federal fund.....	No limit

15 (c) On July 1, 2004, or as soon thereafter as moneys are available, the
16 director of accounts and reports shall transfer an amount specified by the
17 president of Emporia state university of not to exceed \$30,000 from the
18 general fees fund to the national direct student loan fund.

19 (d) On July 1, 2004, or as soon thereafter as moneys are available, the
20 director of accounts and reports shall transfer \$51,641 from the student
21 union account of the restricted fees fund of Emporia state university to
22 the state general fund.

23 (e) On July 1, 2004, or as soon thereafter as moneys are available, the
24 director of accounts and reports shall transfer \$2,487 from the housing
25 systems operations fund of Emporia state university to the state general
26 fund.

27 Sec. 45.

28 PITTSBURG STATE UNIVERSITY

29 (a) There is appropriated for the above agency from the state general
30 fund for the fiscal year ending June 30, 2005, the following:

31 Operating expenditures (including official hospitality)..... \$32,866,166
32 *Provided*, That any unencumbered balance in the operating expenditures
33 (including official hospitality) account in excess of \$100 as of June 30,
34 2004, is hereby reappropriated for fiscal year 2005.

35 (b) There is appropriated for the above agency from the following spe-
36 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
37 moneys now or hereafter lawfully credited to and available in such fund
38 or funds, except that expenditures shall not exceed the following:

39	Parking fees fund	No limit
40	<i>Provided</i> , That expenditures may be made from the parking fees fund for	
41	capital improvement projects for parking lot improvements.	
42	General fees fund.....	No limit
43	<i>Provided</i> , That all moneys received for tuition received from students	

1 participating in the contiguous county program or the midwestern student
2 exchange program shall be deposited in the state treasury to the credit
3 of the general fees fund: *Provided further*, That expenditures may be
4 made from the general fees fund to match federal grant moneys.
5 Restricted fees fund..... No limit
6 *Provided*, That restricted fees shall be limited to receipts for the following
7 accounts: Computer services; instructional technology fee; technology
8 equipment; student activity fee accounts; commencement fees; ROTC
9 activities; continuing education receipts; vocational auto parts and service
10 fees; receipts from camps, conferences and meetings held on campus;
11 library service collections and fines; and grants from other state agencies;
12 *Midwest Quarterly*; chamber music series; contract — post office; gifts
13 and grants; intensive English program; business and technology institute;
14 public sector radio station activities; economic opportunity — state match;
15 Kansas career work study; regents supplemental grants; departmental re-
16 cepts, and other specifically designated receipts not available for general
17 operations of the university: *Provided, however*, That the state board of
18 regents, with the approval of the state finance council acting on this mat-
19 ter which is hereby characterized as a matter of legislative delegation and
20 subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c
21 and amendments thereto, may amend or change this list of restricted fees:
22 *Provided further*, That all restricted fees shall be deposited to the credit
23 of the appropriate account of the restricted fees fund and shall be used
24 solely for the specific purpose or purposes for which collected: *And pro-
25 vided further*, That expenditures may be made from this fund to purchase
26 insurance for equipment purchased through research and training grants
27 only if such grants include money for and authorize the purchase of such
28 insurance: *And provided further*, That surplus restricted fees moneys gen-
29 erated by the music department may be transferred to the Pittsburg state
30 university foundation, inc. for the express purpose of awarding music
31 scholarships.
32 Service clearing fund No limit
33 *Provided*, That the service clearing fund shall be used for the following
34 service activities: Duplicating and printing services; instructional media
35 division; office stationery and supplies; motor carpool; postage services;
36 photo services; telephone services; and such other internal service activ-
37 ities as are authorized by the state board of regents under K.S.A. 76-755
38 and amendments thereto.
39 Hospital and student health fees fund No limit
40 *Provided*, That expenditures from the hospital and student health fees
41 fund may be made for the purchase of medical malpractice liability cov-
42 erage for individuals employed on the medical staff, including pharmacists
43 and physical therapists, at the student health center: *Provided further*,

1 That expenditures may be made from this fund for capital improvement
2 projects for hospital and student health center improvements.

3	Suspense fund	No limit
4	Faculty of distinction matching fund	No limit
5	Perkins student loan fund	No limit
6	Sponsored research overhead fund	No limit
7	College work study fund.....	No limit
8	Nursing student loan fund.....	No limit
9	Housing system suspense fund.....	No limit
10	Housing system operations fund.....	No limit
11	Housing system repairs, equipment and improvement	
12	fund	No limit
13	Kansas comprehensive grant fund.....	No limit
14	Kansas distinguished scholarship program fund	No limit
15	University federal fund.....	No limit

16 (c) During the fiscal year ending June 30, 2005, the director of accounts
17 and reports shall transfer amounts specified by the president of Pittsburg
18 state university of not to exceed a total of \$125,000 for all such amounts,
19 from the general fees fund to the following specified funds and accounts
20 of funds: Perkins student loan fund; nursing student loan fund.

21 Sec. 46.

22 UNIVERSITY OF KANSAS

23 (a) There is appropriated for the above agency from the state general
24 fund for the fiscal year ending June 30, 2005, the following:
25 Operating expenditures (including official hospitality)..... \$128,600,189
26 *Provided*, That any unencumbered balance in the operating expenditures
27 (including official hospitality) account in excess of \$100 as of June 30,
28 2004, is hereby reappropriated for fiscal year 2005.

29 Geological survey \$6,047,083
30 *Provided*, That any unencumbered balance in the geological survey ac-
31 count in excess of \$100 as of June 30, 2004, is hereby reappropriated for
32 fiscal year 2005.

33 (b) There is appropriated for the above agency from the following spe-
34 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
35 moneys now or hereafter lawfully credited to and available in such fund
36 or funds, except that expenditures shall not exceed the following:

37	Parking facilities revenue fund	No limit
38	Faculty of distinction matching fund	No limit
39	General fees fund.....	No limit

40 *Provided*, That expenditures may be made from the general fees fund to
41 match federal grant moneys: *Provided further*, That all moneys received
42 for tuition for students enrolled in courses offered at the regents center
43 on the Edwards campus shall be deposited in the state treasury and cred-

1 ited to this fund: *And provided further*, That the director of accounts and
 2 reports shall transfer on a periodic basis amounts generated from such
 3 courses as specified by the chancellor of the university of Kansas, or the
 4 chancellor's designee, from the general fees fund to the regents center
 5 development fund.

6 Regents center development fund No limit

7 *Provided*, That expenditures shall be made from the regents center de-
 8 velopment fund for program operations and development and for capital
 9 improvements at the Edwards campus: *Provided further*, That the fund
 10 may be pledged to debt service for capital improvements at the Edwards
 11 campus.

12 Interest fund No limit

13 Sponsored research overhead fund No limit

14 Law enforcement training center fund No limit

15 *Provided*, That expenditures may be made from the law enforcement
 16 training center fund to cover the costs of tuition for students enrolled in
 17 the law enforcement training program in addition to the costs of salaries
 18 and wages and other operating expenditures for the program: *Provided*,
 19 *however*, That any academic credit granted through this program shall
 20 not be included in the university's budgeted enrollment figures: *Provided*
 21 *further*, That expenditures may be made from this fund for the acquisition
 22 of tracts of land adjacent to the law enforcement training center.

23 Law enforcement training center fees fund..... No limit

24 *Provided*, That all moneys received for tuition from students enrolling in
 25 the basic law enforcement training program for undergraduate or grad-
 26 uate credit shall be deposited in the state treasury and credited to the
 27 law enforcement training center fees fund.

28 Restricted fees fund..... No limit

29 *Provided*, That restricted fees shall be limited to receipts for the following
 30 accounts: Institute for public policy and business research; technology
 31 equipment; clinical psychology conference; concert course; residence hall
 32 maintenance; speech, language and hearing clinic; perceptual motor
 33 clinic; application for admission fees; named professorships; summer in-
 34 stitutes and workshops; dramatics; economic opportunity act; executive
 35 management; continuing education programs; geology field trips; gifts
 36 and grants; extension services; counseling center; investment income
 37 from bequests; housing and residence halls; endowment research salaries;
 38 engineering research salaries; music and art camp; child development lab
 39 preschools; orientation center; educational placement; press publications;
 40 Rice estate educational project; sponsored research; student activities;
 41 sale of surplus books and art objects; building use charges; Kansas applied
 42 remote sensing program; executive master's degree in business adminis-
 43 tration; applied English center; cartographic services; economic educa-

1 tion; study abroad programs; computer services; recreational activities;
 2 animal care activities; geological survey; engineering equipment fee; mid-
 3 western student exchange; department commercial receipts for all sales,
 4 refunds, and all other collections or receipts not specifically enumerated
 5 above: *Provided, however*, That the state board of regents, with the ap-
 6 proval of the state finance council acting on this matter which is hereby
 7 characterized as a matter of legislative delegation and subject to the
 8 guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amend-
 9 ments thereto, may amend or change this list of restricted fees: *Provided*
 10 *further*, That all restricted fees shall be deposited to the credit of the
 11 appropriate account of the restricted fees fund and shall be used solely
 12 for the specific purpose or purposes for which collected: *And provided*
 13 *further*, That expenditures may be made from this fund to purchase in-
 14 surance for equipment purchased through research and training grants
 15 only if such grants include money for and authorize the purchase of such
 16 insurance: *And provided further*, That moneys received for student fees
 17 in any account of the restricted fees fund may be transferred to one or
 18 more other accounts of the restricted fees fund.

19 Service clearing fund No limit

20 *Provided*, That the service clearing fund shall be used for the following
 21 service activities: Residence hall food stores; university motor pool; fur-
 22 niture stores; business office stores; university printing service; military
 23 uniforms; telecommunications service; and such other internal service
 24 activities as are authorized by the state board of regents under K.S.A. 76-
 25 755 and amendments thereto.

26 Health service fund No limit

27 *Provided*, That expenditures from the health service fund may be made
 28 for the purchase of medical malpractice liability coverage for individuals
 29 employed on the medical staff, including pharmacists and physical ther-
 30 apists, at the student health center.

31 Kansas career work study program fund No limit

32 Student union fund..... No limit

33 Regents supplemental grant fund No limit

34 Federal Perkins loan fund..... No limit

35 *Provided*, That expenditures from the national direct student loan fund
 36 shall be used for the federal Perkins student loan program, federal sup-
 37 plemental educational opportunity program and federal disadvantaged
 38 student loan program.

39 Ford foundation — forgivable loan fund..... No limit

40 Health professions student loan fund No limit

41 Geological survey fund No limit

42 Research projects grants fund No limit

43 Research projects grants matching fund..... No limit

1	Housing system suspense fund	No limit
2	Housing system revenue fund	No limit
3	Scientific research and development project — special rev-	
4	enue fund.....	No limit
5	Housing system operations fund	No limit
6	Housing system repairs, equipment and improvement	
7	fund	No limit
8	Educational opportunity act — federal fund.....	No limit
9	Loans for disadvantaged students fund	No limit
10	Prepaid tuition fees clearing fund	No limit
11	Kansas comprehensive grant fund.....	No limit
12	Fire service training fund	No limit
13	University federal fund.....	No limit

14 (c) On July 1, 2004, or as soon thereafter as moneys are available, the
15 director of accounts and reports shall transfer amounts specified by the
16 chancellor of the university of Kansas of not to exceed a total of \$285,000
17 for all such amounts, from the general fees fund to the following specified
18 funds and accounts of funds: Federal Perkins student loan program ac-
19 count of the national direct student loan fund; federal supplemental ed-
20 ucational opportunity program account of the national direct student loan
21 fund; federal disadvantaged student loan program account of the national
22 direct student loan fund; health professions student loan fund.

23 (d) There is appropriated for the above agency from the state water
24 plan fund for the fiscal year ending June 30, 2005, for the water plan
25 project or projects specified, the following:

26	Geological survey	\$40,000
----	-------------------------	----------

27 *Provided*, That any unencumbered balance in excess of \$100 as of June
28 30, 2004, in the geological survey account is hereby reappropriated for
29 fiscal year 2005.

30 (e) During the fiscal year ending June 30, 2005, the director of accounts
31 and reports shall transfer one or more amounts specified by the chancellor
32 of the university of Kansas from one or more accounts of the restricted
33 fees fund to the multicultural resource center — construction fund.

34 (f) On July 1, 2004, and January 1, 2005, or as soon after each such
35 date as moneys are available, the director of accounts and reports shall
36 transfer \$375,000 from the fire marshal fee fund of the state fire marshal
37 to the fire service training fund of the university of Kansas.

38 Sec. 47.

39 UNIVERSITY OF KANSAS MEDICAL CENTER

40 (a) There is appropriated for the above agency from the state general
41 fund for the fiscal year ending June 30, 2005, the following:

42	Operating expenditures (including official	
43	hospitality)	\$99,671,788 \$100,671,788

1 *Provided*, That any unencumbered balance in the operating expenditures
 2 (including official hospitality) account in excess of \$100 as of June 30,
 3 2004, is hereby reappropriated for fiscal year 2005: *Provided further*, That
 4 expenditures may be made from this account for the purchase of mal-
 5 practice insurance for students in training at the university of Kansas
 6 school of medicine, nursing and allied health: *And provided further*, That
 7 such malpractice insurance shall be approved by the commissioner of
 8 insurance of the state of Kansas: *And provided further*, That expenditures
 9 from this account may be used to reimburse medical residents in resi-
 10 dency programs located in Kansas City at the university of Kansas medical
 11 center for the purchase of health insurance for residents' dependents.

12 Medical scholarships and loans \$2,416,764

13 (b) There is appropriated for the above agency from the following spe-
 14 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 15 moneys now or hereafter lawfully credited to and available in such fund
 16 or funds, except that expenditures shall not exceed the following:

17 General fees fund..... No limit

18 *Provided*, That expenditures may be made from the general fees fund to
 19 match federal grant moneys.

20 Faculty of distinction matching fund No limit

21 Restricted fees fund..... No limit

22 *Provided*, That restricted fees shall be limited to the following accounts:

23 Technology equipment; computer services; salaries reimbursed by the
 24 Kansas university endowment association; postgraduate fees; pathology
 25 fees; student health insurance premiums; gift receipts; designated re-
 26 search collaboration; facilities use; photography; continuing education;
 27 student activity fees; student application fees; department duplicating;
 28 student health services; student identification badges; student transcript
 29 fees; loan administration fees; fitness center fees; occupational health
 30 fees; computer remote access; employee health; telekid care fees; area
 31 outreach fees; police fees; endowment payroll reimbursement; rental
 32 property; school of allied health e-learning fees; school of nursing e-learn-
 33 ing fee; surplus property sales; student union fees; outreach air travel;
 34 student loan legal fees; hospital authority salary reimbursements; gradu-
 35 ate medical education contracts; housestaff activity fees; anatomy cadav-
 36 ers; biotechnology services; energy center funded depreciation; fungal
 37 sales; biostatistics; electron microscope services; Wichita faculty contracts;
 38 physical therapy services; legal fee reimbursements; sponsored research;
 39 departmental commercial receipts for all sales, refunds and all other col-
 40 lections of receipts not specifically enumerated above; department of so-
 41 cial and rehabilitation services cost-sharing: *Provided, however*, That the
 42 state board of regents, with the approval of the state finance council acting
 43 on this matter which is hereby characterized as a matter of legislative

1 delegation and subject to the guidelines prescribed in subsection (c) of
 2 K.S.A. 75-3711c and amendments thereto, may amend or change this list
 3 of restricted fees: *And provided further*, That all restricted fees shall be
 4 deposited to the credit of the appropriate account of the restricted fees
 5 fund and shall be used solely for the specific purpose or purposes for
 6 which collected: *And provided further*, That expenditures may be made
 7 from this fund to purchase insurance for equipment purchased through
 8 research and training grants only if such grants include money for and
 9 authorize the purchase of such insurance: *And provided further*, That
 10 expenditures may be made from this fund to purchase health insurance
 11 coverage for all students enrolled in the school of allied health, school of
 12 nursing and school of medicine.

13 Scientific research and development — special revenue

14 fund	No limit
15 Sponsored research overhead fund	No limit
16 Parking fees fund	No limit
17 Services to hospital authority fund	No limit
18 Direct medical education reimbursement fund	No limit
19 Service clearing fund	No limit

20 *Provided*, That the service clearing fund shall be used for the following
 21 service activities: Printing services; purchasing storeroom; university mo-
 22 tor pool; clothing (uniforms); physical plant storeroom; photo services;
 23 telecommunications services; facilities operations discretionary repairs;
 24 animal care; graphic services; instructional services; biomedical engineer-
 25 ing; audiovisual services; computing services; and such other internal serv-
 26 ice activities as are authorized by the state board of regents under K.S.A.
 27 76-755 and amendments thereto.

28 Educational nurse faculty loan program fund.....	No limit
29 Federal college work study fund.....	No limit
30 AMA education and research grant fund.....	No limit
31 Federal health professions/primary care student loan	
32 fund	No limit
33 Federal nursing student loan fund	No limit
34 Suspense fund	No limit
35 Federal student educational opportunity grant fund	No limit
36 Federal Pell grant fund	No limit
37 Federal Perkins student loan fund	No limit
38 Medical loan repayment fund.....	No limit

39 *Provided*, That expenditures from the medical loan repayment fund for
 40 attorney fees and litigation costs associated with the administration of the
 41 medical scholarship and loan program shall be in addition to any expend-
 42 iture limitation imposed on the operating expenditures account of the
 43 medical loan repayment fund or on the total expenditures from the med-

1	ical loan repayment fund.	
2	Graduate medical education administration reserve	
3	fund	No limit
4	University of Kansas medical center private practice foun-	
5	dation reserve fund.....	No limit
6	Robert Wood Johnson award fund	No limit
7	Federal scholarship for disadvantaged students fund	No limit
8	University federal fund.....	No limit

9 (c) On July 1, 2004, or as soon thereafter as moneys are available, the
10 director of accounts and reports shall transfer amounts specified by the
11 chancellor of the university of Kansas of not to exceed a total of \$125,000
12 for all such amounts, from the general fees fund to the following funds:
13 Federal Perkins student loan fund; federal nursing student loan fund;
14 federal health professions/primary care student loan fund.

15 (d) During the fiscal year ending June 30, 2005, medical students en-
16 rolled at the university of Kansas medical center are hereby self-insured
17 by the state of Kansas while in clinical training at the university of Kansas
18 medical center or at other health care institutions. Such individuals shall
19 be considered employees for purposes of the Kansas tort claims act and
20 shall be provided defense and indemnification for claims arising out of
21 their clinical training at the university of Kansas medical center or at other
22 health care institutions in accordance with the provisions of the Kansas
23 tort claims act. Within the limits of appropriations therefor, the university
24 of Kansas medical center may enter into contracts to purchase additional
25 malpractice insurance for such medical students. Any such malpractice
26 insurance purchase shall be approved by the commissioner of insurance
27 of the state of Kansas.

28 (e) During the fiscal year ending June 30, 2005, the director of accounts
29 and reports shall transfer an amount specified by the chancellor prior to
30 July 1, 2004, from the general fees fund to the student health insurance
31 premiums account of the restricted fees fund.

32 (f) There is appropriated for the above agency from the children’s in-
33 itiative fund for the fiscal year ending June 30, 2005, the following:
34 Telekid health care link..... \$250,000
35 *Provided*, That any unencumbered balance in excess of \$100 as of June
36 30, 2004, in the telekid health care link account is hereby reappropriated
37 for fiscal year 2005.

38 Sec. 48.

39 WICHITA STATE UNIVERSITY

40 (a) There is appropriated for the above agency from the state general
41 fund for the fiscal year ending June 30, 2005, the following:
42 Operating expenditures (including official hospitality)..... \$64,535,032
43 *Provided*, That any unencumbered balance in the operating expenditures

1 (including official hospitality) account in excess of \$100 as of June 30,
2 2004, is hereby reappropriated for fiscal year 2005.

3 **Aviation research initiative \$500,000**

4 (b) There is appropriated for the above agency from the following spe-
5 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
6 moneys now or hereafter lawfully credited to and available in such fund
7 or funds, except that expenditures shall not exceed the following:

8 General fees fund..... No limit

9 *Provided*, That expenditures may be made from the general fees fund to
10 match federal grant moneys: *Provided further*, That expenditures may be
11 made from the general fees fund for official hospitality.

12 Restricted fees fund..... No limit

13 *Provided*, That restricted fees shall be limited to receipts for the following
14 accounts: Summer school workshops; technology equipment; concert
15 course; dramatics; continuing education; flight training; gifts and grants
16 (for teaching, research, and capital improvements); testing service; state
17 department of education (vocational); investment income from bequests;
18 sale of surplus books and art objects; public service; veterans counseling
19 and educational benefits; sponsored research; campus privilege fee; stu-
20 dent activities; national defense education programs; engineering equip-
21 ment fee; midwestern student exchange; departmental receipts — for all
22 sales, refunds and other collections or receipts not specifically enumer-
23 ated above: *Provided, however*, That the state board of regents, with the
24 approval of the state finance council acting on this matter which is hereby
25 characterized as a matter of legislative delegation and subject to the
26 guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amend-
27 ments thereto, may amend or change this list of restricted fees: *Provided*
28 *further*, That all restricted fees shall be deposited to the credit of the
29 appropriate account of the restricted fees fund and shall be used solely
30 for the specific purpose or purposes for which collected: *And provided*
31 *further*, That expenditures may be made from this fund to purchase in-
32 surance for equipment purchased through research and training grants
33 only if such grants include money for and authorize the purchase of such
34 insurance: *And provided further*, That expenditures from this fund may
35 be made for the purchase of medical malpractice liability coverage for
36 individuals employed on the medical staff at the student health center:
37 *And provided further*, That expenditures may be made from this fund for
38 official hospitality.

39 Service clearing fund No limit

40 *Provided*, That the service clearing fund shall be used for the following
41 service activities: Central service duplicating and reproducing bureau; au-
42 tomobiles; furniture stores; postal clearing; telecommunication; computer
43 service; and such other internal service activities as are authorized by the

1	state board of regents under K.S.A. 76-755 and amendments thereto.	
2	Faculty of distinction matching fund	No limit
3	Kansas career work study program fund	No limit
4	Scholarship funds fund.....	No limit
5	Sponsored research fund	No limit
6	Sponsored research overhead fund	No limit
7	Economic opportunity act — federal fund	No limit
8	Education opportunity grant — federal fund.....	No limit
9	Matching education opportunity grant fund	No limit
10	Work-study program fund.....	No limit
11	Health professions student assistance program — loans	
12	fund	No limit
13	Nine month payroll clearing account fund.....	No limit
14	Pell grants fund.....	No limit
15	Housing system suspense fund	No limit
16	Housing system operations fund	No limit
17	Housing system renovation principal and interest fund	No limit
18	Housing system renovation and bond reserve fund.....	No limit
19	WSU housing system depreciation and replacement	
20	fund	No limit
21	Perkins loan fund	No limit
22	Kansas distinguished scholarship fund	No limit
23	Kansas comprehensive grant fund.....	No limit
24	WSU housing systems revenue fund.....	No limit
25	1976 dormitory maintenance reserve fund	No limit
26	University federal fund.....	No limit

27 (c) On July 1, 2004, or as soon thereafter as moneys are available, the
 28 director of accounts and reports shall transfer \$94,551 from the WSU
 29 housing systems revenue fund of Wichita state university to the state
 30 general fund.

31 Sec. 49.

32 STATE BOARD OF REGENTS

33 (a) There is appropriated for the above agency from the state general
 34 fund for the fiscal year ending June 30, 2005, the following:
 35 Operating expenditures (including official hospitality)..... \$3,132,222
 36 *Provided*, That any unencumbered balance in the operating expenditures
 37 (including official hospitality) account in excess of \$100 as of June 30,
 38 2004, is hereby reappropriated for fiscal year 2005: *Provided further*,
 39 **That, in addition to other expenditures made by the above agency**
 40 **from the operating expenditures (including official hospitality) ac-**
 41 **count during fiscal year 2005, expenditures shall be made from**
 42 **this account for the purpose of examining opportunities available**
 43 **to increase the number of seats at dental schools contracted**

1 **through the reciprocal agreement or to establish a dental school**
 2 **in Kansas.**
 3 State scholarship program..... \$1,193,199
 4 *Provided*, That any unencumbered balance in the state scholarship pro-
 5 gram account in excess of \$100 as of June 30, 2004, is hereby reappro-
 6 priated for fiscal year 2005: *Provided further*, That expenditures may be
 7 made from the state scholarship program account for the state scholarship
 8 program under K.S.A. 72-6816 and amendments thereto and for the Kan-
 9 sas distinguished scholarship program under K.S.A. 74-3278 through 74-
 10 3283 and amendments thereto: *And provided further*, That of the total
 11 amount appropriated in the state scholarship program account the
 12 amount dedicated for the Kansas distinguished scholarship program shall
 13 not exceed \$25,000.
 14 Comprehensive grant program \$12,129,878
 15 *Provided*, That any unencumbered balance in the comprehensive grant
 16 program account in excess of \$100 as of June 30, 2004, is hereby reap-
 17 propriated for fiscal year 2005.
 18 Ethnic minority scholarship program..... \$315,213
 19 *Provided*, That any unencumbered balance in the ethnic minority schol-
 20 arship program account in excess of \$100 as of June 30, 2004, is hereby
 21 reappropriated for fiscal year 2005.
 22 Kansas work-study program \$528,172
 23 *Provided*, That any unencumbered balance in the Kansas work-study pro-
 24 gram account in excess of \$100 as of June 30, 2004, is hereby reappro-
 25 priated for fiscal year 2005: *Provided further*, That the state board of
 26 regents is hereby authorized to transfer moneys from the Kansas work-
 27 study program account to the Kansas career work study program fund of
 28 any institution under its jurisdiction participating in the Kansas work-
 29 study program established by K.S.A. 74-3274 *et seq.*, and amendments
 30 thereto: *And provided further*, That all moneys transferred from this ac-
 31 count to the Kansas career work study program fund of any such insti-
 32 tution shall be expended for and in accordance with the Kansas work-
 33 study program.
 34 ROTC scholarship reimbursement..... \$186,401
 35 *Provided*, That any unencumbered balance in the ROTC scholarship re-
 36 imbursement account in excess of \$100 as of June 30, 2004, is hereby
 37 reappropriated for fiscal year 2005.
 38 Teachers scholarship program \$326,744
 39 *Provided*, That any unencumbered balance in the teachers scholarship
 40 program account in excess of \$100 as of June 30, 2004, is hereby reap-
 41 propriated for fiscal year 2005.
 42 National guard educational assistance..... \$725,028
 43 *Provided*, That any unencumbered balance in the national guard educa-

1 tional assistance account in excess of \$100 as of June 30, 2004, is hereby
 2 reappropriated for fiscal year 2005.

3 Vocational scholarships..... \$121,275

4 *Provided*, That any unencumbered balance in the vocational scholarships
 5 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 6 for fiscal year 2005.

7 Nursing student scholarship program \$243,592

8 *Provided*, That any unencumbered balance in the nursing student schol-
 9 arship program account in excess of \$100 as of June 30, 2004, is hereby
 10 reappropriated for fiscal year 2005.

11 Optometry education program \$113,850

12 *Provided*, That any unencumbered balance in the optometry education
 13 program account in excess of \$100 as of June 30, 2004, is hereby reap-
 14 propriated for fiscal year 2005.

15 Municipal university operating grant \$10,557,396

16 Postsecondary aid for vocational education ... ~~\$19,673,603~~ **\$20,123,603**

17 Adult basic education..... \$1,048,998

18 Community college operating grant..... \$86,044,250

19 Technology equipment at community colleges and Wash-
 20 burn university..... \$424,077

21 *Provided*, That the state board of regents is hereby authorized to make
 22 expenditures from the technology equipment at community colleges and
 23 Washburn university account for grants to community colleges and Wash-
 24 burn university pursuant to grant applications for the purchase of tech-
 25 nology equipment, in accordance with guidelines established by the state
 26 board of education.

27 Faculty salary enhancement \$3,333,426

28 *Provided*, That the state board of regents is hereby authorized to transfer
 29 moneys from the faculty salary enhancement account to the appropriate
 30 account or accounts of the state general fund of any state educational
 31 institution under the control and supervision of the state board of regents.

32 Operating grant..... \$5,000,000

33 *Provided*, That the state board of regents is hereby authorized to transfer
 34 moneys from the operating grant account to the appropriate account or
 35 accounts of the state general fund of any state educational institution
 36 under the control and supervision of the state board of regents.

37 Payment to KPERS \$1,756,004

38 Southwest Kansas access project..... \$200,000

39 *Provided*, That any unencumbered balance in the southwest Kansas ac-
 40 cess project account in excess of \$100 as of June 30, 2004, is hereby
 41 reappropriated for fiscal year 2005: *Provided further*, That the state board
 42 of regents is hereby authorized to transfer moneys from this account to
 43 the appropriate account or accounts of the state general fund of any state

1 educational institution under the control and supervision of the state
2 board of regents.

3 **Alternative teacher certification \$450,000**

4 ***Provided, That the state board of regents is hereby authorized to***
5 ***transfer moneys from the alternative teacher certification account***
6 ***to the appropriate account or accounts of the state general fund***
7 ***of any state educational institution under the control and super-***
8 ***vision of the state board of regents.***

9 (b) There is appropriated for the above agency from the following spe-
10 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
11 moneys now or hereafter lawfully credited to and available in such fund
12 or funds, except that expenditures shall not exceed the following:

13 Osteopathic medical service scholarship repayment

14 fund No limit

15 Vocational education scholarship discontinued attendance

16 fund No limit

17 Leveraging educational assistance program fund —

18 federal No limit

19 Regents' scholarship gift fund No limit

20 *Provided, That expenditures may be made from the regents' scholarship*
21 *gift fund for scholarships awarded to Kansas residents who are attending*
22 *institutions of postsecondary education in Kansas which are authorized*
23 *under the laws of this state to award academic degrees and who meet*
24 *academic and other eligibility criteria established by the state board of*
25 *regents by rules and regulations: *Provided, however,* That a financial*
26 *needs test shall not be one of the eligibility criteria established by the*
27 *state board of regents for such scholarships: *Provided further,* That no*
28 *scholarship awarded from this fund shall exceed \$2,000 per academic*
29 *year: *And provided further,* That any recipient of a scholarship awarded*
30 *from this fund may also receive either a state scholarship under K.S.A.*
31 *72-6810 through 72-6816 and amendments thereto or a tuition grant un-*
32 *der K.S.A. 72-6107 through 72-6111 and amendments thereto, or both:*
33 *And provided further, That there shall be no reduction of any scholarship*
34 *awarded from this fund for the amount of any such state scholarship or*
35 *tuition grant received.*

36 KAN-ED fund No limit

37 *Provided, That expenditures may be made from the KAN-ED fund for*
38 *official hospitality for the purposes of the KAN-ED act.*

39 KAN-ED federal fund No limit

40 Earned indirect costs fund — federal No limit

41 Faculty of distinction program fund No limit

42 Paul Douglas teacher scholarship fund — federal No limit

43 GED credentials processing fees fund No limit

1	Proprietary school fee fund.....	No limit
2	Tuition waiver gifts, grants and reimbursements fund.....	No limit
3	Adult basic education — federal fund	No limit
4	Truck driver training fund	No limit
5	No child left behind federal fund.....	No limit
6	Comprehensive grant program discontinued attendance	
7	fund	No limit
8	State scholarship discontinued attendance fund	No limit
9	Kansas ethnic minority fellowship program fund.....	No limit
10	Private postsecondary educational institution degree au-	
11	thorization expense reimbursement fee fund	No limit
12	Voluntary tax sheltered annuity clearing fund	No limit
13	Substance abuse education fund — federal	No limit
14	Mandatory retirement annuity clearing fund	No limit
15	Nursing service scholarship program fund.....	No limit
16	Kansas ethnic minority discontinued attendance fund.....	No limit
17	Clearing fund.....	No limit
18	Conversion of materials and equipment fund	No limit
19	Teacher scholarship program fund.....	No limit
20	Financial aid services fee fund.....	No limit
21	<i>Provided</i> , That expenditures may be made from the financial aid services	
22	fee fund for operating expenditures directly or indirectly related to the	
23	operating costs associated with student financial assistance programs ad-	
24	ministered by the state board of regents: <i>Provided further</i> , That the ex-	
25	ecutive director of the state board of regents is hereby authorized to fix,	
26	charge and collect fees for the processing of applications for student fi-	
27	nancial assistance under programs administered by the state board of	
28	regents: <i>And provided further</i> , That such fees shall be fixed in order to	
29	recover all or a part of the direct and indirect operating expenses incurred	
30	for administering such programs: <i>And provided further</i> , That all moneys	
31	received for such fees shall be deposited in the state treasury and credited	
32	to this fund.	
33	Inservice education workshop fee fund.....	No limit
34	Optometry education repayment fund.....	No limit
35	Teacher scholarship repayment fund.....	No limit
36	Advanced registered nurse practitioner service scholarship	
37	program fund.....	No limit
38	Nursing service scholarship repayment fund.....	No limit
39	ROTC service scholarship program fund.....	No limit
40	ROTC service scholarship repayment fund.....	No limit
41	Carl D. Perkins vocational and technical education — fed-	
42	eral fund	No limit
43		

1 Carl D. Perkins vocational and technical education — fed-
 2 eral fund — state operations No limit
 3 Other federal grants fund No limit
 4 *Provided*, That the above agency is authorized to make expenditures from
 5 the other federal grants fund of any moneys credited to this fund from
 6 any individual grant if the grant is: (1) Less than or equal to \$750,000 in
 7 the aggregate, and (2) does not require the matching expenditure of any
 8 other moneys in the state treasury during fiscal year 2005 other than
 9 moneys appropriated by this or other appropriation act of the 2004 reg-
 10 ular session of the legislature: *Provided, however*, That, upon application
 11 to and authorization by the governor, the above agency may make ex-
 12 penditures of moneys credited to this fund from any individual federal
 13 grant which is more than \$750,000 in the aggregate or which requires the
 14 matching expenditure of moneys in the state treasury during fiscal year
 15 2005, other than moneys appropriated by this or other appropriation act
 16 of the 2004 regular session of the legislature.
 17 Kansas national guard educational assistance program re-
 18 payment fund No limit
 19 Carl D. Perkins technical preparation — federal fund No limit
 20 Grants fund No limit
 21 Workforce development loan fund No limit
 22 FICA recovery fund No limit
 23 *Provided*, That any moneys received by any state educational institution
 24 from the federal government for repayment of payroll or other taxes im-
 25 properly paid to the federal government to the credit of the FICA re-
 26 covery fund: *Provided further*, That all moneys in the FICA recovery fund
 27 shall be used by the state board of regents to reimburse the department
 28 of education, department of administration and state board of regents for
 29 direct costs and time incurred in obtaining repayment of payroll or other
 30 taxes improperly paid: *And provided further*, That all such reimburse-
 31 ments shall be in addition to any expenditure limitation imposed on this
 32 fund: *And provided further*, That after such reimbursements, the state
 33 board of regents may transfer amounts from the FICA recovery fund,
 34 which in the aggregate do not exceed \$5,000,000, to the appropriate fund
 35 or funds of any state educational institution for the purpose of providing
 36 additional funding for operating expenditures.
 37 Regents clearing fund No limit
 38 (c) During the fiscal year ending June 30, 2005, the chief executive
 39 officer of the state board of regents, with the approval of the director of
 40 the budget, may transfer any part of any item in an account of the state
 41 general fund for the fiscal year ending June 30, 2005, to another item of
 42 appropriation in an account of the state general fund for the fiscal year
 43 ending June 30, 2005. The chief executive officer of the state board of

1 regents shall certify each such transfer to the director of accounts and
 2 reports and shall transmit a copy of each such certification to the legis-
 3 lative research department. As used in this subsection, “account” means
 4 the operating expenditures (including official hospitality) account of the
 5 state board of regents, the university of Kansas, the university of Kansas
 6 medical center, Kansas state university, Kansas state university veterinary
 7 medical center, Kansas state university extension systems and agriculture
 8 research programs, Wichita state university, Emporia state university,
 9 Pittsburg state university and Fort Hays state university and the municipal
 10 university operating grant account of the state board of regents, the pos-
 11 tsecondary aid for vocational education account of the state board of re-
 12 gents and the community college operating grant account of the state
 13 board of regents.

14 (d) There is appropriated for the above agency from the state economic
 15 development initiatives fund for the fiscal year ending June 30, 2005, the
 16 following:

17 Vocational education capital outlay aid..... \$2,565,000

18 *Provided*, That expenditures from the vocational education capital outlay
 19 aid account for each grant of vocational educational capital outlay aid shall
 20 be matched by the area vocational school, the area vocational-technical
 21 school or the technical college in an amount which is equal to 50% of the
 22 grant: *Provided further*, That any unencumbered balance in excess of
 23 \$100 as of June 30, 2004, in the vocational education capital outlay aid
 24 account is hereby reappropriated for fiscal year 2005.

25 Postsecondary aid for vocational education..... \$6,957,162

26 *Provided*, That any unencumbered balance in excess of \$100 as of June
 27 30, 2004, in the postsecondary aid for vocational education account is
 28 hereby reappropriated for fiscal year 2005.

29 Technology innovation and internship program..... \$180,500

30 *Provided*, That any unencumbered balance in excess of \$100 as of June
 31 30, 2004, in the technical innovation and internship program account is
 32 hereby reappropriated for fiscal year 2005.

33 (e) (1) In addition to the other purposes for which expenditures may
 34 be made by any state educational institution from the moneys appropri-
 35 ated from the state general fund or from any special revenue fund for
 36 fiscal year 2005 for such state educational institution as authorized by this
 37 or other appropriation act of the 2004 regular session of the legislature,
 38 expenditures may be made by such state educational institution from
 39 moneys appropriated from the state general fund or from any special
 40 revenue fund for fiscal year 2005 for the purposes of capital improvement
 41 projects making energy and other conservation improvements: *Provided*,
 42 That such capital improvement projects are hereby approved for such
 43 state educational institution for the purposes of subsection (b) of K.S.A.

1 74-8905 and amendments thereto and the authorization of issuance of
 2 one or more series of bonds by the Kansas development finance authority
 3 in accordance with that statute from time to time during fiscal year 2005:
 4 *Provided, however,* That no such bonds shall be issued until the state
 5 board of regents has first advised and consulted on any such project with
 6 the joint committee on state building construction: *Provided, further,*
 7 That the amount of the bond proceeds that may be utilized for any such
 8 capital improvement project shall be subject to approval by the state fi-
 9 nance council acting on this matter which is hereby characterized as a
 10 matter of legislative delegation and subject to the guidelines prescribed
 11 in subsection (c) of K.S.A. 75-3711c and amendments thereto, except that
 12 such approval also may be given while the legislature is in session: *And*
 13 *provided further,* That, in addition to such project costs, any such amount
 14 of bond proceeds may include costs of issuance, capitalized interest and
 15 any required reserves for the payment of principal and interest on such
 16 bonds: *And provided further,* That all moneys received from the issuance
 17 of any such bonds shall be deposited and accounted for as prescribed by
 18 applicable bond covenants: *And provided further,* That payments relating
 19 to principal and interest on such bonds shall be subject to and dependent
 20 upon annual appropriations therefor to the state educational institution
 21 for which the bonds are issued: *And provided further,* That each energy
 22 conservation capital improvement project for which bonds are issued for
 23 financing under this subsection shall be designed and completed in order
 24 to have cost savings sufficient to be equal or greater than the cost of debt
 25 service on such bonds: *And provided further,* That the state board of
 26 regents shall prepare and submit a report to the committee on appropria-
 27 tions of the house of representatives and the committee on ways and
 28 means of the senate on the savings attributable to energy conservation
 29 capital improvements for which bonds are issued for financing under this
 30 subsection at the beginning of the 2005 regular session of the legislature.

31 (2) As used in this subsection, “state educational institution” includes
 32 each state educational institution as defined in K.S.A. 76-711, and amend-
 33 ments thereto.

34 Sec. 50.

35 DEPARTMENT OF CORRECTIONS

36 (a) There is appropriated for the above agency from the state general
 37 fund for the fiscal year ending June 30, 2005, the following:

38 Central administration operations and parole and post-
 39 release supervision operations \$13,963,028

40 *Provided,* That any unencumbered balance in the central administration
 41 operations and parole and postrelease supervision operations account in
 42 excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
 43 year 2005: *Provided, however,* That expenditures from such reappro-

1 priated balance shall not exceed \$21,465 except upon approval of the state
2 finance council.

3 Community corrections \$15,493,910

4 *Provided*, That any unencumbered balance in the community corrections
5 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
6 for fiscal year 2005: *Provided, however*, That expenditures from such
7 reappropriated balance shall not exceed \$55,002, except upon approval
8 of the state finance council: *Provided further*, That no expenditures may
9 be made by any county from any grant made to such county from the
10 community corrections account for either half of state fiscal year 2005
11 which supplant any amount of local public or private funding of existing
12 programs as determined in accordance with rules and regulations adopted
13 by the secretary of corrections.

14 Day reporting center state match..... \$247,600

15 *Provided*, That any unencumbered balance in the day reporting center
16 state match account in excess of \$100 as of June 30, 2004, is hereby
17 reappropriated for fiscal year 2005: *Provided, however*, That expenditures
18 from such reappropriated balance shall not exceed \$12,000, except upon
19 approval of the state finance council acting on this matter which is hereby
20 characterized as a matter of legislation delegation and subject to the
21 guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amend-
22 ments thereto: *Provided further*, That all expenditures from the day re-
23 porting center state match account shall be made for the purpose of
24 providing the required state match for receipt of federal funds for day
25 reporting centers: *And provided further*, That all expenditures from the
26 day reporting center state match account shall be made pursuant to a
27 contract which is hereby authorized to be entered into by the secretary
28 of corrections with a private entity for operation of such day reporting
29 centers: *And provided further*, That such contract shall be designed to
30 use day reporting centers to divert offenders who would otherwise occupy
31 prison space making additional prison space available for violent offend-
32 ers.

33 Local jail payments \$1,961,000

34 *Provided*, That, notwithstanding the provisions of K.S.A. 19-1930 and
35 amendments thereto, payments by the department of corrections under
36 subsection (b) of K.S.A. 19-1930 and amendments thereto, for the cost
37 of maintenance of prisoners shall not exceed the per capita daily operating
38 cost, not including inmate program, for the department of corrections.

39 Community correctional conservation camp \$2,363,300

40 Conservation camp for female offenders..... \$404,671

41 *Provided*, That any unencumbered balance in the conservation camp for
42 female offenders account in excess of \$100 as of June 30, 2004, is hereby
43 reappropriated for fiscal year 2005: *Provided, however*, That expenditures

1 from such reappropriated balance shall not exceed \$72,500 except upon
 2 approval of the state finance council.

3 Treatment and programs \$30,113,364
 4 *Provided*, That expenditures from the treatment and programs account
 5 for malpractice insurance shall not be greater than the amount obtained
 6 by multiplying \$5,000 by the approved number of positions equated to
 7 full-time for individuals employed as physician specialists, physician as-
 8 sistants and dentists: *Provided further*, That expenditures may be made
 9 from this account for payments to Innerchange Freedom Initiative for
 10 operation of a values-based pre-release program regardless of when serv-
 11 ices were rendered.

12 Topeka correctional facility — facilities operations \$10,235,053
 13 *Provided*, That any unencumbered balance in the Topeka correctional
 14 facility — facilities operations account in excess of \$100 as of June 30,
 15 2004, is hereby reappropriated for fiscal year 2005: *Provided, however*,
 16 That expenditures from such reappropriated balance shall not exceed
 17 \$53,794 except upon approval of the state finance council.

18 Hutchinson correctional facility — facilities operations \$24,983,324
 19 *Provided*, That any unencumbered balance in the Hutchinson correc-
 20 tional facility — facilities operations account in excess of \$100 as of June
 21 30, 2004, is hereby reappropriated for fiscal year 2005: *Provided, how-*
 22 *ever*, That expenditures from such reappropriated balance shall not ex-
 23 ceed \$1,516 except upon approval of the state finance council.

24 Lansing correctional facility — facilities operations \$32,910,090
 25 *Provided*, That any unencumbered balance in the Lansing correctional
 26 facility — facilities operations account in excess of \$100 as of June 30,
 27 2004, is hereby reappropriated for fiscal year 2005: *Provided, however*,
 28 That expenditures from such reappropriated balance shall not exceed
 29 \$2,587 except upon approval of the state finance council.

30 Ellsworth correctional facility — facilities operations \$10,782,413
 31 *Provided*, That any unencumbered balance in the Ellsworth correctional
 32 facility — facilities operations account in excess of \$100 as of June 30,
 33 2004, is hereby reappropriated for fiscal year 2005: *Provided, however*,
 34 That expenditures from such reappropriated balance shall not exceed
 35 \$3,926 except upon approval of the state finance council.

36 Winfield correctional facility — facilities operations \$10,067,178
 37 *Provided*, That any unencumbered balance in the Winfield correctional
 38 facility — facilities operations account in excess of \$100 as of June 30,
 39 2004, is hereby reappropriated for fiscal year 2005: *Provided, however*,
 40 That expenditures from such reappropriated balance shall not exceed
 41 \$4,963 except upon approval of the state finance council.

42 Norton correctional facility — facilities operations \$12,448,462
 43 *Provided*, That any unencumbered balance in the Norton correctional

1 facility — facilities operations account in excess of \$100 as of June 30,
2 2004, is hereby reappropriated for fiscal year 2005: *Provided, however,*
3 That expenditures from such reappropriated balance shall not exceed
4 \$64,663 except upon approval of the state finance council.

5 El Dorado correctional facility — facilities operations..... \$21,163,802
6 *Provided,* That any unencumbered balance in the El Dorado correctional
7 facility — facilities operations account in excess of \$100 as of June 30,
8 2004, is hereby reappropriated for fiscal year 2005: *Provided, however,*
9 That expenditures from such reappropriated balance shall be made only
10 upon approval of the state finance council.

11 Larned correctional mental health facility — facilities
12 operations \$8,302,379
13 *Provided,* That any unencumbered balance in the Larned correctional
14 mental health facility — facilities operations account in excess of \$100 as
15 of June 30, 2004, is hereby reappropriated for fiscal year 2005: *Provided,*
16 *however,* That expenditures from such reappropriated balance shall not
17 exceed \$6,449 except upon approval of the state finance council.

18 Facilities operations \$10,262,017
19 *Provided,* That any unencumbered balance in the facilities operations
20 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
21 for fiscal year 2005.

22 (b) There is appropriated for the above agency from the following spe-
23 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
24 moneys now or hereafter lawfully credited to and available in such fund
25 or funds, except that expenditures other than refunds authorized by law
26 shall not exceed the following:

27 Other federal grants fund No limit

28 *Provided,* That the above agency is authorized to make expenditures from
29 the other federal grants fund of any moneys credited to this fund from
30 any individual grant if the grant is: (1) Less than or equal to \$1,000,000
31 in the aggregate, and (2) does not require the matching expenditure of
32 any other moneys in the state treasury during fiscal year 2005 other than
33 moneys appropriated by this or other appropriation act of the 2004 reg-
34 ular session of the legislature: *Provided, however,* That, upon application
35 to and authorization by the governor, the above agency may make ex-
36 penditures of moneys credited to this fund from any individual federal
37 grant which is more than \$1,000,000 in the aggregate or which requires
38 the matching expenditure of moneys in the state treasury during the cur-
39 rent or any ensuing fiscal year.

40 Supervision fees fund..... No limit

41 Asset forfeiture — federal fund..... No limit

42 Residential substance abuse treatment — federal fund No limit

43 Justice assistance — federal fund..... No limit

1	Department of corrections state asset forfeiture fund	No limit
2	Carl Perkins act — federal fund	No limit
3	Violent offender incarceration and truth in sentencing in-	
4	centive grants — federal fund	No limit
5	Chapter I — federal fund.....	No limit
6	Correctional industries fund.....	No limit
7	<i>Provided</i> , That expenditures may be made from the correctional indus-	
8	tries fund for official hospitality.	
9	Alcohol and drug abuse treatment fund.....	No limit
10	State of Kansas — department of corrections inmate ben-	
11	efit fund.....	No limit
12	Department of corrections — alien incarceration grant	
13	fund — federal	No limit
14	Department of corrections — general fees fund	No limit
15	<i>Provided</i> , That expenditures may be made from the department of cor-	
16	rections — general fees fund for operating expenditures for training pro-	
17	grams for correctional personnel, including official hospitality: <i>Provided</i>	
18	<i>further</i> , That the secretary of corrections is hereby authorized to fix,	
19	charge and collect fees for such programs: <i>And provided further</i> , That	
20	such fees shall be fixed in order to recover all or part of the operating	
21	expenses incurred for such training programs, including official hospita-	
22	lity: <i>And provided further</i> , That all fees received for such programs shall	
23	be credited to this fund.	
24	Victims of crime act — federal fund.....	No limit
25	Topeka correctional facility — community development	
26	block grant — federal fund.....	No limit
27	Topeka correctional facility — bureau of prisons contract	
28	— federal fund	No limit
29	Topeka correctional facility — general fees fund.....	No limit
30	Topeka correctional facility — inmate canteen fund	No limit
31	Topeka correctional facility —inmate benefit fund	No limit
32	Topeka correctional facility — institutional library services	
33	grant fund — federal	No limit
34	Topeka correctional facility — alien incarceration grant	
35	fund — federal	No limit
36	Hutchinson correctional facility — general fees fund.....	No limit
37	Hutchinson correctional facility — inmate canteen fund ..	No limit
38	Hutchinson correctional facility — inmate benefit fund ...	No limit
39	Hutchinson correctional facility — drug free demonstra-	
40	tion project — federal fund	No limit
41	Hutchinson correctional facility—institutional library serv-	
42	ices grant fund — federal	No limit
43	Lansing correctional facility — general fees fund	No limit

1	Lansing correctional facility — inmate canteen fund	No limit
2	Lansing correctional facility — inmate benefit fund	No limit
3	Lansing correctional facility — institutional library services	
4	grant fund — federal	No limit
5	Ellsworth correctional facility — general fees fund.....	No limit
6	Ellsworth correctional facility — inmate canteen fund	No limit
7	Ellsworth correctional facility — inmate benefit fund	No limit
8	Ellsworth correctional facility — institutional library serv-	
9	ices grant fund — federal	No limit
10	Winfield correctional facility — general fees fund.....	No limit
11	Winfield correctional facility — inmate canteen fund	No limit
12	Winfield correctional facility — inmate benefit fund	No limit
13	Winfield correctional facility — institutional library serv-	
14	ices grant fund — federal	No limit
15	Norton correctional facility — general fees fund.....	No limit
16	Norton correctional facility — inmate canteen fund	No limit
17	Norton correctional facility — inmate benefit fund	No limit
18	Norton correctional facility — institutional library services	
19	grant fund — federal	No limit
20	El Dorado correctional facility — general fees fund	No limit
21	El Dorado correctional facility — gifts and donations	
22	fund	No limit
23	El Dorado correctional facility — inmate canteen fund....	No limit
24	El Dorado correctional facility — community transition	
25	program federal fund.....	No limit
26	El Dorado correctional facility — inmate benefit fund.....	No limit
27	El Dorado correctional facility—institutional library serv-	
28	ices grant fund — federal	No limit
29	Larned correctional mental health facility — general fees	
30	fund	No limit
31	Larned correctional mental health facility — inmate can-	
32	teen fund	No limit
33	Larned correctional mental health facility — inmate ben-	
34	efit fund.....	No limit
35	Larned correctional mental health facility — institutional	
36	library services grant fund — federal.....	No limit
37	Larned correctional mental health facility — justice assis-	
38	tance — federal fund.....	No limit
39	(c) During the fiscal year ending June 30, 2005, the secretary of cor-	
40	rections, with the approval of the director of the budget, may transfer any	
41	part of any item of appropriation for the fiscal year ending June 30, 2005,	
42	from the state general fund for the department of corrections or any	
43	correctional institution or facility under the general supervision and man-	

1 agement of the secretary of corrections to another item of appropriation
2 for fiscal year 2005 from the state general fund for the department of
3 corrections or any correctional institution or facility under the general
4 supervision and management of the secretary of corrections. The secre-
5 tary of corrections shall certify each such transfer to the director of ac-
6 counts and reports and shall transmit a copy of each such certification to
7 the director of the legislative research department.

8 (d) Notwithstanding the provisions of K.S.A. 75-3731 and amendments
9 thereto or any other statute, the director of accounts and reports shall
10 accept for payment from the secretary of corrections any duly authorized
11 claim from the local jail payments account of the state general fund during
12 fiscal year 2005 for costs pursuant to subsection (b) of K.S.A. 19-1930
13 and amendments thereto even though such claim is not submitted or
14 processed for payment within the fiscal year in which the service is ren-
15 dered and whether or not the services were rendered prior to the effective
16 date of this act.

17 (e) On July 1, 2004, and on October 1, 2004, or as soon thereafter as
18 moneys are available, the director of accounts and reports shall transfer
19 \$390,500 from the correctional industries fund to the department of cor-
20 rections — general fees fund.

21 Sec. 51.

22 JUVENILE JUSTICE AUTHORITY

23 (a) There is appropriated for the above agency from the state general
24 fund for the fiscal year
25 ending June 30, 2005, the following:

26 Operating expenditures \$27,534,760

27 *Provided*, That any unencumbered balance in the operating expenditures
28 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
29 for fiscal year 2005: *Provided, however*, That expenditures from the op-
30 erating expenditures account for official hospitality shall not exceed
31 \$2,000.

32 Management information systems \$1,093,751

33 *Provided*, That any unencumbered balance in the management infor-
34 mation systems account in excess of \$100 as of June 30, 2004, is hereby
35 reappropriated for fiscal year 2005.

36 Topeka juvenile correctional facility operations \$12,504,735

37 *Provided*, That any unencumbered balance in the Topeka juvenile cor-
38 rectional facility operations account in excess of \$100 as of June 30, 2004,
39 is hereby reappropriated for fiscal year 2005: *Provided, however*, That
40 expenditures from such reappropriated balance shall not exceed \$1,727
41 except upon approval of the state finance council: *Provided further*, That
42 expenditures may be made from this account for educational services
43 contracts which are hereby authorized to be negotiated and entered into

1 by the above agency with unified school districts or other public educa-
2 tional services providers: *And provided further*, That such educational
3 services contracts shall not be subject to the competitive bid requirements
4 of K.S.A. 75-3739 and amendments thereto.

5 Atchison juvenile correctional facility operations \$5,855,242

6 *Provided*, That any unencumbered balance in the Atchison juvenile cor-
7 rectional facility operations account in excess of \$100 as of June 30, 2004,
8 is hereby reappropriated for fiscal year 2005: *Provided, however*, That
9 expenditures may be made from this account for educational services
10 contracts which are hereby authorized to be negotiated and entered into
11 by the above agency with unified school districts or other public educa-
12 tional services providers: *And provided further*, That such educational
13 services contracts shall not be subject to the competitive bid requirements
14 of K.S.A. 75-3739 and amendments thereto.

15 Beloit juvenile correctional facility operations \$4,688,537

16 *Provided*, That any unencumbered balance in the Beloit juvenile correc-
17 tional facility operations account in excess of \$100 as of June 30, 2004, is
18 hereby reappropriated for fiscal year 2005: *Provided further*, That ex-
19 penditures may be made from this account for educational services con-
20 tracts which are hereby authorized to be negotiated and entered into by
21 the above agency with unified school districts or other public educational
22 services providers: *And provided further*, That such educational services
23 contracts shall not be subject to the competitive bid requirements of
24 K.S.A. 75-3739 and amendments thereto.

25 Larned juvenile correctional facility operations \$7,870,781

26 *Provided*, That any unencumbered balance in the Larned juvenile cor-
27 rectional facility operations account in excess of \$100 as of June 30, 2004,
28 is hereby reappropriated for fiscal year 2005: *Provided further*, That ex-
29 penditures may be made from this account for educational services con-
30 tracts which are hereby authorized to be negotiated and entered into by
31 the above agency with unified school districts or other public educational
32 services providers: *And provided further*, That such educational services
33 contracts shall not be subject to the competitive bidding requirements of
34 K.S.A. 75-3739 and amendments thereto.

35 Kansas juvenile correctional complex..... \$430,000

36 (b) There is appropriated for the above agency from the children’s
37 initiatives fund for the fiscal year ending June 30, 2005, the following:

38 Prevention program grant..... \$5,414,487

39 *Provided*, That any unencumbered balance in the prevention program
40 grant account in excess of \$100 as of June 30, 2004, is hereby reappro-
41 priated for fiscal year 2005: *Provided, however*, That all expenditures by
42 the above agency from the prevention program grant account shall be for
43 prevention program grants and evaluation of prevention programs for

1 fiscal year 2005: *Provided further*, That money awarded as grants from
 2 this account shall be distributed during fiscal year 2005 on the basis of
 3 the average amount of prevention grant awards received for the judicial
 4 district during fiscal year 2003 and fiscal year 2004: *And provided further*,
 5 That money awarded as grants from this account is not an entitlement to
 6 communities, but a grant that must meet conditions prescribed by the
 7 above agency for appropriate outcomes.

8 Intervention and graduated sanctions community grants .. \$3,585,513
 9 *Provided*, That any unencumbered balance in the intervention and grad-
 10 uated sanctions community grants account in excess of \$100 as of June
 11 30, 2004, is hereby reappropriated for fiscal year 2005.

12 (c) There is appropriated for the above agency from the following spe-
 13 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 14 moneys now or hereafter lawfully credited to and available in such fund
 15 or funds, except that expenditures other than refunds authorized by law
 16 shall not exceed the following:

17 Title XIX fund	No limit
18 Title IV-E fund.....	No limit
19 Juvenile accountability incentive block grant — federal	
20 fund	No limit
21 Juvenile justice delinquency prevention — federal fund...	No limit
22 Juvenile detention facilities fund.....	\$3,602,740
23 Juvenile justice fee fund — central office.....	No limit
24 Juvenile justice federal fund — Topeka juvenile correc-	
25 tional facility.....	No limit
26 Juvenile justice federal fund — Atchison juvenile correc-	
27 tional facility.....	No limit
28 Juvenile justice federal fund — Beloit juvenile correctional	
29 facility.....	No limit
30 Juvenile justice federal fund — Larned juvenile correc-	
31 tional facility.....	No limit
32 Juvenile justice federal fund — Kansas juvenile correc-	
33 tional complex.....	No limit
34 Juvenile justice federal fund.....	No limit
35 Kansas juvenile delinquency prevention trust fund.....	No limit
36 Going home — federal fund	No limit
37 Byrne grant — federal fund.....	No limit
38 Construction of juvenile correctional facilities fund —	
39 VOI/TIS.....	No limit
40 Topeka juvenile correctional facility fee fund.....	No limit
41 Topeka juvenile correctional facility improvement fund ...	No limit
42 Topeka juvenile correctional facility — elementary and	
43 secondary education fund — federal	No limit

1	Topeka juvenile correctional facility — canteen fund.....	No limit
2	Topeka juvenile correctional facility — patient benefit	
3	fund	No limit
4	Atchison juvenile correctional facility fee fund.....	No limit
5	Atchison juvenile correctional facility — elementary and	
6	secondary education fund — federal	No limit
7	Atchison juvenile correctional facility — canteen fund.....	No limit
8	Atchison juvenile correctional facility — patient benefit	
9	fund	No limit
10	Beloit juvenile correctional facility fee fund.....	No limit
11	Beloit juvenile correctional facility — elementary and sec-	
12	ondary education fund — federal.....	No limit
13	Beloit juvenile correctional facility — canteen fund.....	No limit
14	Beloit juvenile correctional facility — patient benefit	
15	fund	No limit
16	Larned juvenile correctional facility fee fund.....	No limit
17	Larned juvenile correctional facility — canteen fund.....	No limit
18	Larned juvenile correctional facility — patient benefit	
19	fund	No limit
20	Kansas juvenile correctional complex fee fund.....	No limit
21	Kansas juvenile correctional complex — elementary and	
22	secondary education fund — federal	No limit
23	Kansas juvenile correctional complex — canteen fund	No limit
24	Kansas juvenile correctional complex — patient benefit	
25	fund	No limit
26	(d) On July 1, 2004, or as soon thereafter as moneys are available, the	
27	director of accounts and reports shall transfer \$90,000 from the alcohol	
28	and drug abuse block grant federal fund of the department of social and	
29	rehabilitation services to the juvenile justice federal fund of the juvenile	
30	justice authority.	
31	(e) On July 1, 2004, or as soon thereafter as moneys are available, the	
32	director of accounts and reports shall transfer \$47,135 from the alcohol	
33	and drug abuse block grant federal fund of the department of social and	
34	rehabilitation services to the juvenile justice federal fund — Beloit ju-	
35	venile correctional facility of the juvenile justice authority.	
36	(f) During the fiscal year ending June 30, 2005, the commissioner of	
37	juvenile justice, with the approval of the director of the budget, may	
38	transfer any part of any item of appropriation for the fiscal year ending	
39	June 30, 2005, from the state general fund for the juvenile justice au-	
40	thority or any juvenile correctional facility or institution under the general	
41	supervision and management of the commissioner of juvenile justice to	
42	another item of appropriation for fiscal year 2005 from the state general	
43	fund for the juvenile justice authority or any juvenile correctional facility	

1 or institution under the general supervision and management of the com-
2 missioner of juvenile justice. The commissioner of juvenile justice shall
3 certify each such transfer to the director of accounts and reports and shall
4 transmit a copy of each such certification to the director of the legislative
5 research department.

6 (g) In addition to the other purposes for which expenditures may be
7 made by the juvenile justice authority from the juvenile detention facili-
8 ties fund for fiscal year 2005, notwithstanding the provisions of K.S.A. 79-
9 4803 and amendments thereto, the juvenile justice authority is hereby
10 authorized and directed to make expenditures from the juvenile detention
11 facilities fund for fiscal year 2005 for purchase of services.

12 (h) On July 1, 2004, or as soon thereafter as moneys are available,
13 notwithstanding the provisions of K.S.A. 2003 Supp. 79-4803 and amend-
14 ments thereto or any other statute, the director of accounts and reports
15 shall transfer \$300,000 from the juvenile detention facilities fund to the
16 state general fund: *Provided*, That the amount transferred from the ju-
17 venile detention facilities fund to the state general fund pursuant to this
18 subsection is to reimburse the state general fund for accounting, auditing,
19 budgeting, legal, payroll, personnel and purchasing services and any other
20 governmental services which are performed on behalf of the juvenile
21 justice authority by other state agencies which receive appropriations
22 from the state general fund to provide such services.

23 Sec. 52.

24 ADJUTANT GENERAL

25 (a) There is appropriated for the above agency from the state general
26 fund for the fiscal year ending June 30, 2005, the following:

27 Operating expenditures ~~\$3,968,580~~ **\$4,257,665**

28 *Provided*, That any unencumbered balance in the operating expenditures
29 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
30 for fiscal year 2005: *Provided, however*, That expenditures from this
31 account for official hospitality shall not exceed \$1,250.

32 Civil air patrol — operating expenditures..... \$26,278

33 2002 ice storm disaster relief..... \$53,470

34 *Provided*, That any unencumbered balance in the 2002 ice storm disaster
35 relief account in excess of \$100 as of June 30, 2004, is hereby reappro-
36 priated for fiscal year 2005.

37 (b) There is appropriated for the above agency from the following spe-
38 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
39 moneys now or hereafter lawfully credited to and available in such fund
40 or funds, except that expenditures other than refunds authorized by law
41 shall not exceed the following:

42 Conversion of materials and equipment fund — military

43 division No limit

1	Training and support of title III — federal fund	No limit
2	Emergency management — federal fund matching —	
3	equipment fund	No limit
4	Emergency management — federal fund matching — ad-	
5	ministration fund.....	No limit
6	Emergency management — RADEF instrument — main-	
7	tenance — federal fund.....	No limit
8	State disaster coordination — federal fund.....	No limit
9	Emergency management — nuclear civil protection —	
10	federal fund.....	No limit
11	Payment of death, disability, and medical benefit claims	
12	fund	No limit
13	Expenses under national guard mutual assistance compact	
14	fund	No limit
15	Nuclear safety emergency management fee fund	No limit
16	Military fees fund — federal	No limit
17	<i>Provided</i> , That all moneys received by the adjutant general from the fed-	
18	eral government for reimbursement for expenditures made under agree-	
19	ments with the federal government shall be deposited in the state treasury	
20	and credited to the military fees fund.	
21	Homeland security federal fund	No limit
22	State emergency fund allocation — flood relief fund	No limit
23	Emergency management — fee fund	No limit
24	Armories and units general fees fund	No limit
25	Emergency management — disaster fund — federal	
26	fund	No limit
27	Civil air patrol — grants and contributions — federal	
28	fund	No limit
29	Emergency management performance grant (EMPG) —	
30	federal fund.....	No limit
31	EMPG terrorism consequence management preparedness	
32	grant (TCMPA) — federal fund	No limit
33	NG — federal forfeiture fund	No limit
34	Inaugural expense fund	No limit
35	Emergency management indirect cost fee fund	No limit

36 Sec. 53.

37 STATE FIRE MARSHAL

38 (a) There is appropriated for the above agency from the following spe-
 39 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 40 moneys now or hereafter lawfully credited to and available in such fund
 41 or funds, except that expenditures, other than refunds authorized by law,
 42 purchases of nationally recognized adopted codes for resale and federally
 43 reimbursed overtime, shall not exceed the following:

1 Fire marshal fee fund \$3,147,865
 2 *Provided*, That expenditures from the fire marshal fee fund for official
 3 hospitality shall not exceed \$500.
 4 Other federal grants fund No limit
 5 *Provided*, That the above agency is authorized to make expenditures from
 6 the other federal grants fund of any moneys credited to this fund from
 7 any individual grant if the grant is: (1) Less than or equal to \$250,000 in
 8 the aggregate, and (2) does not require the matching expenditure of any
 9 other moneys in the state treasury during fiscal year 2005 other than
 10 moneys appropriated by this or other appropriation act of the 2004 reg-
 11 ular session of the legislature: *Provided, however*, That, upon application
 12 to and authorization by the governor, the above agency may make ex-
 13 penditures of moneys credited to this fund from any individual federal
 14 grant which is more than \$250,000 in the aggregate or which requires the
 15 matching expenditure of moneys in the state treasury during the current
 16 or any ensuing fiscal year.
 17 Gifts, grants and donations fund No limit
 18 Hazardous material program fund..... \$408,331
 19 Hazardous materials emergency fund..... \$250,000
 20 *Provided*, That expenditures may be made by the state fire marshal from
 21 the hazardous materials emergency fund for fiscal year 2005 for the pur-
 22 poses of responding to specific incidences of emergencies related to haz-
 23 ardous materials without prior approval of the state finance council: *Pro-
 24 vided, however*, That expenditures from the hazardous materials
 25 emergency fund during fiscal year 2005 for the purposes of responding
 26 to any specific incidence of an emergency related to hazardous materials
 27 without prior approval by the state finance council shall not exceed
 28 \$25,000, except upon approval by the state finance council acting on this
 29 matter which is hereby characterized as a matter of legislative delegation
 30 and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-
 31 3711c and amendments thereto, except that such approval also may be
 32 given while the legislature is in session.
 33 (b) On July 1, 2004, and January 1, 2005, or as soon after each such
 34 date as moneys are available, the director of accounts and reports shall
 35 transfer \$171,891 from the fire marshal fee fund to the hazardous ma-
 36 terials program fund of the state fire marshal.
 37 (c) During the fiscal year ending June 30, 2005, the director of the
 38 budget and the director of the legislative research department shall con-
 39 sult periodically and review the balance credited to and the estimated
 40 receipts to be credited to the fire marshal fee fund during fiscal year
 41 2005, and, upon a finding by the director of the budget in consultation
 42 with the director of the legislative research department that the total of
 43 the unencumbered balance and estimated receipts to be credited to the

1 fire marshal fee fund during fiscal year 2005 are insufficient to fund the
 2 budgeted expenditures and transfers from the fire marshal fee fund for
 3 fiscal year 2005 in accordance with the provisions of appropriation acts,
 4 the director of the budget shall certify such finding to the director of
 5 accounts and reports. Upon receipt of any such certification, the director
 6 of accounts and reports shall transfer the amount of moneys from the
 7 hazardous materials emergency fund to the fire marshal fee fund that is
 8 required, in accordance with the certification by the director of the
 9 budget under this subsection, to fund the budgeted expenditures and
 10 transfers from the fire marshal fee fund for the remainder of fiscal year
 11 2005 in accordance with the provisions of appropriation acts, as specified
 12 by the director of the budget pursuant to such certification.

13 (d) On June 1, 2005, or as soon after each such date as moneys are
 14 available, notwithstanding the provisions of K.S.A. 2003 Supp. 75-1514
 15 and amendments thereto or of any other statute, the director of accounts
 16 and reports shall transfer \$500,000 from the fire marshal fee fund of the
 17 state fire marshal to the state general fund: *Provided*, That the transfer
 18 of each such amount shall be in addition to any other transfer from the
 19 fire marshal fee fund to the state general fund as prescribed by law:
 20 *Provided further*, That the amount transferred from the fire marshal fee
 21 fund of the state fire marshal to the state general fund pursuant to this
 22 subsection is to reimburse the state general fund for accounting, auditing,
 23 budgeting, legal, payroll, personnel and purchasing services and any other
 24 governmental services which are performed on behalf of the state agency
 25 involved by other state agencies which receive appropriations from the
 26 state general fund to provide such services.

27 Sec. 54.

28 KANSAS PAROLE BOARD

29 (a) There is appropriated for the above agency from the state general
 30 fund for the fiscal year ending June 30, 2005, the following:
 31 Parole from adult correctional institutions..... \$433,043
 32 *Provided*, That any unencumbered balance in the parole from adult cor-
 33 rectional institutions account in excess of \$100 as of June 30, 2004, is
 34 hereby reappropriated for fiscal year 2005.

35 Sec. 55.

36 KANSAS HIGHWAY PATROL

37 (a) **There is appropriated for the above agency from the state**
 38 **general fund for the fiscal year ending June 30, 2005, the follow-**
 39 **ing:**
 40 **Operating expenditures..... \$43,761,722**
 41 ***Provided*, That any unencumbered balance in the operating ex-**
 42 **penditures account in excess of \$100 as of June 30, 2004 is hereby**
 43 **reappropriated for fiscal year 2005 *Provided, however*, That ex-**

1 **penditures from such reappropriated balance shall be made only**
2 **upon approval of the state finance council: *Provided further, That***
3 **expenditures from the operating expenditures account for official**
4 **hospitality shall not exceed \$3,000.**

5 ~~(a)~~ (b) There is appropriated for the above agency from the following
6 special revenue fund or funds for the fiscal year ending June 30, 2005,
7 all moneys now or hereafter lawfully credited to and available in such
8 fund or funds, except that expenditures other than refunds authorized by
9 law shall not exceed the following:

10 General fees fund..... No limit

11 *Provided, That all moneys received from the sale of used equipment,*
12 *recovery of and reimbursements for expenditures and any other source*
13 *of revenue shall be deposited in the state treasury and credited to the*
14 *general fees fund, except as otherwise provided by law: *Provided further,**
15 *That the Kansas highway patrol shall deposit the proceeds from the sale*
16 *of personal sidearms to retiring troopers and other retiring sworn officers*
17 *of the Kansas highway patrol, which sales upon retirement are hereby*
18 *authorized, in the state treasury to the credit of this fund: *Provided, how-**
19 *ever, That each such sale of a retiring sworn officer’s personal sidearm*
20 *upon retirement shall be for an amount of not less than the replacement*
21 *cost of the sidearm: *And provided further, That the Kansas highway patrol**
22 *is hereby authorized to sell and a trooper or other sworn officer of the*
23 *Kansas highway patrol who resigns from the Kansas highway patrol to*
24 *accept employment with a local, state or federal law enforcement agency*
25 *is hereby authorized to purchase such trooper or other sworn officer’s*
26 *personal sidearm with a trigger lock upon resignation in the same manner*
27 *as prescribed in this subsection for retiring troopers and sworn officers*
28 *of the Kansas highway patrol for the amount equal to the total of the*
29 *replacement cost of the sidearm plus the cost of the trigger lock: *And**
30 *provided further, That no sale of a personal sidearm shall be made to any*
31 *trooper or sworn officer of the Kansas highway patrol upon resignation*
32 *unless the superintendent of the Kansas highway patrol determines that*
33 *the employment record and performance evaluations of each such*
34 *trooper or sworn officer of the Kansas highway patrol is satisfactory: *And**
35 *provided further, That the Kansas highway patrol shall deposit the pro-*
36 *ceeds from the sale of personal sidearms and trigger locks to such re-*
37 *signing troopers and other sworn officers in the state treasury to the credit*
38 *of this fund.*

39 Homeland security — federal fund..... No limit

40 For patrol of Kansas turnpike fund..... No limit

41 *Provided, That expenditures shall be made from the for patrol of Kansas*
42 *turnpike fund for necessary moving expenses in accordance with K.S.A.*
43 *75-3225 and amendments thereto.*

- 1 Highway patrol motor vehicle fund No limit
- 2 Highway patrol — federal fund No limit
- 3 Kansas highway patrol state forfeiture fund No limit
- 4 Gifts and donations fund No limit
- 5 Federal forfeiture fund No limit
- 6 Motor carrier safety assistance program state fund No limit
- 7 *Provided*, That expenditures shall be made from the motor carrier safety
- 8 assistance program state fund for necessary moving expenses in accord-
- 9 ance with K.S.A. 75-3225 and amendments thereto.
- 10 Motor carrier safety assistance program — federal fund... No limit
- 11 *Provided*, That expenditures shall be made from the motor carrier safety
- 12 assistance program — federal fund for necessary moving expenses in ac-
- 13 cordance with K.S.A. 75-3225 and amendments thereto.
- 14 COPS grant — federal fund..... No limit
- 15 Highway patrol training center clearing fund..... No limit
- 16 *Provided*, That expenditures may be made from the highway patrol train-
- 17 ing center clearing fund for use of the highway patrol training center by
- 18 other state or local government agencies and not for profit organizations:
- 19 *Provided further*, That the superintendent of the Kansas highway patrol
- 20 is hereby authorized to fix, charge and collect fees for recovery of costs
- 21 associated with use of the highway patrol training center by other state
- 22 or local government agencies: *And provided further*, That such fees shall
- 23 be fixed in order to recover all or part of the expenses incurred in pro-
- 24 viding for the use of the highway patrol training center by other state or
- 25 local government agencies: *And provided further*, That all fees received
- 26 for use of the highway patrol training center by other state or local gov-
- 27 ernment agencies shall be deposited in the state treasury and credited to
- 28 this fund.
- 29 Highway safety fund No limit
- 30 Capitol area security fund..... No limit
- 31 *Provided*, That the Kansas highway patrol and any state agency which is
- 32 responsible for the operation of buildings in the capitol area are hereby
- 33 authorized to negotiate contracts for building security services: *Provided*
- 34 *further*, That any such contract shall provide for reimbursement of the
- 35 Kansas highway patrol for services rendered pursuant to such contract
- 36 and such reimbursement shall be credited to the capitol area security
- 37 fund.
- 38 Vehicle identification number fee fund..... No limit
- 39 Interagency motor vehicle fuel sales fund No limit
- 40 *Provided*, That expenditures may be made from the interagency motor
- 41 vehicle fuel sales fund to provide and sell motor vehicle fuel to local
- 42 governments and other state agencies: *Provided further*, That the super-
- 43 intendent of the Kansas highway patrol is hereby authorized to fix, charge

1 and collect fees for motor vehicle fuel sold to local governments and other
 2 state agencies: *And provided further*, That such fees shall be fixed in order
 3 to recover all or part of the expenses incurred in providing motor vehicle
 4 fuel sold to local governments and other state agencies: *And provided*
 5 *further*, That all fees received for such sales of motor vehicle fuel shall
 6 be credited to this fund.

7 ~~Kansas highway patrol operations fund \$44,390,515~~
 8 ~~*Provided*, That expenditures may be may be made from the Kansas high-~~
 9 ~~way patrol operations fund for the purchase of civilian clothing for mem-~~
 10 ~~bers of the Kansas highway patrol assigned to duties pursuant to K.S.A.~~
 11 ~~74-2105 and amendments thereto: *Provided further*, That expenditures~~
 12 ~~from this fund for official hospitality shall not exceed \$3,000. *And pro-*~~
 13 ~~*vided further*, That the superintendent shall make expenditures from the~~
 14 ~~Kansas highway patrol operations fund for necessary moving expenses in~~
 15 ~~accordance with K.S.A. 75-3225 and amendments thereto.~~

16 Motor carrier inspection fund \$529,641
 17 Highway patrol training center fund..... No limit
 18 Executive aircraft fund..... No limit

19 *Provided*, That expenditures may be made from the executive aircraft
 20 fund to provide aircraft services to other state agencies and to purchase
 21 liability and property damage insurance for state aircraft: *Provided fur-*
 22 *ther*, That the superintendent of the highway patrol is hereby authorized
 23 to fix, charge and collect fees for such aircraft services to other state
 24 agencies: *And provided further*, That such fees shall be fixed in order to
 25 recover all or part of the operating expenses incurred in providing such
 26 services: *And provided further*, That all fees received for such services
 27 shall be credited to this fund.

28 1122 program clearing fund No limit
 29 Special services fund..... \$266,516

30 ~~(b)~~ (c) On or before the 10th of each month during the fiscal year
 31 ending June 30, 2005, the director of accounts and reports shall transfer
 32 from the state general fund to the 1122 program clearing fund interest
 33 earnings based on: (1) The average daily balance of moneys in the 1122
 34 program clearing fund for the preceding month; and (2) the net earnings
 35 rate for the pooled money investment portfolio for the preceding month.

36 ~~(e)~~ (d) On July 1, 2004, the director of accounts and reports shall trans-
 37 fer \$375,049 from the motor carrier license fees fund of the state cor-
 38 poration commission to the motor carrier safety assistance program state
 39 fund of the Kansas highway patrol.

40 ~~(d)~~ (e) On January 1, 2005, the director of accounts and reports shall
 41 transfer \$375,049 from the motor carrier license fees fund of the state
 42 corporation commission to the motor carrier safety assistance program
 43 state fund of the Kansas highway patrol.

1 ~~(e)~~ **(f)** On July 1, 2004, October 1, 2004, January 1, 2005, and April 1,
2 2005, the director of accounts and reports shall transfer ~~\$11,097,628.75~~
3 **\$10,940,430.50** from the state highway fund of the department of trans-
4 portation to the ~~Kansas highway patrol operations fund of the Kansas~~
5 ~~highway patrol for the purpose of financing the Kansas highway patrol~~
6 ~~operations~~ **state general fund. In addition to other purposes for**
7 **which expenditures may be made from the state highway fund dur-**
8 **ing fiscal year 2005 and notwithstanding the provisions of K.S.A.**
9 **68-416 and amendments thereto or any other statute, transfers and**
10 **expenditures may be made from the state highway fund during**
11 **fiscal year 2005 for support and maintenance of the Kansas high-**
12 **way patrol.**

13 ~~(f)~~ **(g)** On July 1, 2004, the director of accounts and reports shall trans-
14 fer \$150,000 from the state highway fund of the department of transpor-
15 tation to the highway safety fund of the Kansas highway patrol for the
16 purpose of financing the motorist assistance program of the Kansas high-
17 way patrol.

18 ~~(g)~~ **(h)** On July 1, 2004, the director of accounts and reports shall trans-
19 fer \$260,000 from the state highway fund of the department of transpor-
20 tation to the general fees fund of the Kansas highway patrol for the pur-
21 pose of financing operating expenditures of the Kansas highway patrol.

22 ~~(h)~~ **(i)** On July 1, 2004, or as soon thereafter as moneys are available,
23 the director of accounts and reports shall transfer \$266,516 from the state
24 highway fund of the department of transportation to the special services
25 fund of the Kansas highway patrol.

26 ~~(i)~~ **(j)** On March 1, 2005, or as soon thereafter as moneys are available,
27 notwithstanding the provisions of K.S.A. 74-2136 and amendments
28 thereto or any other statute, the director of accounts and reports shall
29 transfer \$1,000,000 from the Kansas highway patrol motor vehicle fund
30 to the state general fund: *Provided*, That the transfer of such amount shall
31 be in addition to any other transfer from the Kansas state highway patrol
32 vehicle fund to the state general fund as prescribed by law: *Provided*
33 *further*, That the amount transferred from the Kansas highway patrol
34 motor vehicle fund to the state general fund pursuant to this subsection
35 is to reimburse the state general fund for accounting, auditing, budgeting,
36 legal, payroll, personnel and purchasing service and other governmental
37 services which are performed on behalf of the Kansas highway patrol by
38 other agencies which receive appropriations from the state general fund
39 to provide such services.

40 Sec. 56.

41 ATTORNEY GENERAL — KANSAS BUREAU OF
42 INVESTIGATION

43 (a) There is appropriated for the above agency from the state general

1 fund for the fiscal year ending June 30, 2005, the following:
2 Operating expenditures ~~\$12,158,153~~ **\$11,808,153**
3 *Provided*, That any unencumbered balance in the operating expenditures
4 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
5 for fiscal year 2005: *Provided, however*, That expenditures from such
6 reappropriated balance shall be made only upon approval of the state
7 finance council: *Provided further*, That expenditures from this account
8 for official hospitality shall not exceed \$750.
9 (b) There is appropriated for the above agency from the following spe-
10 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
11 moneys now or hereafter lawfully credited to and available in such fund
12 or funds, except that expenditures other than refunds authorized by law
13 shall not exceed the following:
14 Kansas bureau of investigation state forfeiture fund..... No limit
15 Kansas bureau of investigation federal forfeiture fund No limit
16 Kansas bureau of investigation federal grants fund No limit
17 *Provided*, That the above agency is authorized to make expenditures from
18 the Kansas bureau of investigation federal grants fund of any moneys
19 credited to this fund from any individual federal grant if the grant is less
20 than or equal to \$500,000 in the aggregate and the grant does not require
21 the matching expenditure of any moneys in the state treasury during the
22 current or any ensuing fiscal year, other than moneys appropriated by
23 this or other appropriation act of the 2004 regular session of the legisla-
24 ture: *Provided, however*, That, upon application to and authorization by
25 the governor, the above agency may make expenditures of moneys cred-
26 ited to this fund from any individual federal grant which is more than
27 \$500,000 in the aggregate or which requires the matching expenditure of
28 moneys in the state treasury during the current or any ensuing fiscal year
29 not appropriated by this or other appropriation act of the 2004 regular
30 session of the legislature.
31 High intensity drug trafficking area — federal fund..... No limit
32 Private detective fee fund..... \$52,624
33 **Kansas bureau of investigation motor vehicle fund... \$350,000**
34 ***Provided, That expenditures may be made from the Kansas bureau***
35 ***of investigation motor vehicle fund to acquire and sell motor ve-***
36 ***hicles for the Kansas bureau of investigation: *Provided further*, That***
37 ***all moneys received for sale of motor vehicles of the Kansas bureau***
38 ***of investigation shall be deposited in the state treasury and cred-***
39 ***ited to this fund.***
40 Forensic laboratory and materials fee fund..... No limit
41 *Provided*, That expenditures may be made from the forensic laboratory
42 and materials fee fund for the acquisition of laboratory equipment and
43 materials and for other direct or indirect operating expenditures for the

1 forensic laboratory of the Kansas bureau of investigation incurred for
 2 laboratory tests conducted for noncriminal justice entities, including gov-
 3 ernmental agencies and private organizations, which testing activity is
 4 hereby authorized: *Provided, however,* That all expenditures from this
 5 fund of moneys received as Kansas bureau of investigation laboratory
 6 analysis fees pursuant to subsection (a) of K.S.A. 28-176 and amendments
 7 thereto shall be for the purposes authorized by subsection (c) of K.S.A.
 8 28-176 and amendments thereto: *Provided further,* That the director of
 9 the Kansas bureau of investigation is hereby authorized to fix, charge and
 10 collect fees for laboratory tests conducted for such noncriminal justice
 11 entities: *And provided further,* That such fees shall be fixed in order to
 12 recover all or part of the direct and indirect operating expenses incurred
 13 for conducting laboratory tests for such noncriminal justice entities: *And*
 14 *provided further,* That all fees received for such laboratory tests, including
 15 all moneys received pursuant to subsection (a) of K.S.A. 28-176 and
 16 amendments thereto shall be deposited in the state treasury and credited
 17 to this fund.

18 KBI general fees fund..... No limit
 19 *Provided,* That expenditures may be made from the KBI general fees
 20 fund for direct or indirect operating expenditures incurred for the follow-
 21 ing activities: (1) Conducting education and training classes for special
 22 agents and other personnel, including official hospitality; (2) purchasing
 23 illegal drugs, making contacts and acquiring information leading to illegal
 24 drug outlets, contraband and stolen property, and conducting other ac-
 25 tivities for similar investigatory purposes; (3) conducting investigations
 26 and related activities for the Kansas lottery or the Kansas racing and
 27 gaming commission; (4) conducting DNA forensic laboratory tests and
 28 related activities; (5) preparing, publishing and distributing crime pre-
 29 vention materials: *Provided, however,* That the director of the Kansas
 30 bureau of investigation is hereby authorized to fix, charge and collect fees
 31 in order to recover all or part of the direct and indirect operating expenses
 32 incurred, except as otherwise hereinafter provided, for the following: (1)
 33 Education and training services made available to local law enforcement
 34 personnel in classes conducted for special agents and other personnel of
 35 the Kansas bureau of investigation; (2) investigations and related activities
 36 conducted for the Kansas lottery or the Kansas racing and gaming com-
 37 mission, except that the fees fixed for these activities shall be fixed in
 38 order to recover all of the direct and indirect expenses incurred for such
 39 investigations and related activities; (3) DNA forensic laboratory tests and
 40 related activities; (4) sale and distribution of crime prevention materials:
 41 *Provided further,* That all fees received for such activities shall be de-
 42 posited in the state treasury and credited to this fund: *And provided*
 43 *further,* That all moneys which are expended for any such evidence pur-

1 chase, information acquisition or similar investigatory purpose or activity
 2 from whatever funding source and which are recovered shall be deposited
 3 in the state treasury and credited to this fund: *And provided further*, That
 4 all moneys received as gifts, grants or donations for the preparation, pub-
 5 lication or distribution of crime prevention materials shall be deposited
 6 in the state treasury to the credit of this fund: *And provided further*, That
 7 expenditures from any moneys received from the division of alcoholic
 8 beverage control and credited to the KBI general fees fund may be made
 9 by the Kansas bureau of investigation for all purposes for which expend-
 10 itures may be made for operating expenditures.

11 Record check fee fund..... No limit
 12 *Provided*, That the director of the Kansas bureau of investigation is au-
 13 thorized to fix, charge and collect fees in order to recover all or part of
 14 the direct and indirect operating expenses for criminal history record
 15 checks conducted for noncriminal justice entities including government
 16 agencies and private organizations: *Provided, however*, That all moneys
 17 received for such fees shall be deposited in the state treasury and credited
 18 to the record check fee fund: *Provided further*, That expenditures from
 19 the record check fee fund may be made only for the expenses of con-
 20 ducting criminal history record checks.

21 **(c) On June 1, 2005, the director of accounts and reports shall**
 22 **transfer \$350,000 from the state general fund to the Kansas bu-**
 23 **reau of investigation motor vehicle fund for the purposes of ac-**
 24 **quiring and selling motor vehicles for the Kansas bureau of inves-**
 25 **tigation.**

26 Sec. 57.

27 EMERGENCY MEDICAL SERVICES BOARD

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, 2005, 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 Rural health options grant fund..... No limit
 34 Rural access to emergency devices grant — federal
 35 fund No limit
 36 Emergency medical services operating fund..... \$959,301

37 *Provided*, That the emergency medical services board is hereby author-
 38 ized to fix, charge and collect fees in order to recover costs incurred for
 39 distributing educational videos, replacing lost educational materials and
 40 mailing labels of those licensed by the board: *Provided further*, That such
 41 fees may be fixed in order to recover all or part of such costs: *And pro-*
 42 *vided further*, That all moneys received from such fees shall be deposited
 43 in the state treasury and credited to the emergency medical services op-

1 erating fund: *And provided further*, That expenditures from the emer-
2 gency medical services operating fund for the operating costs of the emer-
3 gency medical services board shall not exceed \$843,051: *And provided*
4 *further*, That expenditures from the emergency medical services oper-
5 ating fund shall not exceed \$116,250 to provide additional funding to the
6 regional councils: *And provided further*, That, notwithstanding any pro-
7 visions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of
8 any other statute to the contrary, all moneys received by the emergency
9 medical services board for fees authorized by law for licensure or the
10 issuance of permits, or for any other regulatory duties and functions pre-
11 scribed by law in the field of emergency medical services, shall be de-
12 posited in the state treasury to the credit of the emergency medical ser-
13 vices operating fund of the emergency medical services board: *And*
14 *provided further*, That expenditures from the emergency medical services
15 operating fund for official hospitality shall not exceed \$1,000.

16 (b) On July 1, 2004, or as soon thereafter as moneys are available,
17 notwithstanding the provisions of K.S.A. 2003 Supp. 75-1514 and amend-
18 ments thereto or of any other statute, the director of accounts and reports
19 shall transfer \$500,000 from the emergency medical services operating
20 fund to the state general fund: *Provided*, That the transfer of such amount
21 shall be in addition to any other transfer from the emergency medical
22 services operating fund to the state general fund as prescribed by law:
23 *Provided further*, That the amount transferred from the emergency medi-
24 cal services operating fund to the state general fund pursuant to this
25 subsection is to reimburse the state general fund for accounting, auditing,
26 budgeting, legal, payroll, personnel and purchasing services and any other
27 governmental services which are performed on behalf of the emergency
28 medical services board by other state agencies which receive appropria-
29 tions from the state general fund to provide such services.

30 (c) On December 1, 2004, and June 1, 2005, or as soon thereafter as
31 moneys are available, notwithstanding the provisions of K.S.A. 2003 Supp.
32 75-1514 and amendments thereto or of any other statute, the director of
33 accounts and reports shall transfer \$250,000 from the emergency medical
34 services operating fund to the state general fund: *Provided*, That the
35 transfer of such amount shall be in addition to any other transfer from
36 the emergency medical services operating fund to the state general fund
37 as prescribed by law: *Provided further*: That the amount transferred from
38 the emergency medical services operating fund to the state general fund
39 pursuant to this subsection is to reimburse the state general fund for
40 accounting, auditing, budgeting, legal, payroll, personnel and purchasing
41 services and any other governmental services which are performed on
42 behalf of the emergency medical services board by other state agencies
43 which receive appropriations from the state general fund to provide such

1 services.

2 Sec. 58.

3 KANSAS SENTENCING COMMISSION

4 (a) There is appropriated for the above agency from the state general
5 fund for the fiscal year ending June 30, 2005, the following:

6 Operating expenditures \$543,098

7 *Provided*, That any unencumbered balance in the operating expenditures
8 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
9 for fiscal year 2005.

10 Substance abuse treatment programs \$5,291,441

11 *Provided*, That any unencumbered balance in the substance abuse treat-
12 ment programs account in excess of \$100 as of June 30, 2004, is hereby
13 reappropriated for fiscal year 2005.

14 (b) There is appropriated for the above agency from the following spe-
15 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
16 moneys now or hereafter lawfully credited to and available in such fund
17 or funds, except that expenditures other than refunds authorized by law
18 shall not exceed the following:

19 General fees fund..... No limit

20 Statistical analysis — federal fund..... No limit

21 Sec. 59.

22 KANSAS DEPARTMENT OF AGRICULTURE

23 (a) There is appropriated for the above agency from the state general
24 fund for the fiscal year ending June 30, 2005, the following:

25 Operating expenditures \$9,563,094

26 *Provided*, That any unencumbered balance in the operating expenditures
27 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
28 for fiscal year 2005: *Provided, however*, That expenditures from such
29 reappropriated balance shall be made only upon approval of the state
30 finance council: *Provided further*, That expenditures may be made from
31 this account for expenses incurred in holding the annual meeting: *And*
32 *provided further*, That expenditures from this account for official hospi-
33 tality shall not exceed \$5,000: *And provided further*, That the above
34 agency may negotiate and enter into contracts to carry out its functions
35 at the annual meeting: *And provided further*, That such contracts shall
36 not be subject to the competitive bid requirements of K.S.A. 75-3739 and
37 amendments thereto.

38 (b) There is appropriated for the above agency from the following spe-
39 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
40 moneys now or hereafter lawfully credited to and available in such fund
41 or funds, except that expenditures other than refunds authorized by law
42 shall not exceed the following:

43 Dairy fee fund No limit

1	Meat and poultry inspection fee fund	No limit
2	Wheat quality survey fund	No limit
3	Entomology fee fund	No limit
4	Laboratory equipment fund	No limit
5	Water structures — state highway fund	\$93,856
6	Soil amendment fee fund	No limit
7	Agricultural liming materials fee fund.....	No limit
8	Weights and measures fee fund.....	No limit
9	Water appropriation certification fund	\$551,684 \$559,516
10	Water resources cost fund	No limit
11	<i>Provided</i> , That all moneys received by the secretary of agriculture from	
12	any governmental or nongovernmental source to implement the provi-	
13	sions of the Kansas water banking act, K.S.A. 2003 Supp. 82a-761 through	
14	82a-773 and amendments thereto, which are hereby authorized to be	
15	applied for and received, shall be deposited in the state treasury to the	
16	credit of the water resources cost fund.	
17	Agriculture seed fee fund	No limit
18	Chemigation fee fund	No limit
19	Agriculture statistics fund	No limit
20	Petroleum inspection fee fund	No limit
21	Water transfer hearing fund.....	No limit
22	Grain commodity commission services fund	No limit
23	Kansas agricultural remediation board fund.....	No limit
24	Kansas agricultural remediation fund.....	No limit
25	Warehouse fee fund.....	No limit
26	U.S. geological survey cooperative gauge agreement grants	
27	fund	No limit
28	<i>Provided</i> , That the secretary of agriculture is hereby authorized to enter	
29	into a cooperative gauge agreement with the United States geological	
30	survey: <i>Provided further</i> , That all moneys collected for the construction	
31	or operation of river water intake gauges shall be deposited in the state	
32	treasury and credited to the U.S. geological survey cooperative gauge	
33	agreement grants fund: <i>And provided further</i> , That expenditures may be	
34	made from this fund to pay the costs incurred in the construction or	
35	operation of river water intake gauges.	
36	Computer services fund	No limit
37	Agricultural chemical fee fund.....	No limit
38	Feeding stuffs fee fund	No limit
39	Fertilizer fee fund	No limit
40	Plant pest emergency response fund	No limit
41	Pesticide use fee fund.....	No limit
42	Geographic information system fee fund.....	No limit
43	Egg fee fund	No limit

1	Water structures fund	\$200,402	\$210,257
2	Meat and poultry inspection fund — federal		No limit
3	EPA pesticide performance partnership grant fund		No limit
4	FEMA dam safety fund.....		No limit
5	FEMA stream mapping fund		No limit
6	Pest detection and survey — federal fund.....		No limit
7	USDA NASS postage fund		No limit
8	FDA tissue residue fund — federal		No limit
9	Conversion of materials and equipment fund		No limit
10	Publications fee fund		No limit
11	<i>Provided, That expenditures may be made from the publications fee fund</i>		
12	<i>for operating expenditures related to preparation and publication of “In-</i>		
13	<i>sects in Kansas”. <i>Provided further, That, notwithstanding the provisions</i></i>		
14	<i>of K.S.A. 75-1005 and amendments thereto to the contrary, the secretary</i>		
15	<i>of agriculture is hereby authorized to enter into a contract with a com-</i>		
16	<i>mercial publisher for the printing, distribution and sale of the publication</i>		
17	<i>“Insects in Kansas”. <i>And provided further, That the secretary of agricul-</i></i>		
18	<i>ture is hereby authorized to collect fees from such commercial publisher</i>		
19	<i>pursuant to contract with the publisher for the sale of the publication:</i>		
20	<i>And provided further, That the secretary of agriculture is hereby author-</i>		
21	<i>ized to receive and accept grants, gifts, donations or funds from any non-</i>		
22	<i>federal source for the printing, publication and distribution of “Insects in</i>		
23	<i>Kansas”. <i>And provided further, That all moneys received from such fees</i></i>		
24	<i>or for such grants, gifts, donations or other funds received for such pur-</i>		
25	<i>pose, shall be deposited in the state treasury and credited to this fund.</i>		
26	<i>Provided, That expenditures may be made from the publications</i>		
27	<i>fee fund for operating expenditures related to preparation and</i>		
28	<i>publication of informational or educational materials related to</i>		
29	<i>the programs or functions of the Kansas department of agricul-</i>		
30	<i>ture: <i>Provided further, That, notwithstanding the provisions of</i></i>		
31	<i>K.S.A. 75-1005 and amendments thereto to the contrary, the sec-</i>		
32	<i>retary of agriculture is hereby authorized to enter into a contract</i>		
33	<i>with a commercial publisher for the printing, distribution and sale</i>		
34	<i>of such materials: <i>And provided further, That the secretary of agri-</i></i>		
35	<i>culture is hereby authorized to collect fees from such commercial</i>		
36	<i>publisher pursuant to contract with the publisher for the sale of</i>		
37	<i>such materials: <i>And provided further, That the secretary of agricul-</i></i>		
38	<i>ture is hereby authorized to receive and accept grants, gifts, do-</i>		
39	<i>nations or funds from any non- federal source for the printing,</i>		
40	<i>publication and distribution of such materials: <i>And provided further,</i></i>		
41	<i>That all moneys received from such fees or for such grants, gifts,</i>		
42	<i>donations or other funds received for such purpose, shall be de-</i>		
43	<i>posited in the state treasury and credited to this fund.</i>		

1 Other federal grants fund No limit
 2 *Provided*, That, the above agency is authorized to make expenditures from
 3 the other federal grants fund of any moneys credited to this fund from
 4 any individual grant if the grant is: (1) Less than or equal to \$250,000 in
 5 the aggregate, and (2) does not require the matching expenditure of any
 6 moneys in the state treasury during fiscal year 2005 other than moneys
 7 appropriated by this or other appropriation act of the 2004 regular session
 8 of the legislature: *Provided, however*, That, upon application to and au-
 9 thorization by the governor, the above agency may make expenditures of
 10 moneys credited to this fund from any individual federal grant which is
 11 more than \$250,000 in the aggregate or which requires the matching
 12 expenditure of moneys in the state treasury during fiscal year 2005, other
 13 than moneys appropriated by this or other appropriation act of the 2004
 14 regular session of the legislature: *Provided further*, That no grant for the
 15 farmers’ assistance, counseling and training program shall be deposited
 16 to the credit of this fund.

17 Civil litigation fee fund..... No limit
 18 *Provided*, That the above agency is authorized to make expenditures from
 19 the civil litigation fee fund for costs or other expenses associated with
 20 investigation and litigation regarding fraudulent meat sales: *Provided fur-*
 21 *ther*, That a portion of the moneys received by the state from fines and
 22 other moneys collected as a result of the settlement of fraudulent meat
 23 sales cases, as determined by the secretary of agriculture and the attorney
 24 general, shall be deposited in the state treasury to the credit of this fund
 25 by the attorney general.

26 Information technology fund..... No limit
 27 (c) There is appropriated for the above agency from the state water
 28 plan fund for the fiscal year ending June 30, 2005, for the water plan
 29 project or projects specified, the following:

30 Floodplain management	\$66,852
31 Interstate water issues.....	\$248,859
32 Subbasin water resources management	\$477,826 \$490,682
33 Water appropriation subprogram	\$71,302

34 *Provided*, That, notwithstanding the provisions of K.S.A. 82a-951 and
 35 amendments thereto, all moneys in the water appropriation subprogram
 36 account of the state water plan fund shall be expended for salaries and
 37 wages, including associated employer contributions.

38 Water use..... \$60,018

39 (d) During the fiscal year ending June 30, 2005, the secretary of agri-
 40 culture, with the approval of the director of the budget, may transfer any
 41 part of any item of appropriation for fiscal year 2005 from the state water
 42 plan fund for the Kansas department of agriculture to another item of
 43 appropriation for fiscal year 2005 from the state water plan fund for the

1 Kansas department of agriculture: *Provided*, That the secretary of agri-
2 culture shall certify each such transfer to the director of accounts and
3 reports and shall transmit a copy of each such certification to the director
4 of the legislative research department.

5 (e) On July 1, 2004, the director of accounts and reports shall transfer
6 \$88,259 from the state highway fund of the department of transportation
7 to the water structures — state highway fund of the Kansas department
8 of agriculture.

9 ~~Sec. 60. (a) In addition to the other purposes for which expenditures~~
10 ~~may be made by the Kansas department of agriculture from moneys ap-~~
11 ~~propriated from the state general fund or any special revenue funds for~~
12 ~~fiscal year 2005 for the Kansas department of agriculture as authorized~~
13 ~~by this or other appropriation act of the 2004 regular session of the leg-~~
14 ~~islature, expenditures shall be made by the Kansas department of agri-~~
15 ~~culture from moneys appropriated from the state general fund or any~~
16 ~~special revenue funds for fiscal year 2005, in addition to other statutory~~
17 ~~implementation requirements of the meat and poultry inspection sub-~~
18 ~~program of the Kansas department of agriculture, to: (1) Continue pro-~~
19 ~~cedures to provide for annual or updated training for authorized repre-~~
20 ~~sentatives and inspectors of the meat and poultry inspection subprogram~~
21 ~~and to allow the owners of facilities regulated under the meat and poultry~~
22 ~~inspection subprogram to attend and participate at the annual training~~
23 ~~workshop for the meat and poultry inspection subprogram; and (2) make~~
24 ~~available to such owners and other interested persons an inspection hand-~~
25 ~~book describing the duties and responsibilities of such authorized rep-~~
26 ~~resentatives and inspectors of the meat and poultry inspection subpro-~~
27 ~~gram.~~

28 ~~—(b) In addition to the other purposes for which expenditures may be~~
29 ~~made by the Kansas department of agriculture and Kansas state university~~
30 ~~from moneys appropriated from the state general fund or any special~~
31 ~~revenue funds for fiscal year 2005 for the Kansas department of agricul-~~
32 ~~ture and Kansas state university as authorized by this or other appropri-~~
33 ~~ation act of the 2004 regular session of the legislature, expenditures shall~~
34 ~~be made by the Kansas department of agriculture and Kansas state uni-~~
35 ~~versity from moneys appropriated from the state general fund or any~~
36 ~~special revenue funds for fiscal year 2005 to provide technical assistance~~
37 ~~to the department of commerce to update a marketing handbook that~~
38 ~~shall include, in addition to other information and strategies, (1) methods~~
39 ~~to facilitate the development and marketing of Kansas grown meat prod-~~
40 ~~ucts with meat products producers and with owners of facilities selling or~~
41 ~~providing value-added services to meat products, (2) methods to promote~~
42 ~~sales of Kansas meat products, and (3) a listing of resource contact infor-~~
43 ~~mation.~~

1 —(c) In addition to the other purposes for which expenditures may be
 2 made by the department of commerce from moneys appropriated from
 3 the state general fund or any special revenue funds for fiscal year 2005
 4 for the department of commerce as authorized by this or other appro-
 5 priation act of the 2004 regular session of the legislature, expenditures
 6 shall be made by the department of commerce from moneys appropriated
 7 from the state general fund or any special revenue funds for fiscal year
 8 2005 to conduct a survey of other state or regional programs that offer
 9 marketing ideas and strategies to assist small meat locker owners in Kan-
 10 sas and shall make the information derived from the survey available to
 11 such meat locker owners.

12 **(f) There is appropriated for the Kansas department of agricul-**
 13 **ture from the state water plan fund for the fiscal year ending June**
 14 **30, 2005, from amounts first released from amounts encumbered**
 15 **by the Kansas department of agriculture, the department of health**
 16 **and environment, the state conservation commission, the Kansas**
 17 **water office, or any other state agency from the state water plan**
 18 **fund, or any account thereof, the amount of \$110,447 for the water**
 19 **appropriation subprogram of the state water plan fund of the Kan-**
 20 **sas department of agriculture.**

21 Sec. ~~61~~ 60.

22 KANSAS ANIMAL HEALTH DEPARTMENT

23 (a) There is appropriated for the above agency from the state general
 24 fund for the fiscal year ending June 30, 2005, the following:

25 Operating expenditures \$572,345

26 *Provided*, That any unencumbered balance in the operating expenditures
 27 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 28 for fiscal year 2005: *Provided, however*, That expenditures from such
 29 reappropriated balance shall be made only upon approval of the state
 30 finance council.

31 (b) There is appropriated for the above agency from the following spe-
 32 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 33 moneys now or hereafter lawfully credited to and available in such fund
 34 or funds, except that expenditures other than refunds authorized by law
 35 shall not exceed the following:

36 Animal disease control fund No limit

37 *Provided*, That expenditures from the animal disease control fund for
 38 official hospitality shall not exceed \$450.

39 Animal dealers fee fund No limit

40 *Provided*, That expenditures from the animal dealers fee fund for official
 41 hospitality shall not exceed \$300.

42 Veterinary inspection fee fund No limit

43 Livestock market brand inspection fee fund No limit

1 Livestock brand fee fund..... No limit
 2 *Provided*, That expenditures from the livestock brand fee fund for official
 3 hospitality shall not exceed \$250.
 4 Livestock brand emergency revolving fund..... No limit
 5 County option brand fee fund..... No limit
 6 Livestock and pseudorabies indemnity fund No limit
 7 Legal services fund..... No limit
 8 *Provided*, That all moneys received by the animal health department from
 9 other state agencies pursuant to one or more interagency agreements for
 10 the provision of legal services, which agreements are hereby authorized
 11 and directed to be entered into, shall be credited to the legal services
 12 fund: *Provided further*, That all expenditures from the legal services fund
 13 shall be for contractual legal services to be provided to the animal health
 14 department and such other state agencies pursuant to such interagency
 15 agreements.

16 Sec. ~~62~~ **61**.

17 STATE FAIR BOARD

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, 2005, all
 20 moneys now or hereafter lawfully credited to and available in such fund
 21 or funds, except that expenditures, other than refunds authorized by law
 22 and remittances of sales tax to the department of revenue, shall not exceed
 23 the following:

24 State fair fee fund No limit
 25 *Provided*, That expenditures from the state fair fee fund for official hos-
 26 pitality shall not exceed \$10,000.
 27 State fair federal transfer fund No limit
 28 State fair special cash fund No limit
 29 State fair debt service special revenue fund..... No limit

30 (b) There is appropriated for the above agency from the state general
 31 fund for the fiscal year ending June 30, 2005, the following:

32 State fair debt service \$655,133

33 Sec. ~~63~~ **62**.

34 STATE CONSERVATION COMMISSION

35 (a) There is appropriated for the above agency from the state general
 36 fund for the fiscal year ending June 30, 2005, the following:

37 Operating expenditures ~~\$592,127~~ **\$1,032,618**

38 *Provided*, That any unencumbered balance in the operating expenditures
 39 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 40 for fiscal year 2005.

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, 2005, 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 Land reclamation fee fund.....	No limit
4 Riparian & wetland areas project — federal fund.....	No limit
5 Watershed protect approach/WTR RSRCE MGT fund....	No limit
6 Conversion of materials and equipment fund	No limit
7 Buffer participation incentive fund.....	No limit
8 Riparian participation incentive fund.....	No limit
9 Environmental improvement incentives fund.....	No limit
10 Kansas natural resource legacy alliance fund.....	No limit

11 *Provided*, That all moneys received by the state conservation commission
12 pursuant to agreements entered into with the other state agencies having
13 powers, duties and functions relating to the goals and priorities which
14 may be developed and included in the vision to be developed by the
15 Kansas natural resource legacy alliance pursuant to K.S.A. 2003 Supp. 2-
16 1922 and amendments thereto for utilizing the state’s natural resources,
17 which agreements are hereby authorized to be entered into by the state
18 conservation commission and such other state agencies, shall be deposited
19 in the state treasury to the credit of the Kansas natural resource legacy
20 alliance fund: *Provided further*, That all moneys received by the state
21 conservation commission for gifts, grants or donations for the Kansas nat-
22 ural resource legacy alliance, which are hereby authorized to be received
23 on behalf of the Kansas natural resource legacy alliance, shall be deposited
24 in the state treasury to the credit of this fund.

25 (c) There is appropriated for the above agency from the state water
26 plan fund for the fiscal year ending June 30, 2005, for the following water
27 plan project or projects specified, the following:

28 Land treatment cost share	\$3,495,218
------------------------------------	-------------

29 *Provided*, That any unencumbered balance in the land treatment cost
30 share account in excess of \$100 as of June 30, 2004, is hereby reapprop-
31 riated for fiscal year 2005: *Provided further*, That expenditures from the
32 land treatment cost share account shall be for cost-sharing grants for
33 construction of enduring water conservation structures on privately and
34 publicly owned land in conservation districts which are needed for de-
35 velopment and improvement of the quality and quantity of Kansas water
36 resources: *And provided further*, That an amount of not to exceed
37 \$2,720,000 of the initial allocation among conservation districts for such
38 grants for fiscal year 2005 shall be on the basis of allocating 60% of the
39 amount equally among all conservation districts and allocating 40% of the
40 amount to be initially allocated proportionally among all conservation dis-
41 tricts on the basis of an index composed of the measurement of nonfed-
42 eral rural acreage, erosion potential and rainfall in all conservation dis-
43 tricts, as determined by the state conservation commission: *And provided*

1 *further*, That the balance of the initial allocation for such grants for fiscal
 2 year 2005 shall be allocated to conservation districts on a priority basis,
 3 as determined by the state conservation commission and the provisions
 4 of the state water plan: *And provided further*, That expenditures from
 5 this account for contractual technical expertise shall not exceed the
 6 amount equal to 6% of the approved budget amount for fiscal year 2005
 7 for the land treatment cost share programs account.

8 Nonpoint source pollution assistance \$2,799,520
 9 *Provided*, That any unencumbered balance in the nonpoint source pol-
 10 lution assistance account in excess of \$100 as of June 30, 2004, is hereby
 11 reappropriated for fiscal year 2005.

12 Conservation district aid \$1,043,000
 13 *Provided*, That any unencumbered balance in the conservation district
 14 aid account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 15 for fiscal year 2005.

16 Watershed dam construction ~~\$352,499~~ **\$452,499**
 17 *Provided*, That any unencumbered balance in the watershed dam con-
 18 struction account in excess of \$100 as of June 30, 2004, is hereby reap-
 19 propriated for fiscal year 2005: *Provided further*, That expenditures from
 20 the watershed dam construction account are hereby authorized for en-
 21 gineering contracts for watershed planning as determined by the state
 22 conservation commission: *Provided, however*, That expenditures from
 23 this account for such engineering contracts for watershed planning shall
 24 not exceed \$50,000.

25 Kansas water quality buffer initiatives \$307,157
 26 *Provided*, That any unencumbered balance in the Kansas water quality
 27 buffer initiatives account in excess of \$100 as of June 30, 2004, is hereby
 28 reappropriated for fiscal year 2005: *Provided further*, That all expendi-
 29 tures from the Kansas water quality buffer initiatives account shall be for
 30 grants or incentives to install water quality best management practices
 31 under the governor’s water quality initiative: *And provided further*, That
 32 such expenditures may be made from this account from the approved
 33 budget amount for fiscal year 2005 in accordance with contracts, which
 34 are hereby authorized to be entered into by the executive director of the
 35 state conservation commission on behalf of the commission, for such
 36 grants or incentives: *Provided, however*, That expenditures from this ac-
 37 count for contractual educational and technical assistance for fiscal year
 38 2005 shall not exceed \$40,000.

39 Riparian and wetland program \$249,782
 40 *Provided*, That any unencumbered balance in the riparian and wetland
 41 program account in excess of \$100 as of June 30, 2004, is hereby reap-
 42 propriated for fiscal year 2005.

43 (d) During the fiscal year ending June 30, 2005, the executive director

1 of the state conservation commission, with the approval of the director
 2 of the budget, may transfer any part of any item of appropriation for fiscal
 3 year 2005 from the state water plan fund for the state conservation com-
 4 mission to another item of appropriation for fiscal year 2005 from the
 5 state water plan fund for the state conservation commission: *Provided*,
 6 That the executive director of the state conservation commission shall
 7 certify each such transfer to the director of accounts and reports and shall
 8 transmit a copy of each such certification to the director of the legislative
 9 research department.

10 (e) On July 1, 2004, or as soon thereafter as moneys are available there-
 11 for, the director of accounts and reports shall transfer \$150,000 from the
 12 wildlife fee fund of the department of wildlife and parks to the buffer
 13 participation incentive fund of the state conservation commission.

14 Sec. ~~64~~ 63.

15 KANSAS WATER OFFICE

16 (a) There is appropriated for the above agency from the state general
 17 fund for the fiscal year ending June 30, 2005, the following:

18 Water resources operating expenditures \$1,270,794

19 *Provided*, That any unencumbered balance in the water resources oper-
 20 ating expenditures account in excess of \$100 as of June 30, 2004, is hereby
 21 reappropriated for fiscal year 2005: *Provided, however*, That expenditures
 22 from such reappropriated balance shall not exceed \$27,060 except upon
 23 approval of the state finance council: *Provided further*, That expenditures
 24 from this account for official hospitality shall not exceed \$250.

25 (b) There is appropriated for the above agency from the following spe-
 26 cial revenue fund or funds for the fiscal year ending June 30, 2005, 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 Conversion of materials and equipment fund No limit

30 Local water project match fund No limit

31 *Provided*, That all moneys received from local government entities and
 32 instrumentalities to be used to match funds for water projects shall be
 33 deposited in the state treasury to the credit of the local water project
 34 match fund: *Provided further*, That all moneys credited to this fund shall
 35 be used to match state funds for water projects using federal cost-share
 36 funds.

37 Water supply storage assurance fund No limit

38 *Provided*, That any moneys deposited to the credit of the water supply
 39 storage assurance fund which are received from a water assurance district
 40 shall be credited to a separate subaccount: *Provided further*, That moneys
 41 in such subaccounts may be transferred to the water marketing fund for
 42 (1) payment to the federal government of annual capital costs of water
 43 supply storage in federal reservoirs under the water assurance program

1 act, (2) payment and reimbursement to the water marketing fund for
 2 water supply storage space previously paid for with revenue from the
 3 water marketing fund, if such storage space has been transferred to the
 4 water assurance program, (3) payment to the federal government of an-
 5 nual operation, maintenance and repair costs associated with the water
 6 supply storage space dedicated for the use of water assurance districts,
 7 and (4) payment and reimbursement to the water marketing fund and
 8 the state general fund for costs incurred by the state for the administration
 9 and enforcement of applicable state laws governing the operations and
 10 management of the water assurance program as provided in contracts
 11 with water assurance districts: *And provided further*, That no additional
 12 water supply storage space shall be purchased in Milford, Perry or Tuttle
 13 Creek reservoirs during fiscal year 2005.

14 State conservation storage water supply fund.....	\$0
15 Water marketing fund.....	No limit
16 Federal grants and receipts fund	No limit
17 General fees fund.....	No limit

18 *Provided*, That expenditures may be made from the general fees fund for
 19 operating expenditures for the Kansas water office, including training and
 20 informational programs and official hospitality: *Provided further*, That the
 21 director of the Kansas water office is hereby authorized to fix, charge and
 22 collect fees for such programs: *And provided further*, That fees for such
 23 programs shall be fixed in order to recover all or part of the operating
 24 expenses incurred for such programs, including official hospitality: *And*
 25 *provided further*, That all fees received for such programs and all fees
 26 received for providing access to or for furnishing copies of public records
 27 shall be deposited in the state treasury and credited to this fund.

28 Water conservation projects fund.....	\$0
29 Water plan projects fund	No limit

30 (c) There is appropriated for the above agency from the state water
 31 plan fund for the fiscal year ending June 30, 2005, for the state water
 32 plan project or projects specified, the following:

33 Assessment and evaluation.....	\$108,511
34 GIS data base development	\$247,405

35 *Provided*, That any unencumbered balance in the GIS data base devel-
 36 opment account in excess of \$100 as of June 30, 2004, is hereby reap-
 37 propriated for fiscal year 2005.

38 MOU — storage operations and maintenance	\$450,151
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39 *Provided*, That any unencumbered balance in the MOU — storage op-
 40 erations and maintenance account in excess of \$100 as of June 30, 2004,
 41 is hereby reappropriated for fiscal year 2005.

42 PMIB loan payment for storage.....	\$240,036
43 Stream gauging program	\$378,878

1	Technical assistance to water users	\$180,131
2	Water planning process	\$313,205
3	Water resource education	\$29,690
4	Weather modification program	\$120,000
5	Kansas water authority	\$37,384

6 (d) During the fiscal year ending June 30, 2005, the director of the
 7 Kansas water office, with approval of the director of the budget, may
 8 transfer any part of any item of appropriation for fiscal year 2005 from
 9 the state water plan fund for the Kansas water office to another item of
 10 appropriation for fiscal year 2005 from the state water plan fund for the
 11 Kansas water office: *Provided, however*, That the director of the Kansas
 12 water office shall certify each such transfer to the director of accounts
 13 and reports and shall transmit a copy of each such certification to the
 14 director of the legislative research department.

15 (e) During the fiscal year ending June 30, 2005, the director of accounts
 16 and reports shall transfer an amount or amounts specified by the director
 17 of the Kansas water office from the state water plan fund to the water
 18 plan projects fund of the Kansas water office, except that such transfers
 19 shall only be made upon the approval of the director of the budget. The
 20 director of the Kansas water office shall certify each such transfer to the
 21 director of accounts and reports and shall transmit a copy of each such
 22 certification to the director of legislative research department.

23 (f) During the fiscal year ending June 30, 2005, if it appears that the
 24 resources are insufficient to meet in full the estimated expenditures as
 25 they become due to meet the financial obligations imposed by law on the
 26 water marketing fund of the Kansas water office as a result of a cash flow
 27 shortfall, the pooled money investment board is authorized and directed
 28 to loan to the director of the Kansas water office a sufficient amount or
 29 amounts of moneys to maintain the cash flow of the water marketing fund
 30 upon approval of each such loan by the state finance council acting on
 31 this matter which is hereby characterized as a matter of legislative dele-
 32 gation and subject to the guidelines prescribed in subsection (c) of K.S.A.
 33 75-3711c and amendments thereto. No such loan shall be made unless
 34 the terms thereof have been approved by the director of the budget. A
 35 copy of the terms of each such loan shall be submitted to the director of
 36 the legislative research department. The pooled money investment board
 37 is authorized and directed to use any moneys in the operating accounts,
 38 investment accounts or other investments of the state of Kansas to provide
 39 the funds for each such loan. Each such loan shall be repaid without
 40 interest within one year from the date of the loan.

41 (g) During the fiscal year ending June 30, 2005, if it appears that the
 42 resources are insufficient to meet in full the estimated expenditures as
 43 they become due to meet the financial obligations imposed by law on the

1 water marketing fund of the Kansas water office as a result of increases
2 in water rates, fees or charges imposed by the federal government, the
3 pooled money investment board is authorized and directed to loan to the
4 director of the Kansas water office a sufficient amount or amounts of
5 moneys to reimburse the water marketing fund for increases in water
6 rates, fees or charges imposed by the federal government and to allow
7 the Kansas water office to spread such increases to consumers over a
8 longer period, except that no such loan shall be made unless the terms
9 thereof have been approved by the state finance council acting on this
10 matter which is hereby characterized as a matter of legislative delegation
11 and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-
12 3711c and amendments thereto. The pooled money investment board is
13 authorized and directed to use any moneys in the operating accounts,
14 investment accounts or other investments of the state of Kansas to provide
15 the funds for each such loan. Each such loan shall bear interest at a rate
16 equal to the net earnings rate for the pooled money investment portfolio
17 at the time of the making of such loan. Such loan shall not be deemed to
18 be an indebtedness or debt of the state of Kansas within the meaning of
19 section 6 of article 11 of the constitution of the state of Kansas. Upon
20 certification by the pooled money investment board by the director of the
21 Kansas water office of the amount of each loan authorized pursuant to
22 this subsection, the pooled money investment board shall transfer each
23 such amount certified by the director of the Kansas water office from the
24 state bank account or accounts to the water marketing fund of the Kansas
25 water office. The principal and interest of each loan authorized pursuant
26 to this subsection shall be repaid in payments payable at least annually
27 for a period of not more than five years.

28 (h) During the fiscal year ending June 30, 2005, the director of accounts
29 and reports shall transfer an amount or amounts specified by the director
30 of the Kansas water office prior to April 1, 2005, from the water marketing
31 fund to the state general fund, in accordance with the provisions of the
32 state water plan storage act and amendments thereto and rules and reg-
33 ulations adopted thereunder, for the purposes of making repayments to
34 the state general fund for moneys advanced for annual capital cost pay-
35 ments for water supply storage space in reservoirs and for administration
36 and enforcement costs of the state associated with the state water plan
37 storage act, and amendments thereto.

38 **(i) During the fiscal year ending June 30, 2005, no expenditures**
39 **shall be made by the Kansas water office from any moneys appro-**
40 **priated by this or other appropriation act of the 2004 regular ses-**
41 **sion from the state general fund or any special revenue fund for**
42 **fiscal year 2005 for the release of any water in Cedar Bluff reser-**
43 **voir under the control of the state of Kansas for any environmental,**

1 **domestic, municipal, industrial or irrigation purposes, except that**
2 **expenditures may be made by the Kansas water office for the re-**
3 **lease of such waters for the purpose of the operations of facilities**
4 **of the department of wildlife and parks below the dam of the Ce-**
5 **dar Bluff reservoir.**

6 Sec. ~~65~~ 64.

7 DEPARTMENT OF WILDLIFE AND PARKS

8 (a) There is appropriated for the above agency from the state general
9 fund for the fiscal year ending June 30, 2005, the following:

10 Operating expenditures \$2,732,319
11 *Provided*, That any unencumbered balance in the operating expenditures
12 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
13 for fiscal year 2005: *Provided, however*, That expenditures from such
14 reappropriated balance shall be made only upon approval of the state
15 finance council: *Provided further*, That expenditures from this account
16 for official hospitality shall not exceed \$1,000.

17 (b) There is appropriated for the above agency from the following spe-
18 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
19 moneys now or hereafter lawfully credited to and available in such fund
20 or funds, except that expenditures other than refunds authorized by law
21 shall not exceed the following:

22 Wildlife fee fund \$16,477,049
23 *Provided*, That additional expenditures may be made from the wildlife
24 fee fund for fiscal year 2005 for the purposes of compensating federal aid
25 program expenditures if necessary in order to comply with requirements
26 established by the United States fish and wildlife service for the utilization
27 of federal aid funds: *Provided further*, That all such expenditures shall be
28 in addition to any expenditure limitation imposed upon the wildlife fee
29 fund for fiscal year 2005: *And provided further*, That the secretary of
30 wildlife and parks shall report all such expenditures to the governor and
31 the legislature as appropriate: *And provided further*, That expenditures
32 from this fund for official hospitality shall not exceed \$1,000.

33 Parks fee fund \$6,726,465
34 *Provided*, That additional expenditures may be made from the parks fee
35 fund for fiscal year 2005 for the purposes of compensating federal aid
36 program expenditures if necessary in order to comply with requirements
37 established by the United States fish and wildlife service for the utilization
38 of federal aid funds: *Provided further*, That all such expenditures shall be
39 in addition to any expenditure limitation imposed upon the parks fee fund
40 for fiscal year 2005: *And provided further*, That the secretary of wildlife
41 and parks shall report all such expenditures to the governor and the leg-
42 islature as appropriate.

43 Boating fee fund \$736,406

1 *Provided*, That additional expenditures may be made from the boating
 2 fee fund for fiscal year 2005 for the purposes of compensating federal aid
 3 program expenditures if necessary in order to comply with requirements
 4 established by the United States fish and wildlife service for the utilization
 5 of federal aid funds: *Provided further*, That all such expenditures shall be
 6 in addition to any expenditure limitation imposed upon the boating fee
 7 fund for fiscal year 2005: *And provided further*, That the secretary of
 8 wildlife and parks shall report all such expenditures to the governor and
 9 the legislature as appropriate: *And provided further*, That expenditures
 10 from this fund for official hospitality shall not exceed \$1,000.

11 Central aircraft fund No limit

12 *Provided*, That expenditures may be made by the above agency from the
 13 central aircraft fund for aircraft operating expenditures, for aircraft main-
 14 tenance and repair, to provide aircraft services to other state agencies,
 15 and for the purchase of state aircraft insurance: *Provided further*, That
 16 the secretary of wildlife and parks is hereby authorized to fix, charge and
 17 collect fees for the provision of aircraft services to other state agencies:
 18 *And provided further*, That such fees shall be fixed to recover all or part
 19 of the operating expenditures incurred in providing such services: *And*
 20 *provided further*, That all fees received for such services shall be credited
 21 to this fund.

22 Wildlife and parks nonrestricted fund..... No limit

23 *Provided*, That all moneys received under K.S.A. 32-990, 32-991, 32-992,
 24 32-993, 32-994 and 32-1173 and amendments thereto, other than moneys
 25 restricted by K.S.A. 32-990, 32-991, 32-992, 32-993, 32-994 and 32-1173
 26 and amendments thereto, shall be deposited in the state treasury and
 27 credited to the wildlife and parks nonrestricted fund: *Provided further*,
 28 That expenditures from this fund may be made for federal aid eligible
 29 expenditures at the discretion of the secretary of wildlife and parks.

30 Prairie spirit rails-to-trails fee fund..... No limit

31 Nongame wildlife improvement fund No limit

32 Wildlife conservation fund No limit

33 Federally licensed wildlife areas fund No limit

34 State agricultural production fund..... No limit

35 Land and water conservation fund — state No limit

36 Land and water conservation fund — local No limit

37 Development and promotions fund..... No limit

38 Department of wildlife and parks private gifts and dona-
 39 tions fund..... No limit

40 Fish and wildlife restitution fund..... No limit

41 Parks restitution fund..... No limit

42 Nonfederal grants fund No limit

43 Other federal grants fund No limit

1 *Provided*, That the above agency is authorized to make expenditures from
 2 the other federal grants fund of any moneys credited to this fund from
 3 any individual grant if the grant is: (1) Less than or equal to \$750,000 in
 4 the aggregate, and (2) does not require the matching expenditure of any
 5 other moneys in the state treasury during fiscal year 2005 other than
 6 moneys appropriated by this or other appropriation act of the 2004 reg-
 7 ular session of the legislature: *Provided, however*, That, upon application
 8 to and authorization by the governor, the above agency may make ex-
 9 penditures of moneys credited to this fund from any individual federal
 10 grant which is more than \$750,000 in the aggregate or which requires the
 11 matching expenditure of moneys in the state treasury during the current
 12 or any ensuing fiscal year: *Provided further*, That, subject to the provisions
 13 of the other provisos prescribing guidelines for authority to make ex-
 14 penditures from the other federal grants fund, expenditures may be made
 15 from the other federal grants fund for capital improvements.

16	Suspense fund	No limit
17	Employee maintenance deduction clearing fund	No limit
18	Cabin revenue fund	No limit
19	Wildlife conservation fund — federal	No limit
20	Boating fund — federal.....	No limit
21	Wildlife fund — federal	No limit

22 (c) In addition to the other purposes for which expenditures may be
 23 made by the department of wildlife and parks from the moneys appro-
 24 priated in the parks fee fund for fiscal year 2005 as authorized by this or
 25 other appropriation act of the 2004 regular session of the legislature,
 26 expenditures may be made from the parks fee fund for fiscal year 2005
 27 for operating expenditures and capital improvement projects for the pur-
 28 poses of maintaining and repairing the Prairie Spirit rail trail in Allen,
 29 Anderson and Franklin counties, including, but not limited to, the ex-
 30 penses of operating of park equipment by employees of the department
 31 of wildlife and parks that are assigned to the state park system.

32 **Sec. 66 65.**

33 **DEPARTMENT OF TRANSPORTATION**

34 (a) There is appropriated for the above agency from the following spe-
 35 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 36 moneys now or hereafter lawfully credited to and available in such fund
 37 or funds, except that expenditures shall not exceed the following:

38	State highway fund	No limit
39	<i>Provided</i> , That no expenditures may be made from the state highway fund	
40	other than for the purposes specifically authorized by this or other ap-	
41	propriation act.	
42	Special city and county highway fund	No limit
43	County equalization and adjustment fund	\$2,500,000

1	Highway special permits fund	No limit
2	Highway bond debt service fund	No limit
3	Rail service improvement fund	No limit
4	Transportation revolving fund	No limit
5	Rail service assistance program loan guarantee fund	No limit
6	Railroad rehabilitation loan guarantee fund	No limit
7	<i>Provided</i> , That expenditures from the railroad rehabilitation loan guar-	
8	antee fund shall not exceed the amount which the secretary of transpor-	
9	tation is obligated to pay during the fiscal year ending June 30, 2004, in	
10	satisfaction of liabilities arising from the unconditional guarantee of pay-	
11	ment which was entered into by the secretary of transportation in con-	
12	nection with the mid-states port authority federally taxable revenue re-	
13	funding bonds, series 1994, dated May 1, 1994, authorized by K.S.A.	
14	12-3420 and amendments thereto and guaranteed pursuant to K.S.A. 75-	
15	5031 and amendments thereto.	
16	Interagency motor vehicle fuel sales fund	No limit
17	<i>Provided</i> , That expenditures may be made from the interagency motor	
18	vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas	
19	highway patrol: <i>Provided further</i> , That the secretary of transportation is	
20	hereby authorized to fix, charge and collect fees for motor vehicle fuel	
21	sold to the Kansas highway patrol: <i>And provided further</i> , That such fees	
22	shall be fixed in order to recover all or part of the expenses incurred in	
23	providing motor vehicle fuel to the Kansas highway patrol: <i>And provided</i>	
24	<i>further</i> , That all fees received for such sales of motor vehicle fuel shall	
25	be credited to this fund.	
26	Coordinated public transportation assistance fund	No limit
27	Public use general aviation airport development fund	No limit
28	Highway bond proceeds fund	No limit
29	(b) Expenditures may be made by the above agency for the fiscal year	
30	ending June 30, 2005, from the state highway fund for the following	
31	specified purposes: <i>Provided</i> , That expenditures from the state highway	
32	fund for fiscal year 2005 other than refunds authorized by law for the	
33	following specified purposes shall not exceed the limitations prescribed	
34	therefor as follows:	
35	Agency operations	\$238,895,934
36	<i>Provided</i> , That expenditures from the agency operations account of the	
37	state highway fund for official hospitality by the secretary of transporta-	
38	tion shall not exceed \$1,000: <i>Provided, however</i> , That expenditures may	
39	be made from this account for state aircraft insurance: <i>Provided further</i> ,	
40	That expenditures may be made from this account for engineering serv-	
41	ices furnished to counties for road and bridge projects under K.S.A. 68-	
42	402e and amendments thereto.	
43	Conference fees	No limit

1 *Provided*, That the secretary of transportation is hereby authorized to fix,
 2 charge and collect conference, training and workshop attendance and
 3 registration fees for conferences, training seminars and workshops spon-
 4 sored or cosponsored by the department: *Provided further*, That such
 5 fees shall be deposited in the state treasury and credited to the conference
 6 fees account of the state highway fund: *And provided further*, That ex-
 7 penditures may be made from this account to defray all or part of the
 8 costs of the conferences, training seminars and workshops.

9 Substantial maintenance	No limit
10 Claims	No limit
11 Payments for city connecting links	\$3,360,000
12 Federal local aid programs.....	No limit
13 Pre-1992 bond services fees.....	No limit
14 Construction, remodeling and special maintenance pro- 15 jects for buildings	\$4,635,671

16 *Provided*, That expenditures may be made from the construction, re-
 17 modeling and special maintenance projects for buildings account of the
 18 state highway fund of amounts in unexpended balances as of June 30,
 19 2004, in capital improvement project accounts of projects approved for
 20 prior fiscal years: *Provided further*, That expenditures from this account
 21 of amounts in such unexpended balances shall be in addition to any ex-
 22 penditure limitation imposed on this account for fiscal year 2005.

23 Other capital improvements..... No limit

24 *Provided*, That the secretary of transportation is authorized to undertake
 25 a program to assist cities and counties with railroad crossings of roads not
 26 on the state highway system.

27 (c) On April 1, 2005, the director of accounts and reports shall transfer
 28 from the motor pool service fund of the department of administration to
 29 the state highway fund of the department of transportation an amount
 30 determined to be equal to the sum of the annual vehicle registration fees
 31 for each vehicle owned or leased by the state or any state agencies in
 32 accordance with K.S.A. 75-4611 and amendments thereto.

33 (d) During the fiscal year ending June 30, 2005, upon notification from
 34 the secretary of transportation that an amount is due and payable from
 35 the railroad rehabilitation loan guarantee fund, the director of accounts
 36 and reports shall transfer from the state highway fund to the railroad
 37 rehabilitation loan guarantee fund the amount certified by the secretary
 38 as due and payable.

39 (e) Any transfer of money or payment for services during the fiscal year
 40 ending June 30, 2005, from the state highway fund to other state agencies
 41 shall be in addition to any expenditure limitation imposed on the state
 42 highway fund for the fiscal year ending June 30, 2005.

43 (f) For the fiscal year ending June 30, 2005, the department of trans-

1 portation shall prepare and submit along with the documents required
2 under K.S.A. 75-3717 and amendments thereto additional documents
3 that present the revenues, transfers, and expenditures that are considered
4 to be in support of the comprehensive transportation program authorized
5 by K.S.A. 68-2314a *et seq.*, and amendments thereto: *Provided*, That doc-
6 uments shall include both reportable as well as nonreportable and off-
7 budget items that reflect the revenues, transfers and expenditures asso-
8 ciated with the comprehensive transportation program.

9 (g) *Kansas savings incentive program.* (1) In addition to other expend-
10 itures authorized by law, expenditures may be made from the agency
11 operations account of the state highway fund appropriated by this act for
12 the fiscal year ending June 30, 2005, by the department of transportation
13 for the following purposes: (A) Salary bonus payments and the cost of
14 non-monetary awards in accordance with the provisions of K.S.A. 2003
15 Supp. 75-37,105 and amendments thereto, (B) purchase or other acqui-
16 sition of technology equipment which was included in the budget esti-
17 mates for fiscal year 2005 submitted by the state agency pursuant to
18 K.S.A. 75-3717 and amendments thereto, and (C) professional develop-
19 ment training including official hospitality: *Provided*, That all such ex-
20 penditures from such fund for fiscal year 2005 shall be in addition to any
21 expenditure limitation imposed on the agency operations account of the
22 state highway fund for fiscal year 2005: *Provided, however*, That the total
23 amount of such expenditures from the agency operations account of the
24 state highway fund for fiscal year 2005 shall not exceed the amount equal
25 to 50% of the unexpended portion of the amount authorized to be ex-
26 pended from the agency operations account of the state highway fund for
27 fiscal year 2004 for agency operations, as determined by the director of
28 accounts and reports: *Provided further*, That the total cost of all such
29 non-monetary awards to any individual employee during fiscal year 2005
30 under this subsection shall not exceed \$3,500: *And provided further*, That
31 the total amount of any salary bonus payments to any individual employee
32 during fiscal year 2005 pursuant to subsection (g)(1)(A) of K.S.A. 2003
33 Supp. 75-37,105 and amendments thereto shall not exceed \$3,500: *And*
34 *provided further*, That the provisions of this subsection (g)(1) shall apply
35 only to: (A) That portion of the moneys in the agency operations account
36 of the state highway fund from which expenditures may be made for
37 agency operations, and (B) shall not include that portion of moneys which
38 may be expended for other operating expenses in the regular maintenance
39 subprogram.

40 (2) Any unencumbered balance in excess of \$100 as of June 30, 2004,
41 in any account of any special revenue fund of the department of trans-
42 portation, which was appropriated by subsection (h)(2) of section 84 of
43 chapter 138 of the 2003 Session Laws of Kansas and which is not other-

1 wise specifically appropriated or limited by this or other appropriation act
 2 of the 2004 regular session of the legislature, is hereby appropriated for
 3 the fiscal year ending June 30, 2005, for the purposes authorized in sub-
 4 section (g)(1) of this section. All expenditures from any such account of
 5 any such special revenue fund shall be in addition to any expenditure
 6 limitation imposed on such special revenue fund for the fiscal year ending
 7 June 30, 2005.

8 (3) No salary bonus payment paid pursuant to this subsection (g) during
 9 fiscal year 2005 shall be compensation, within the meaning of K.S.A. 74-
 10 4901 *et seq.*, and amendments thereto, for any purpose under the Kansas
 11 public employees retirement system and shall not be subject to deduc-
 12 tions for employee contributions thereunder. Each salary bonus payment
 13 paid under this section shall be a bonus, as defined by 29 C.F.R. 778, and
 14 shall be in addition to the regular earnings which that employee may be
 15 entitled or for which the employee may become eligible.

16 **Sec. 6766. Position limitations.** (a) The number of full-time and regular
 17 part-time positions equated to full-time, excluding seasonal and tempo-
 18 rary positions, paid from appropriations for the fiscal year ending June
 19 30, 2005, made in this or other appropriation act of the 2004 regular
 20 session of the legislature for the following agencies shall not exceed the
 21 following, except upon approval of the state finance council or pursuant
 22 to subsection (b):

23	Attorney General.....	94.5 96.5
24	Secretary of State	54.0
25	State Treasurer	55.5
26	Insurance Department	146.7
27	<i>Provided</i> , That any attorney positions established in the insurance de-	
28	partment for the purpose of defense of the workers compensation fund	
29	shall be in addition to any limitation imposed on the full-time and regular	
30	part-time equivalent number of positions, excluding seasonal and tem-	
31	porary positions, paid from appropriations made for fiscal year 2005 for	
32	the department of insurance.	
33	Department of Commerce.....	108.5
34	Health Care Stabilization Fund Board of Governors.....	16.0
35	Judicial Council.....	4.0
36	Kansas Human Rights Commission	36.0
37	State Corporation Commission	212.0
38	Citizens' Utility Ratepayer Board.....	5.0
39	Department of Administration	808.0
40	State Board of Tax Appeals.....	26.0
41	Department of Revenue.....	1,196.0
42	Kansas Lottery.....	87.0

43

1	Kansas Racing and Gaming Commission — state racing	
2	operations	43.0
3	Kansas Racing and Gaming Commission — state gaming	
4	agency	24.0 23.0 [24.0]
5	Department of Human Resources	938.4 940.4
6	Kansas Commission on Veterans Affairs.....	557.8
7	Department of Health and Environment — Division of	
8	Health	409.0
9	Department of Health and Environment — Division of	
10	Environment	485.0
11	Department on Aging	213.0
12	Department of Social and Rehabilitation Services	3,981.5
13	Kansas Neurological Institute	588.2
14	Larned State Hospital	707.2 726.2
15	Osawatomie State Hospital	398.6
16	Parsons State Hospital and Training Center	467.2
17	Rainbow Mental Health Facility	115.2
18	Kansas, Inc.	4.0
19	Kansas Guardianship Program.....	12.0
20	State Library.....	27.0
21	Kansas Arts Commission	8.0
22	Kansas State School for the Blind	93.5
23	Kansas State School for the Deaf.....	173.5
24	State Historical Society	136.5
25	State Board of Regents	55.0
26	Department of Corrections.....	3,126.0
27	Juvenile Justice Authority	636.0
28	Adjutant General.....	215.0
29	State Fire Marshal.....	49.0
30	Kansas Parole Board.....	3.0
31	Kansas Highway Patrol.....	823.8
32	Attorney General — Kansas Bureau of Investigation	200.0
33	Emergency Medical Services Board	13.0
34	Kansas Sentencing Commission.....	7.0
35	Kansas Department of Agriculture.....	296.5
36	Kansas Animal Health Department.....	31.0
37	State Fair Board.....	23.0
38	State Conservation Commission.....	15.5 14.0
39	Kansas Water Office	22.5
40	Department of Wildlife and Parks	406.5
41	Department of Transportation.....	3,247.5
42	(b) During the fiscal year ending June 30, 2005, the secretary of social	
43	and rehabilitation services may increase the position limitation for the	

1 department of social and rehabilitation services or for any institution or
2 facility under the general supervision and management of the secretary
3 of social and rehabilitation services by making a corresponding decrease
4 in the position limitation for either the department of social and rehabil-
5 itation services or any institution or facility under the general supervision
6 and management of the secretary of social and rehabilitation services.
7 The secretary of social and rehabilitation services shall certify each such
8 increase and corresponding decrease to the director of personnel services
9 of the department of administration and shall transmit a copy of each
10 such certification to the legislative research department and the division
11 of the budget.

12 (c) During the fiscal year ending June 30, 2005, any full-time and reg-
13 ular part-time positions of the Kansas highway patrol that are for capitol
14 area police officers and capitol area security guards, that are assigned to
15 security for state-owned and controlled properties located in Shawnee
16 county under contracts with other state agencies shall be in addition to
17 any limitation on the number of full-time and regular part-time positions
18 equated to full-time, excluding seasonal and temporary positions, paid
19 from appropriations for the Kansas highway patrol for fiscal year 2005,
20 made in this or other appropriation act of the 2004 regular session of the
21 legislature: *Provided*, That the Kansas highway patrol shall prepare and
22 submit a report on all such positions assigned to provide security under
23 such contracts to the legislative budget committee prior to the 2005 reg-
24 ular session of the legislature.

25 (d) During the fiscal year ending June 30, 2005, the secretary of social
26 and rehabilitation services may authorize the total number of full-time
27 and regular part-time positions equated to full-time, excluding seasonal
28 and temporary positions, for the department of social and rehabilitation
29 services that are paid from appropriations for department of social and
30 rehabilitation services for fiscal year 2005 made in this or other appro-
31 priation act of the 2004 regular session of the legislature, to temporarily
32 exceed the limitation on the number of full-time and regular part-time
33 positions equated to full-time, excluding seasonal and temporary posi-
34 tions, established for fiscal year 2005 for the department of social and
35 rehabilitation services so long as the total number of full-time and regular
36 part-time positions equated to full-time, excluding seasonal and tempo-
37 rary positions, for the department of social and rehabilitation services does
38 not exceed such limitation as of June 30, 2004. The secretary of social
39 and rehabilitation services shall certify each such authorization to the
40 director of personnel services of the department of administration and
41 shall transmit a copy of each such certification to the legislative research
42 department and the division of the budget.

43 (e) During the fiscal year ending June 30, 2005, the attorney general

1 may authorize full-time non-FTE unclassified permanent positions and
2 regular part-time non-FTE unclassified permanent positions, for the Kan-
3 sas bureau of investigation that are paid from appropriations for the at-
4 torney general — Kansas bureau of investigation for fiscal year 2005 made
5 in this or other appropriation act of the 2004 regular session of the leg-
6 islatre, which shall be in addition to the number of full-time and regular
7 part-time positions equated to full-time, excluding seasonal and tempo-
8 rary positions, authorized for fiscal year 2005 for the attorney general —
9 Kansas bureau of investigation. The attorney general shall certify each
10 such authorization for non-FTE unclassified permanent positions for the
11 Kansas bureau of investigation to the director of personnel services of the
12 department of administration and shall transmit a copy of each such cer-
13 tification to the legislative research department and the division of the
14 budget.

15 *Sec. 68 67. Kansas savings incentive program.* (a) In addition to other
16 expenditures authorized by law, expenditures may be made from any
17 account of the state general fund reappropriated by this act for the fiscal
18 year ending June 30, 2005, for any state agency named in this act for the
19 following purposes: (1) Salary bonus payments and the cost of non-mon-
20 etary awards in accordance with the provisions of K.S.A. 2003 Supp. 75-
21 37,105 and amendments thereto, (2) purchase or other acquisition of
22 technology equipment which was included in the budget estimates for
23 fiscal year 2005 submitted by the state agency pursuant to K.S.A. 75-3717
24 and amendments thereto, and (3) professional development training in-
25 cluding official hospitality: *Provided, however,* That the total of all such
26 expenditures from such account of the state general fund for fiscal year
27 2005 shall not exceed the amount equal to 50% of the amount of the
28 unencumbered balance as of June 30, 2004, in such account of the state
29 general fund that is reappropriated for fiscal year 2005 and that is in
30 excess of the amount authorized to be expended for fiscal year 2005 from
31 such reappropriated balance, as determined by the director of accounts
32 and reports: *Provided further,* That the total cost of all such non-monetary
33 awards to any individual employee during fiscal year 2005 that are paid
34 under this subsection plus any amount paid for such awards under sub-
35 section (b) shall not exceed \$3,500: *And provided further,* That the total
36 amount of any salary bonus payments to any individual employee pursuant
37 to subsection (g)(1)(A) of K.S.A. 2003 Supp. 75-37,105 and amendments
38 thereto during fiscal year 2005 that are paid under subsection (b) or this
39 subsection shall not exceed \$3,500: *And provided further,* That the pro-
40 visions of this subsection shall apply only to that portion of any such
41 account from which expenditures may be made for state operations: *And*
42 *provided further,* That all such expenditures from the reappropriated bal-
43 ance in any such account for the fiscal year 2005 shall be in addition to

1 any expenditure limitation imposed on expenditures from the reappropriated balance in any such account for fiscal year 2005.

3 (b) In addition to other expenditures authorized by law, expenditures
4 may be made from any special revenue fund appropriated by this act for
5 the fiscal year ending June 30, 2005, for a state agency named in this act
6 for the following purposes: (1) Salary bonus payments and the cost of
7 non-monetary awards in accordance with the provisions of K.S.A. 2003
8 Supp. 75-37,105 and amendments thereto, (2) purchase or other acquisition
9 of technology equipment which was included in the budget estimates
10 for fiscal year 2005 submitted by the state agency pursuant to
11 K.S.A. 75-3717 and amendments thereto, and (3) professional development
12 training including official hospitality: *Provided*, That all such expenditures
13 from such fund for fiscal year 2005 shall be in addition to any
14 expenditure limitation imposed on such fund or any account thereof for
15 fiscal year 2005: *Provided, however*, That the total amount of such expenditures
16 from such fund for fiscal year 2005 shall not exceed the
17 amount equal to 50% of the unexpended portion of the amount authorized
18 to be expended from such fund for fiscal year 2004 for state operations,
19 as determined by the director of accounts and reports, or, in the
20 case of no limit appropriations, as determined by the director of the
21 budget: *Provided further*, That the total cost of all such non-monetary
22 awards to any individual employee during fiscal year 2005 that are paid
23 under this subsection plus any amount paid for such awards under subsection
24 (a) shall not exceed \$3,500: *And provided further*, That the total
25 amount of any such salary bonus payments to any individual employee
26 pursuant to subsection (g)(1)(A) of K.S.A. 2003 Supp. 75-37,105 and
27 amendments thereto during fiscal year 2005 that are paid under subsection
28 (a) or this subsection shall not exceed \$3,500: *And provided further*,
29 That the provisions of this subsection shall apply only to: (1) That portion
30 of the moneys in each account of a special revenue fund from which
31 portion expenditures may be made for state operations, and (2) that portion
32 of the moneys in a special revenue fund, that does not have any such
33 accounts specified in this or other appropriation act, from which portion
34 expenditures may be made for state operations.

35 (c) (1) Any unencumbered balance in excess of \$100 as of June 30,
36 2004, in any account of the state general fund of any state agency named
37 in this act, which was reappropriated by subsection (c)(1) of section 86
38 of chapter 138 of the 2003 Session Laws of Kansas and which is not
39 otherwise specifically appropriated or limited by this or other appropriation
40 act of the 2004 regular session of the legislature, is hereby reappropriated
41 for the fiscal year ending June 30, 2005, and may be expended
42 for the purposes authorized in subsections (a) and (b).

43 (2) Any unencumbered balance in excess of \$100 as of June 30, 2004,

1 in any account of any special revenue fund of any state agency named in
2 this act, which was appropriated by subsection (c)(2) of section 86 of
3 chapter 138 of the 2003 Session Laws of Kansas and which is not other-
4 wise specifically appropriated or limited by this or other appropriation act
5 of the 2004 regular session of the legislature, is hereby appropriated for
6 the fiscal year ending June 30, 2005, and may be expended for the pur-
7 poses authorized or specified in subsections (a) and (b). All expenditures
8 from any such account of any such special revenue fund shall be in ad-
9 dition to any expenditure limitation imposed on such special revenue fund
10 for fiscal year 2005.

11 (d) No salary bonus payment paid pursuant to this section during fiscal
12 year 2005 shall be compensation, within the meaning of K.S.A. 74-4901
13 *et seq.*, and amendments thereto, for any purpose under the Kansas public
14 employees retirement system and shall not be subject to deductions for
15 employee contributions thereunder. Each salary bonus payment paid un-
16 der this section shall be a bonus, as defined by 29 C.F.R. 778, and shall
17 be in addition to the regular earnings which that employee may be enti-
18 tled or for which the employee may become eligible.

19 (e) The provisions of this section shall not apply to any state agency
20 named in section 22 of chapter 138 of the 2003 Session Laws of Kansas
21 or to the department of transportation.

22 ~~Sec. 69~~ **68.** (a) In addition to the other purposes for which expenditures
23 may be made by the governor's department from the governor's depart-
24 ment account of the state general fund for the fiscal year ending June 30,
25 2005, expenditures shall be made by the governor's department from the
26 governor's department account of the state general fund for fiscal year
27 2005 for an additional amount of biweekly compensation for the governor
28 equal to the amount required to provide, along with the amount of bi-
29 weekly compensation otherwise payable, an aggregate amount of com-
30 pensation of \$3,895.42 per biweekly pay period for each biweekly pay
31 period commencing on or after June 6, 2004, which is chargeable to fiscal
32 year 2005: *Provided*, That all expenditures under this subsection (a) for
33 such purposes shall be made in the same manner and at the same times
34 that biweekly compensation is payable to the governor for the biweekly
35 pay periods which commence on or after June 6, 2004, and which are
36 chargeable to fiscal year 2005.

37 (b) In addition to the other purposes for which expenditures may be
38 made by the lieutenant governor from the operations account of the state
39 general fund for the fiscal year ending June 30, 2005, expenditures shall
40 be made by the lieutenant governor from the operations account of the
41 state general fund for fiscal year 2005 for an additional amount of bi-
42 weekly compensation for the lieutenant governor equal to the amount
43 required to provide, along with the amount of biweekly compensation

1 otherwise payable, an aggregate amount of compensation of \$1,101.81
2 per biweekly pay period for each biweekly pay period commencing on or
3 after June 6, 2004, which is chargeable to fiscal year 2005: *Provided*, That
4 all expenditures under this subsection (b) for such purposes shall be made
5 in the same manner and at the same times that biweekly compensation
6 is payable to the lieutenant governor for the biweekly pay periods which
7 commence on or after June 6, 2004, and which are chargeable to fiscal
8 year 2005.

9 (c) In addition to the other purposes for which expenditures may be
10 made by the secretary of state from the operating expenditures account
11 of the state general fund and one or more special revenue funds for the
12 fiscal year ending June 30, 2005, expenditures shall be made by the sec-
13 retary of state from the operating expenditures account of the state gen-
14 eral fund and one or more special revenue funds for fiscal year 2005 for
15 an additional amount of biweekly compensation for the secretary of state
16 equal to the amount required to provide, along with the amount of bi-
17 weekly compensation otherwise payable, an aggregate amount of com-
18 pensation of \$3,026.16 per biweekly pay period for each biweekly pay
19 period commencing on or after June 6, 2004, which is chargeable to fiscal
20 year 2005: *Provided*, That all expenditures under this subsection (c) for
21 such purposes shall be made in the same manner and at the same times
22 that biweekly compensation is payable to the secretary of state for the
23 biweekly pay periods which commence on or after June 6, 2004, and
24 which are chargeable to fiscal year 2005.

25 (d) In addition to the other purposes for which expenditures may be
26 made by the attorney general from the operating expenditures account
27 of the state general fund for the fiscal year ending June 30, 2005, ex-
28 penditures shall be made by the attorney general from the operating
29 expenditures account of the state general fund for fiscal year 2005 for an
30 additional amount of biweekly compensation for the attorney general
31 equal to the amount required to provide, along with the amount of bi-
32 weekly compensation otherwise payable, an aggregate amount of com-
33 pensation of \$3,480.00 per biweekly pay period for each biweekly pay
34 period commencing on or after June 6, 2004, which is chargeable to fiscal
35 year 2005: *Provided*, That all expenditures under this subsection (d) for
36 such purposes shall be made in the same manner and at the same times
37 that biweekly compensation is payable to the attorney general for the
38 biweekly pay periods which commence on or after June 6, 2004, and
39 which are chargeable to fiscal year 2005.

40 (e) In addition to the other purposes for which expenditures may be
41 made by the state treasurer from one or more special revenue funds for
42 the fiscal year ending June 30, 2005, expenditures shall be made by the
43 state treasurer from one or more special revenue funds for fiscal year

1 2005 for an additional amount of biweekly compensation for the state
2 treasurer equal to the amount required to provide, along with the amount
3 of biweekly compensation otherwise payable, an aggregate amount of
4 compensation of \$3,026.16 per biweekly pay period for each biweekly pay
5 period commencing on or after June 6, 2004, which is chargeable to fiscal
6 year 2005: *Provided*, That all expenditures under this subsection (e) for
7 such purposes shall be made in the same manner and at the same times
8 that biweekly compensation is payable to the state treasurer for the bi-
9 weekly pay periods which commence on or after June 6, 2004, and which
10 are chargeable to fiscal year 2005.

11 (f) In addition to the other purposes for which expenditures may be
12 made by the insurance department from the insurance department serv-
13 ice regulation fund for the fiscal year ending June 30, 2005, expenditures
14 shall be made by the insurance department from the insurance depart-
15 ment service regulation fund for fiscal year 2005 for an additional amount
16 of biweekly compensation for the commissioner of insurance equal to the
17 amount required to provide, along with the amount of biweekly compen-
18 sation otherwise payable, an aggregate amount of compensation of
19 \$3,026.16 per biweekly pay period for each biweekly pay period com-
20 mencing on or after June 6, 2004, which is chargeable to fiscal year 2005:
21 *Provided*, That all expenditures under this subsection (f) for such pur-
22 poses shall be made in the same manner and at the same times that
23 biweekly compensation is payable to the commissioner of insurance for
24 the biweekly pay periods which commence on or after June 6, 2004, and
25 which are chargeable to fiscal year 2005.

26 (g) (1) In addition to the other purposes for which expenditures may
27 be made by each state agency from appropriations made for the fiscal
28 year ending June 30, 2005, expenditures shall be made by each state
29 agency from the appropriations made for fiscal year 2005 for an additional
30 amount of per diem compensation equal to the amount required to pro-
31 vide, along with the amount of per diem compensation otherwise payable,
32 an aggregate amount of compensation of ~~\$91.11~~ **\$78.75** per calendar day
33 for each member of a board for any calendar day occurring on or after
34 June 6, 2004, for which per diem compensation is payable to such mem-
35 ber of a board under K.S.A. 75-3212 or 75-3223 and amendments thereto
36 at the rate prescribed by subsection (a) of K.S.A. 46-137a and amend-
37 ments thereto and is chargeable to fiscal year 2005: *Provided*, That all
38 expenditures under this subsection (g) for such purposes shall be made
39 in the same manner and at the same times that per diem compensation
40 is payable to such member of a board for the biweekly pay periods for
41 which such per diem compensation for calendar days occurring on or
42 after June 6, 2004, is payable and which are chargeable to fiscal year 2005.

43 (2) As used in this subsection (g), (A) “state agency” means any state

1 agency of the executive branch of state government (i) which has appro-
2 priations made for the fiscal year ending June 30, 2005, by this act or any
3 other appropriation act of the 2004 regular session of the legislature, and
4 (ii) which is, or which makes expenditures for, any board; and

5 (B) “board” means any board, commission, committee, task force,
6 panel or other body in the executive branch of state government, includ-
7 ing any advisory body, having one or more members who are entitled to
8 receive per diem compensation for attendance at meetings of such body,
9 or attendance at meetings authorized by such body of a subcommittee or
10 other subsidiary group of such body, as provided in K.S.A. 75-3212 or
11 75-3223 and amendments thereto at the rate prescribed by subsection (a)
12 of K.S.A. 46-137a and amendments thereto.

13 (h) In addition to the other purposes for which expenditures may be
14 made by the Kansas turnpike authority for the period commencing June
15 6, 2004, and ending June 30, 2005, expenditures shall be made by the
16 Kansas turnpike authority for such period for an additional amount of per
17 diem compensation equal to the amount required to provide, along with
18 the amount of per diem compensation otherwise payable, an aggregate
19 amount of compensation of ~~\$81.11~~ **\$78.75** per calendar day for each
20 member of the Kansas turnpike authority for any calendar day occurring
21 on or after June 6, 2004, for which per diem compensation is payable to
22 such member of the Kansas turnpike authority under K.S.A. 68-2004 and
23 amendments thereto who is entitled, in accordance with K.S.A. 75-3223
24 and amendments thereto, to receive such per diem compensation as pro-
25 vided in K.S.A. 75-3212 and amendments thereto at the rate prescribed
26 by subsection (a) of K.S.A. 46-137a and amendments thereto and is
27 chargeable to fiscal year 2005: *Provided*, That all expenditures under this
28 subsection (h) for such purposes shall be made in the same manner and
29 at the same times that per diem compensation is payable to such member
30 of the Kansas turnpike authority for the appropriate pay periods for which
31 such per diem compensation for calendar days occurring on or after June
32 6, 2004, and prior to July 1, 2005, is payable by the Kansas turnpike
33 authority.

34 (i) In addition to the other purposes for which expenditures may be
35 made by the legislature from the operations (including official hospitality)
36 account of the state general fund for the fiscal year ending June 30, 2005,
37 expenditures shall be made by the legislature from the operations (in-
38 cluding official hospitality) account of the state general fund for fiscal year
39 2005:

40 (1) For an additional amount of per diem compensation equal to the
41 amount required to provide, along with the amount of per diem com-
42 pensation otherwise payable, an aggregate amount of compensation of
43 ~~\$81.11~~ **\$78.75** per calendar day for each member of the legislature for

1 service at the regular session or any special session of the legislature for
2 any calendar day occurring on or after June 6, 2004, which is chargeable
3 to fiscal year 2005; and

4 (2) for an additional amount of per diem compensation equal to the
5 amount required to provide, along with the amount of per diem com-
6 pensation otherwise payable, an aggregate amount of compensation of
7 ~~\$81.11~~ **\$78.75** per calendar day for each member of the legislature and
8 for any other public officer or person for any calendar day occurring on
9 or after June 6, 2004, for which per diem compensation is payable from
10 appropriations for the legislature to such member of the legislature, pub-
11 lic officer or person under K.S.A. 75-3212 or 75-3223 and amendments
12 thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and
13 amendments thereto and is chargeable to fiscal year 2005: *Provided*, That
14 all expenditures under this subsection (i) for such purposes shall be made
15 in the same manner and at the same times that per diem compensation
16 is payable to such members of the legislature, public officials and persons
17 for the biweekly pay periods for which such per diem compensation for
18 calendar days occurring on or after June 6, 2004, is payable and which
19 are chargeable to fiscal year 2005.

20 (j) In addition to the other purposes for which expenditures may be
21 made by the legislature from the operations (including official hospitality)
22 account of the state general fund for the fiscal year ending June 30, 2005,
23 expenditures shall be made by the legislature from the operations (in-
24 cluding official hospitality) account of the state general fund for fiscal year
25 2005 for an additional amount of biweekly compensation for the following
26 legislative officers equal to the amount required to provide, along with
27 the amount of biweekly compensation otherwise payable, an aggregate
28 amount of compensation per biweekly pay period for such legislative of-
29 ficers as follows:

30 (1) For the president of the senate and the speaker of the house of
31 representatives equal to the amount required to provide an aggregate
32 amount of ~~\$493.99~~ **\$479.60** per biweekly pay period for services per-
33 formed in connection with discharging the duties assigned to the respec-
34 tive positions for each biweekly pay period commencing on or after June
35 6, 2004, which is chargeable to fiscal year 2005;

36 (2) for the speaker pro tem of the house of representatives, the vice
37 president of the senate, the assistant majority leaders of the senate and
38 house of representatives, and the assistant minority leaders of the senate
39 and house of representatives equal to the amount required to provide an
40 aggregate amount of ~~\$252.13~~ **\$244.79** per biweekly pay period for serv-
41 ices performed in connection with discharging the duties assigned to the
42 respective positions for each biweekly pay period commencing on or after
43 June 6, 2004, which is chargeable to fiscal year 2005;

1 (3) for the chairperson of the senate committee on ways and means
2 and the chairperson of the house of representatives committee on appro-
3 priations equal to the amount required to provide an aggregate amount
4 of ~~\$397.26~~ **\$385.69** per biweekly pay period for services performed in
5 connection with discharging the duties assigned to the respective posi-
6 tions for each biweekly pay period commencing on or after June 6, 2004,
7 which is chargeable to fiscal year 2005;

8 (4) for the majority leaders of the senate and house of representatives
9 equal to the amount required to provide an aggregate amount of ~~\$445.66~~
10 **\$432.68** per biweekly pay period for services performed in connection
11 with discharging the duties assigned to the respective positions for each
12 biweekly pay period commencing on or after June 6, 2004, which is
13 chargeable to fiscal year 2005; and

14 (5) for the minority leaders of the senate and house of representatives
15 equal to the amount required to provide an aggregate amount of ~~\$445.66~~
16 **\$432.68** per biweekly pay period for services performed in connection
17 with discharging the duties assigned to the respective positions for each
18 biweekly pay period commencing on or after June 6, 2004, which is
19 chargeable to fiscal year 2005: *Provided*, That all expenditures under this
20 subsection (j) for such purposes shall be made in the same manner and
21 at the same times that biweekly compensation is payable to such legisla-
22 tive officers under K.S.A. 46-137b and amendments thereto for the bi-
23 weekly pay periods which commence on or after June 6, 2004, and which
24 are chargeable to fiscal year 2005.

25 (k) In addition to the other purposes for which expenditures may be
26 made by the legislative coordinating council from the legislative coordi-
27 nating council — operations account of the state general fund for the
28 fiscal year ending June 30, 2005, expenditures shall be made by the leg-
29 islative coordinating council from the legislative coordinating council —
30 operations account of the state general fund for fiscal year 2005 for an
31 additional amount of per diem compensation equal to the amount re-
32 quired to provide, along with the amount of per diem compensation oth-
33 erwise payable, an aggregate amount of compensation of ~~\$81.11~~ **\$78.75**
34 per calendar day for each member of the legislative coordinating council
35 for any calendar day occurring on or after June 6, 2004, for which per
36 diem compensation is payable from appropriations for the legislative co-
37 ordinating council under K.S.A. 46-1209 and amendments thereto to such
38 member as provided in K.S.A. 75-3212 and amendments thereto at the
39 rate prescribed by subsection (a) of K.S.A. 46-137a and amendments
40 thereto, and which is chargeable to fiscal year 2005: *Provided*, That all
41 expenditures under this subsection (k) for such purposes shall be made
42 in the same manner and at the same times that per diem compensation
43 is payable to such members of the legislative coordinating council for the

1 biweekly pay periods for which such per diem compensation is payable
2 for calendar days occurring on or after June 6, 2004, and which are
3 chargeable to fiscal year 2005.

4 (l) In addition to the other purposes for which expenditures may be
5 made by the division of post audit from the operations (including legis-
6 lative post audit committee) account of the state general fund for the
7 fiscal year ending June 30, 2005, expenditures shall be made by the di-
8 vision of post audit from the operations (including legislative post audit
9 committee) account of the state general fund for fiscal year 2005:

10 (1) For an additional amount of per diem compensation equal to the
11 amount required to provide, along with the amount of per diem com-
12 pensation otherwise payable, an aggregate amount of compensation of
13 ~~\$81.11~~ **\$78.75** per calendar day for each member of the legislative post
14 audit committee for any calendar day occurring on or after June 6, 2004,
15 for which per diem compensation is payable from appropriations for the
16 division of post audit under K.S.A. 46-1104 and amendments thereto to
17 such member as provided in K.S.A. 75-3212 and amendments thereto at
18 the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments
19 thereto, and which is chargeable to fiscal year 2005; and

20 (2) for an additional amount of per diem compensation equal to the
21 amount required to provide, along with the amount of per diem com-
22 pensation otherwise payable, an aggregate amount of compensation of
23 ~~\$81.11~~ **\$78.75** per calendar day for each member of the contract audit
24 committee for any calendar day occurring on or after June 6, 2004, for
25 which per diem compensation is payable from appropriations for the di-
26 vision of post audit under K.S.A. 46-1120 and amendments thereto to
27 such member as provided in K.S.A. 75-3223 and amendments thereto at
28 the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments
29 thereto, and which is chargeable to fiscal year 2005: *Provided*, That all
30 expenditures under this subsection (l) for such purposes shall be made in
31 the same manner and at the same times that per diem compensation is
32 payable to such members of the legislative post audit committee or con-
33 tract audit committee for the biweekly pay periods for which such per
34 diem compensation is payable for calendar days occurring on or after June
35 6, 2004, and which are chargeable to fiscal year 2005.

36 (m) In addition to the other purposes for which expenditures may be
37 made by the judicial branch from the judiciary operations account of the
38 state general fund for the fiscal year ending June 30, 2005, expenditures
39 shall be made by the judicial branch from the judiciary operations account
40 of the state general fund for fiscal year 2005:

41 (1) For an additional amount of per diem compensation equal to the
42 amount required to provide, along with the amount of per diem com-
43 pensation otherwise payable, an aggregate amount of compensation of

1 ~~\$81.11~~ **\$78.75** per calendar day for each member of the advisory council
2 on dispute resolution for any calendar day occurring on or after June 6,
3 2004, for which per diem compensation is payable to such member of
4 the advisory council on dispute resolution under K.S.A. 5-505 and amend-
5 ments thereto who is entitled, in accordance with subsection (e) of K.S.A.
6 75-3223 and amendments thereto, to receive such per diem compensa-
7 tion as provided in K.S.A. 75-3212 and amendments thereto at the rate
8 prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto,
9 and which is chargeable to fiscal year 2005; and
10 (2) for an additional amount of per diem compensation equal to the
11 amount required to provide, along with the amount of per diem com-
12 pensation otherwise payable, an aggregate amount of compensation of
13 ~~\$81.11~~ **\$78.75** per calendar day for each retired justice or judge who
14 performs judicial service or duties under K.S.A. 20-2616 and amendments
15 thereto for each calendar day occurring on or after June 6, 2004, for which
16 per diem compensation is payable to such retired justice or judge under
17 K.S.A. 20-2616 and amendments thereto, and is chargeable to fiscal year
18 2005: *Provided*, That all expenditures under this subsection (m) for such
19 purposes shall be made in the same manner and at the same times that
20 per diem compensation is payable to such members of the advisory coun-
21 cil on dispute resolution or to such retired justices or judges for the bi-
22 weekly pay periods for which such per diem compensation for calendar
23 days occurring on or after June 6, 2004, is payable and which are charge-
24 able to fiscal year 2005.
25 (n) In addition to the other purposes for which expenditures may be
26 made by the judicial council from the operating expenditures account of
27 the state general fund and one or more special revenue funds for the
28 fiscal year ending June 30, 2005, expenditures shall be made by the ju-
29 dicial council from the operating expenditures account of the state general
30 fund for fiscal year 2005 for an additional amount of per diem compen-
31 sation equal to the amount required to provide, along with the amount
32 of per diem compensation otherwise payable, an aggregate amount of
33 compensation of ~~\$81.11~~ **\$78.75** per calendar day for each member of the
34 judicial council and for each regularly appointed member of a special
35 committee of the judicial council who is not a member of the judicial
36 council for any calendar day occurring on or after June 6, 2004, for which
37 per diem compensation is payable to such member of the judicial council
38 or a special committee thereof under K.S.A. 20-2206 and amendments
39 thereto at the rate of compensation in accordance with K.S.A. 75-3212
40 and amendments thereto at the rate prescribed by subsection (a) of K.S.A.
41 46-137a and amendments thereto, and is chargeable to fiscal year 2005:
42 *Provided*, That all expenditures under this subsection (n) for such pur-
43 poses shall be made in the same manner and at the same times that per

1 diem compensation is payable to such members of the judicial council or
2 special committees thereof for the biweekly pay periods for which such
3 per diem compensation for calendar days occurring on or after June 6,
4 2004, is payable and which are chargeable to fiscal year 2005.

5 (o) In addition to the other purposes for which expenditures may be
6 made by state agencies from one or more accounts of the state general
7 fund and one or more special revenue funds in accordance with appro-
8 priations for the fiscal year ending June 30, 2005, made by this or other
9 appropriation act of the 2004 regular session of the legislature for addi-
10 tional amounts of compensation for state officers and employees in ac-
11 cordance with the following:

12 (1) The governor is hereby authorized to modify or authorize the mod-
13 ification of the salaries of state officers and employees who are in the
14 unclassified service under the Kansas civil service act and whose salaries
15 are subject to approval by the governor under K.S.A. 75-2935b or 75-
16 2935c and amendments thereto to provide for base salary increases, to
17 be effective on the first day of the first payroll period which commences
18 on or after June 6, 2004, and which is chargeable to the fiscal year ending
19 on June 30, 2005, and to be distributed from a salary increase pool: *Pro-*
20 *vided*, That the average of such increases shall not exceed 3% of the base
21 salaries of such officers and employees; and

22 (2) each elected state official of the executive branch of state govern-
23 ment, including the state board of education, and the board of directors
24 of the Kansas technology enterprise corporation, the state board of re-
25 gents and the board of trustees of the Kansas public employees retirement
26 system, in each such official, corporation or board's discretion, are hereby
27 authorized to modify or to authorize the modification of the salaries of
28 the state officers and employees of such official, corporation or board,
29 who are in the unclassified service under the Kansas civil service act and
30 whose salaries are not subject to approval by the governor under K.S.A.
31 75-2935b and amendments thereto, to provide for base salary increases
32 to be effective on the first day of the first payroll period which commences
33 on or after June 6, 2004, and which is chargeable to the fiscal year ending
34 June 30, 2005, and to be distributed from a salary increase pool: *Provided*,
35 That the average of such increases shall not exceed 3% of the base salaries
36 of such officers and employees of such official, corporation or board. The
37 provisions of this subsection (o)(2) shall not authorize or provide any
38 salary increase for the governor, lieutenant governor, secretary of state,
39 state treasurer, commissioner of insurance, or attorney general, or for any
40 member of any state board, commission, council or committee receiving
41 per diem compensation as provided by statute.

42 **(p) In addition to the other purposes for which expenditures may**
43 **be made by the legislature from the operations (including official**

1 **hospitality) account of the state general fund for the fiscal year**
2 **ending June 30, 2005, expenditures shall be made by the legisla-**
3 **ture from the operations (including official hospitality) account of**
4 **the state general fund for fiscal year 2005, for an additional**
5 **amount of allowance equal to the amount required to provide,**
6 **along with the amount of allowance otherwise payable from ap-**
7 **propriations for the legislature to each member of the legislature**
8 **at the rate prescribed by subsection (c) of K.S.A. 46-137a and**
9 **amendments thereto, an aggregate amount of allowance of \$324**
10 **for the two-week period which coincides with the first biweekly**
11 **payroll period commencing in June, which is chargeable to fiscal**
12 **year 2005, and for each of the 15 ensuing two-week periods there-**
13 **after and for the two-week period which coincides with the first**
14 **biweekly payroll period commencing in April, 2005, and for each**
15 **of the 3 ensuing two-week periods thereafter, for each member of**
16 **the legislature to defray expenses incurred between sessions of the**
17 **legislature for postage, telephone, office and other incidental ex-**
18 **penses, which is chargeable to fiscal year 2005: *Provided*, That all**
19 **expenditures under this subsection (p) for such purposes shall be**
20 **made in the same manner and at the same times that such allow-**
21 **ance is payable to such members of the legislature for such two-**
22 **week periods for which such allowance is payable and which are**
23 **chargeable to fiscal year 2005.**

24 Sec. ~~70~~ 69. (a) (1) On July 1, 2004, or as soon thereafter as moneys are
25 available, notwithstanding the provisions of any other statute, the director
26 of accounts and reports shall transfer the amount in each special revenue
27 fund of each state agency in the executive branch of state government
28 that is appropriated for the fiscal year ending June 30, 2005, by chapter
29 138 or 160 of the 2003 Session Laws of Kansas or by this or other appro-
30 priation act of the 2004 regular session of the legislature, and that is
31 identified by the director of the budget as moneys previously estimated
32 for expenditure for the acquisition of cars, vans or light trucks or for the
33 motor pool dispatch pool and as moneys recommended by the governor
34 for removal from agency budgets for fiscal year 2005 as part of the vehicle
35 moratorium reductions, as determined and certified by the director of
36 the budget to the director of accounts and reports, from such special
37 revenue fund to the state general fund: *Provided*, That, in making each
38 such certification, the director of the budget shall take into account the
39 maximum prescribed by subsection (a)(2), the approved budget for fiscal
40 year 2005 and such other factors, limitations and considerations as are
41 deemed applicable or appropriate by the director of the budget with
42 respect to the particular special revenue fund and the state agency of the
43 executive branch that is involved: *Provided further*, That, at the same

1 time that each such certification is made by the director of the budget to
2 the director of accounts and reports under this subsection (a)(1), the
3 director of the budget shall deliver a copy of such certification to the
4 director of the legislative research department: *And provided further,*
5 That the amount transferred from each such special revenue fund to the
6 state general fund pursuant to this subsection (a)(1) is to reimburse the
7 state general fund for accounting, auditing, budgeting, legal, payroll, per-
8 sonnel and purchasing services and any other governmental services
9 which are performed on behalf of the state agency involved by other state
10 agencies which receive appropriations from the state general fund to pro-
11 vide such services.

12 (2) The aggregate of all of the amounts transferred from all such special
13 revenue funds of state agencies in the executive branch of state govern-
14 ment to the state general fund pursuant to subsection (a)(1), shall not
15 exceed ~~\$3,158,312~~ **\$3,138,694**.

16 (3) On July 1, 2004, in accordance with the certification by the director
17 of the budget that is submitted to the director of accounts and reports
18 under subsection (a)(1), the amount of the approved budget of expend-
19 itures for fiscal year 2005 from each special revenue fund of each state
20 agency in the executive branch of state government that is appropriated
21 for the fiscal year ending June 30, 2005, by chapter 138 or 160 of the
22 2003 Session Laws of Kansas or by this or other appropriation act of the
23 2004 regular session of the legislature, and that is identified by the di-
24 rector of the budget as moneys previously estimated for expenditure for
25 the acquisition of cars, vans or light trucks or for the motor pool dispatch
26 pool and as moneys recommended by the governor for removal from
27 agency budgets for fiscal year 2005 as part of the vehicle moratorium
28 reductions and the amount of the approved budget of expenditures for
29 fiscal year 2005 for such purpose from each budgeted account of such
30 fund, or from both such fund and such account or accounts, as the case
31 may be, are hereby respectively decreased by the amount equal to the
32 aggregate of (A) the amount of money transferred from such special rev-
33 enue fund to the state general fund pursuant to subsection (a)(1), if any,
34 plus (B) any amount of money that would have been transferred from
35 the special revenue fund to the state general fund as part of the vehicle
36 moratorium reductions recommended by the governor except for con-
37 tractual or other legal limitations or prohibitions on the transfer of all or
38 part of such amount from such fund to the state general fund, as specified
39 in such certification by the director of the budget, to the extent that any
40 such decrease is not reflected in the approved budget for fiscal year 2005,
41 as determined and certified by the director of the budget to the director
42 of accounts and reports under subsection (a)(1).

43 (4) On July 1, 2004, in accordance with the certification by the director

1 of the budget that is submitted to the director of accounts and reports
2 under subsection (a)(1), the expenditure limitation established for fiscal
3 year 2005 for each special revenue fund of each state agency in the ex-
4 ecutive branch of state government that is appropriated for the fiscal year
5 ending June 30, 2005, by chapter 138 or 160 of the 2003 Session Laws
6 of Kansas or by this or other appropriation act of the 2004 regular session
7 of the legislature and that contains moneys previously estimated for ex-
8 penditure for the acquisition of cars, vans or light trucks or for the motor
9 pool dispatch pool and as moneys recommended by the governor for
10 removal from agency budgets for fiscal year 2005 as part of the vehicle
11 moratorium reductions as determined and certified by the director of the
12 budget to the director of accounts and reports under subsection (a)(1), if
13 there is an expenditure limitation established for such special revenue
14 fund for fiscal year 2005, and the expenditure limitation established for
15 each account thereof for fiscal year 2005 by chapter 138 or 160 of the
16 2003 Session Laws of Kansas or by this or other appropriation act of the
17 2004 regular session of the legislature, if there is an expenditure limitation
18 for such account for fiscal year 2005, or from both such fund and such
19 account or accounts, as the case may be, are hereby respectively de-
20 creased by the amount equal to the aggregate of (A) the amount of money
21 transferred from such special revenue fund to the state general fund pur-
22 suant to subsection (a)(1), if any, plus (B) any amount of money that would
23 have been transferred from such fund or account to the state general
24 fund pursuant to subsection (a)(1) as part of the vehicle moratorium re-
25 ductions except for contractual or other legal limitations or prohibitions
26 on the transfer of all or part of such amount from such fund to the state
27 general fund, as specified in such certification by the director of the
28 budget, to the extent that any such decrease is not already included in
29 the respective expenditure limitation established for such special revenue
30 fund or account thereof for fiscal year 2005 by chapter 138 or 160 of the
31 2003 Session Laws of Kansas or by this or other appropriation act of the
32 2004 regular session of the legislature, as determined and certified by the
33 director of the budget to the director of accounts and reports under sub-
34 section (a)(1).

35 (b) (1) On July 1, 2004, or as soon thereafter as moneys are available,
36 notwithstanding the provisions of any other statute, the director of ac-
37 counts and reports shall transfer the amount in each special revenue fund
38 of each state agency in the executive branch of state government that is
39 appropriated for the fiscal year ending June 30, 2005, by chapter 138 or
40 160 of the 2003 Session Laws of Kansas or by this or other appropriation
41 act of the 2004 regular session of the legislature, and that is determined
42 by the director of the budget as the amount of money in such special
43 revenue fund representing the reduced expenditures in expenditure cat-

1 egories encompassing contractual services, commodities and capital out-
2 lay identified through the Budget Efficiency Savings Teams (BEST) re-
3 view of administrative processes and that was recommended by the
4 governor for removal from agency budgets for fiscal year 2005 as part of
5 the BEST review, as determined and certified by the director of the
6 budget to the director of accounts and reports, from such special revenue
7 fund to the state general fund: *Provided*, That, in making each such cer-
8 tification, the director of the budget shall take into account the maximum
9 prescribed by subsection (b)(2), the approved budget for fiscal year 2005
10 and such other factors, limitations and considerations as are deemed ap-
11 plicable or appropriate by the director of the budget with respect to the
12 particular special revenue fund and the state agency of the executive
13 branch that is involved: *Provided further*, That, at the same time that each
14 such certification is made by the director of the budget to the director of
15 accounts and reports under this subsection (b)(1), the director of the
16 budget shall deliver a copy of such certification to the director of the
17 legislative research department: *And provided further*, That the amount
18 transferred from each such special revenue fund to the state general fund
19 pursuant to this subsection (b)(1) is to reimburse the state general fund
20 for accounting, auditing, budgeting, legal, payroll, personnel and pur-
21 chasing services and any other governmental services which are per-
22 formed on behalf of the state agency involved by other state agencies
23 which receive appropriations from the state general fund to provide such
24 services.

25 (2) The aggregate of all of the amounts transferred from all such special
26 revenue funds of state agencies in the executive branch of state govern-
27 ment to the state general fund pursuant to subsection (b)(1), shall not
28 exceed ~~\$20,125,765~~ **\$20,020,057**.

29 (3) On July 1, 2004, in accordance with the certification by the director
30 of the budget that is submitted to the director of accounts and reports
31 under subsection (b)(1), the amount of the approved budget of expend-
32 itures for fiscal year 2005 from each special revenue fund of each state
33 agency in the executive branch of state government that is appropriated
34 for the fiscal year ending June 30, 2005, by chapter 138 or 160 of the
35 2003 Session Laws of Kansas or by this or other appropriation act of the
36 2004 regular session of the legislature, and that is determined by the
37 director of the budget as the amount of money in such special revenue
38 fund representing the reduced expenditures in expenditure categories
39 encompassing contractual services, commodities and capital outlay iden-
40 tified through the Budget Efficiency Savings Teams (BEST) review of
41 administrative processes and that was recommended by the governor for
42 removal from agency budgets for fiscal year 2005 as part of the BEST
43 review, as determined and certified by the director of the budget to the

1 director of accounts and reports under subsection (b)(1), and the amount
2 of the approved budget of expenditures for fiscal year 2005 for such pur-
3 pose from each budgeted account thereof, or from both such fund and
4 such account or accounts, as the case may be, are hereby respectively
5 decreased by the amount equal to the aggregate of (A) the amount of
6 money transferred from such special revenue fund to the state general
7 fund pursuant to subsection (b)(1), if any, plus (B) any amount of money
8 that would have been transferred from the special revenue fund to the
9 state general fund pursuant to subsection (b)(1) as part of the reduced
10 expenditures identified through the Budget Efficiency Savings Teams
11 (BEST) review of administrative processes and recommended by the gov-
12 ernor for removal from agency budgets for fiscal year 2005 as part of the
13 BEST review except for contractual or other legal limitations or prohi-
14 bitions on the transfer of all or part of such amount from such fund to
15 the state general fund, as specified in such certification by the director
16 of the budget, to the extent that any such decrease is not reflected in the
17 approved budget for fiscal year 2005, as determined and certified by the
18 director of the budget to the director of accounts and reports under sub-
19 section (b)(1).

20 (4) On July 1, 2004, in accordance with the certification by the director
21 of the budget that is submitted to the director of accounts and reports
22 under subsection (b)(1), the expenditure limitation established for fiscal
23 year 2005 for each special revenue fund of each state agency in the ex-
24 ecutive branch of state government that is appropriated for the fiscal year
25 ending June 30, 2005, by chapter 138 or 160 of the 2003 Session Laws
26 of Kansas or by this or other appropriation act of the 2004 regular session
27 of the legislature, and that contains moneys representing the reduced
28 expenditures in expenditure categories encompassing contractual serv-
29 ices, commodities and capital outlay identified through the Budget Effi-
30 ciency Savings Teams (BEST) review of administrative processes that are
31 recommended by the governor for removal from agency budgets for fiscal
32 year 2005 as part of the BEST review, as determined and certified by the
33 director of the budget to the director of accounts and reports under sub-
34 section (b)(1), if there is an expenditure limitation established for such
35 special revenue fund for fiscal year 2005, and the expenditure limitation
36 established for each account of such fund for fiscal year 2005 by chapter
37 138 or 160 of the 2003 Session Laws of Kansas or by this or other appro-
38 priation act of the 2004 regular session of the legislature, if there is an
39 expenditure limitation for such account for fiscal year 2005, or from both
40 such fund and such account or accounts, as the case may be, are hereby
41 respectively decreased by the amount equal to the aggregate of (A) the
42 amount of money transferred from such special revenue fund to the state
43 general fund pursuant to subsection (b)(1), if any, plus (B) any amount

1 of money that would have been transferred from such fund or account
2 to the state general fund pursuant to subsection (b)(1) as part of the
3 reduced expenditures identified through the Budget Efficiency Savings
4 Teams (BEST) review of administrative processes and recommended by
5 the governor for removal from agency budgets for fiscal year 2005 except
6 for contractual or other legal limitations or prohibitions on the transfer
7 of all or part of such amount from such fund to the state general fund,
8 as specified in such certification by the director of the budget, to the
9 extent that any such decrease is not already included in the respective
10 expenditure limitation established for such special revenue fund or ac-
11 count thereof for fiscal year 2005 by chapter 138 or 160 of the 2003
12 Session Laws of Kansas or by this or other appropriation act of the 2004
13 regular session of the legislature, as determined and certified by the di-
14 rector of the budget to the director of accounts and reports under sub-
15 section (b)(1).

16 **(5) The provisions of this subsection (b) shall not apply to:**

17 **(A) The health care stabilization fund of the health care stabili-**
18 **zation fund board of governors; or**

19 **(B) the Kansas public employees retirement fund, the group in-**
20 **surance reserve fund, the optional death benefit plan reserve fund,**
21 **the Kansas endowment for youth fund, the senior services trust**
22 **fund, the family and children endowment account of the family**
23 **and children investment fund, the non-retirement administration**
24 **fund, or any other special revenue fund appropriated for the Kan-**
25 **sas public employees retirement system by this or any other ap-**
26 **propriation act of the 2004 regular session of the legislature.**

27 (c) (1) **(A)** Effective as of June 30, 2005, notwithstanding the provisions
28 of any other statute **except as otherwise provided by this subsection**
29 **(c)**, the director of accounts and reports shall transfer the amount of the
30 unencumbered balance in each special revenue fund of each state agency
31 in the executive branch of state government named in section 22 of chap-
32 ter 138 of the 2003 Session Laws of Kansas that is appropriated for the
33 fiscal year ending June 30, 2005, by chapter 138 or 160 of the 2003 Session
34 Laws of Kansas or by this or other appropriation act of the 2004 regular
35 session of the legislature, that is in excess of \$200,000, as certified by the
36 director of the budget to the director of accounts and reports on or before
37 July 15, 2005, from such special revenue fund to the state general fund:
38 *Provided*, That, in making each such certification, the director of the
39 budget shall take into account the maximum prescribed by subsection
40 (c)(2) and such other factors and considerations as are deemed appro-
41 priate by the director of the budget with respect to the particular special
42 revenue fund and the state agency that is involved: *Provided further*, That,
43 at the same time that each such certification is made by the director of

1 the budget to the director of accounts and reports under this ~~subsection~~
2 ~~(c)(1)~~ **paragraph (c)(1)(A)**, the director of the budget shall deliver a copy
3 of such certification to the director of the legislative research department:
4 *And provided further*, That the amount transferred from each such spe-
5 cial revenue fund to the state general fund pursuant to this ~~subsection~~
6 ~~(c)(1)~~ **paragraph (c)(1)(A)** is to reimburse the state general fund for
7 accounting, auditing, budgeting, legal, payroll, personnel and purchasing
8 services and any other governmental services which are performed on
9 behalf of the state agency involved by other state agencies which receive
10 appropriations from the state general fund to provide such services: *And*
11 *provided further*, **That the provisions of this paragraph (c)(1)(A) shall**
12 **not apply to the bank commissioner fee fund of the state bank**
13 **commissioner.**

14 **(B) Effective as of June 30, 2005, notwithstanding the provisions**
15 **of any other statute, the director of accounts and reports shall**
16 **transfer the amount of the unencumbered balance in the bank**
17 **commissioner fee fund of the state bank commissioner that is in**
18 **excess of \$700,000, as certified by the director of the budget to the**
19 **director of accounts and reports on or before July 15, 2005, from**
20 **the bank commissioner fee fund of the state bank commissioner**
21 **to the state general fund: *Provided*, That, in making such certifi-**
22 **cation, the director of the budget shall take into account the max-**
23 **imum prescribed by subsection (c)(2) and such other factors and**
24 **considerations as are deemed appropriate by the director of the**
25 **budget with respect to the bank commissioner fee fund of the state**
26 **bank commissioner: *Provided further*, That, at the same time that**
27 **such certification is made by the director of the budget to the di-**
28 **rector of accounts and reports under this paragraph (c)(1)(B), the**
29 **director of the budget shall deliver a copy of such certification to**
30 **the director of the legislative research department: *And provided***
31 ***further*, That the amount transferred from each such special rev-**
32 **enue fund to the state general fund pursuant to this paragraph**
33 **(c)(1)(B) is to reimburse the state general fund for accounting, au-**
34 **ditting, budgeting, legal, payroll, personnel and purchasing serv-**
35 **ices and any other governmental services which are performed on**
36 **behalf of the state bank commissioner by other state agencies**
37 **which receive appropriations from the state general fund to pro-**
38 **vide such services.**

39 (2) The aggregate of all of the amounts transferred from all such special
40 revenue funds of state agencies in the executive branch of state govern-
41 ment named in section 22 of chapter 138 of the 2003 Session Laws of
42 Kansas to the state general fund pursuant to subsection (c)(1), shall not
43 exceed ~~\$6,422,848~~ **\$4,593,429**.

1 (d) The provisions of this section shall not apply to any moneys received
2 from any agency or authority of the federal government or from any other
3 federal source and shall not apply to any special revenue fund of the
4 judicial or legislative branches of state government.

5 ~~Sec. 71~~ **70.** (a) On or after July 1, 2004, during the fiscal year ending
6 June 30, 2005, the director of accounts and reports shall not make any
7 transfer directed to be made by subsection (f)(2) of K.S.A. 2003 Supp.
8 75-4265 and amendments thereto from the intergovernmental transfer
9 fund of the department on aging to the senior services trust fund estab-
10 lished by K.S.A. 2003 Supp. 75-4266 and amendments thereto.

11 (b) On or after July 1, 2004, during the fiscal year ending June 30,
12 2005, the director of accounts and reports shall not make any transfer
13 directed to be made by subsection (f)(2) of K.S.A. 2003 Supp. 75-4265
14 and amendments thereto from the intergovernmental transfer fund of the
15 department on aging to the long-term care loan and grant fund of the
16 department on aging established by K.S.A. 2003 Supp. 75-4265 and
17 amendments thereto.

18 (c) On or after July 1, 2004, during the fiscal year ending June 30, 2005,
19 the director of accounts and reports shall not make any transfer directed
20 to be made by subsection (f)(2) of K.S.A. 2003 Supp. 75-4265 and amend-
21 ments thereto from the intergovernmental transfer fund of the depart-
22 ment on aging to the state medicaid match fund department on aging
23 established by K.S.A. 2003 Supp. 75-4265 and amendments thereto.

24 (d) On or after July 1, 2004, during the fiscal year ending June 30,
25 2005, the director of accounts and reports shall not make any transfer
26 directed to be made by subsection (f)(2) of K.S.A. 2003 Supp. 75-4265
27 and amendments thereto from the intergovernmental transfer fund of the
28 department on aging to the state medicaid match fund SRS established
29 by K.S.A. 2003 Supp. 75-4265 and amendments thereto.

30 (e) On or after July 1, 2004, during the fiscal year ending June 30, 2005,
31 the director of accounts and reports shall not make any transfer directed
32 to be made by subsection (f)(2) of K.S.A. 2003 Supp. 75-4265 and amend-
33 ments thereto from the intergovernmental transfer fund of the depart-
34 ment on aging to the aging IGT fund of the department on aging.

35 (f) Commencing on July 1, 2004, or as soon as moneys are available
36 therefor, during the fiscal year ending June 30, 2005, the director of
37 accounts and reports shall transfer to the SRS IGT fund of the depart-
38 ment of social and rehabilitation services, on the dates when the following
39 transfers would have been made under the statute specified, the follow-
40 ing: All amounts of money that would have been directed by subsection
41 (f)(2) of K.S.A. 2003 Supp. 75-4265 and amendments thereto to be trans-
42 ferred from the intergovernmental transfer fund of the department on
43 aging to the senior services trust fund, the long-term care loan and grant

1 fund, the state medicaid match fund department on aging, and the state
2 medicaid match fund SRS.

3 **Sec. 71. Notwithstanding the provisions of K.S.A. 77-151 and**
4 **K.S.A. 2003 Supp. 77-138 and 77-165, and amendments thereto,**
5 **no state agency shall make expenditures for fiscal year 2005 to**
6 **provide and deliver a full set of hardbound Kansas Statutes An-**
7 **notated to each member of the legislature for the 2005 regular**
8 **session: *Provided, however,* That new members of the legislature**
9 **shall be entitled to receive one full set of hardbound Kansas Stat-**
10 **utes Annotated, including any reissued hardbound volumes and**
11 **one set of Kansas Statutes Annotated supplements, and expendi-**
12 **tures shall be made for fiscal year 2005 to provide and deliver a**
13 **full set of hardbound Kansas Statutes Annotated to each new mem-**
14 **ber of the legislature, including any reissued hardbound volumes**
15 **and one set of Kansas Statutes Annotated supplements: *Provided***
16 ***further,* That expenditures shall be made for fiscal year 2005 to**
17 **provide and deliver to each returning member of the legislature**
18 **one set of Kansas Statutes Annotated supplements and any reis-**
19 **sued hardbound volumes for the 2005 regular session.**

20 Sec. 72. On July 1, 2004, K.S.A. 2003 Supp. 2-223 is hereby amended
21 to read as follows: 2-223. (a) There is hereby established in the state
22 treasury the state fair capital improvements fund. All expenditures of
23 moneys in the state fair capital improvements fund shall be used for the
24 payment of capital improvements and maintenance for the state fair-
25 grounds and the payment of capital improvement obligations that have
26 been financed. Capital improvement projects for the Kansas state fair-
27 grounds are hereby approved for the purposes of subsection (b) of K.S.A.
28 74-8905 and amendments thereto and the authorization of the issuance
29 of bonds by the Kansas development finance authority in accordance with
30 that statute.

31 (b) On each June 30, the state fair board shall certify to the director of
32 accounts and reports an amount to be transferred from the state fair fee
33 fund to the state fair capital improvements fund, which amount shall be
34 not less than the amount equal to 5% of the total gross receipts during
35 the current fiscal year from state fair activities and non-fair days activities.
36 Upon receipt of such certification, the director of accounts and reports
37 shall transfer moneys from the state fair fee fund to the state fair capital
38 improvements fund in accordance with such certification.

39 (c) On each July 1, the director of accounts and reports shall transfer
40 from the state general fund to the state fair capital improvements fund,
41 an amount equal to the amount certified by the state fair board pursuant
42 to subsection (b), except that (1) no transfer from the state general fund
43 under this subsection shall exceed \$300,000 in any fiscal year; and (2) no

1 amount shall be transferred under this section from the state general fund
2 to the state fair capital improvements fund during the fiscal year ending
3 June 30, ~~2004~~ 2005.

4 Sec. 73. On July 1, 2004, K.S.A. 2003 Supp. 55-193 is hereby amended
5 to read as follows: 55-193. On July 15, 1996, and on the 15th day of each
6 calendar quarter thereafter before July 1, 2009, the director of accounts
7 and reports shall transfer \$100,000 from the state general fund, \$100,000
8 from the state water plan fund established by K.S.A. 82a-951 and amend-
9 ments thereto and \$100,000 from the conservation fee fund established
10 by K.S.A. 55-143 and amendments thereto to the abandoned oil and gas
11 well fund established by K.S.A. 2003 Supp. 55-192 and amendments
12 thereto, except that: (a) No transfers shall be made pursuant to this sec-
13 tion from the state ~~water plan~~ general fund to the abandoned oil and gas
14 well fund during state fiscal year ~~2004~~ 2005, and (b) ~~no the aggregate of~~
15 ~~the transfers shall be~~ made pursuant to this section from the state ~~general~~
16 ~~water plan~~ fund to the abandoned oil and gas well fund during state fiscal
17 year ~~2004~~ 2005 shall not exceed ~~\$367,000~~ **\$587,000**.

18 Sec. 74. On July 1, 2004, K.S.A. 2003 Supp. 75-2319 is hereby amended
19 to read as follows: 75-2319. (a) There is hereby established in the state
20 treasury the school district capital improvements fund. The fund shall
21 consist of all amounts transferred thereto under the provisions of subsec-
22 tion (c).

23 (b) In each school year, each school district which is obligated to make
24 payments from its bond and interest fund shall be entitled to receive
25 payment from the school district capital improvements fund in an amount
26 determined by the state board of education as provided in this subsection.
27 The state board of education shall:

28 (1) Determine the amount of the assessed valuation per pupil (AVPP)
29 of each school district in the state and round such amount to the nearest
30 \$1,000. The rounded amount is the AVPP of a school district for the
31 purposes of this section;

32 (2) determine the median AVPP of all school districts;

33 (3) prepare a schedule of dollar amounts using the amount of the me-
34 dian AVPP of all school districts as the point of beginning. The schedule
35 of dollar amounts shall range upward in equal \$1,000 intervals from the
36 point of beginning to and including an amount that is equal to the amount
37 of the AVPP of the school district with the highest AVPP of all school
38 districts and shall range downward in equal \$1,000 intervals from the
39 point of beginning to and including an amount that is equal to the amount
40 of the AVPP of the school district with the lowest AVPP of all school
41 districts;

42 (4) determine a state aid percentage factor for each school district by
43 assigning a state aid computation percentage to the amount of the median

1 AVPP shown on the schedule, decreasing the state aid computation per-
2 centage assigned to the amount of the median AVPP by one percentage
3 point for each \$1,000 interval above the amount of the median AVPP,
4 and increasing the state aid computation percentage assigned to the
5 amount of the median AVPP by one percentage point for each \$1,000
6 interval below the amount of the median AVPP. The state aid percentage
7 factor of a school district is the percentage assigned to the schedule
8 amount that is equal to the amount of the AVPP of the school district,
9 except that the state aid percentage factor of a school district shall not
10 exceed 100%. The state aid computation percentage is 5% for contractual
11 bond obligations incurred by a school district prior to the effective date
12 of this act, and 25% for contractual bond obligations incurred by a school
13 district on or after the effective date of this act;

14 (5) determine the amount of payments in the aggregate that a school
15 district is obligated to make from its bond and interest fund and, of such
16 amount, compute the amount attributable to contractual bond obligations
17 incurred by the school district prior to the effective date of this act and
18 the amount attributable to contractual bond obligations incurred by the
19 school district on or after the effective date of this act;

20 (6) multiply each of the amounts computed under (5) by the applicable
21 state aid percentage factor; and

22 (7) add the products obtained under (6). The amount of the sum is the
23 amount of payment the school district is entitled to receive from the
24 school district capital improvements fund in the school year.

25 (c) The state board of education shall certify to the director of accounts
26 and reports the entitlements of school districts determined under the
27 provisions of subsection (b), and an amount equal thereto shall be trans-
28 ferred by the director from the state general fund to the school district
29 capital improvements fund for distribution to school districts. All transfers
30 made in accordance with the provisions of this subsection shall be con-
31 sidered to be demand transfers from the state general fund, except that
32 all such transfers during the fiscal year ending June 30, ~~2004~~ 2005, shall
33 be considered to be revenue transfers from the state general fund.

34 (d) Payments from the school district capital improvements fund shall
35 be distributed to school districts at times determined by the state board
36 of education to be necessary to assist school districts in making scheduled
37 payments pursuant to contractual bond obligations. The state board of
38 education shall certify to the director of accounts and reports the amount
39 due each school district entitled to payment from the fund, and the di-
40 rector of accounts and reports shall draw a warrant on the state treasurer
41 payable to the treasurer of the school district. Upon receipt of the warrant,
42 the treasurer of the school district shall credit the amount thereof to the
43 bond and interest fund of the school district to be used for the purposes

1 of such fund.

2 (e) The provisions of this section apply only to contractual obligations
3 incurred by school districts pursuant to general obligation bonds issued
4 upon approval of a majority of the qualified electors of the school district
5 voting at an election upon the question of the issuance of such bonds.

6 Sec. 75. On July 1, 2004, K.S.A. 2003 Supp. 76-775 is hereby amended
7 to read as follows: 76-775. (a) Subject to the other provisions of this act,
8 on the first day of the first state fiscal year commencing after receiving a
9 certification of receipt of a qualifying gift under K.S.A. 2003 Supp. 76-
10 774 and amendments thereto, the director of accounts and reports shall
11 transfer from the state general fund the amount determined by the di-
12 rector of accounts and reports to be the earnings equivalent award for
13 such qualifying gift for the period of time between the date of certification
14 of the qualifying gift and the first day of the ensuing state fiscal year to
15 either (1) the endowed professorship account of the faculty of distinction
16 matching fund of the eligible educational institution, in the case of a
17 certification of a qualifying gift to an eligible educational institution that
18 is a state educational institution, or (2) the faculty of distinction program
19 fund of the state board of regents, in the case of a certification of a
20 qualifying gift to an eligible institution that is not a state educational in-
21 stitution. Subject to the other provisions of this act, on each July 1 there-
22 after, the director of accounts and reports shall make such transfer from
23 the state general fund of the earnings equivalent award for such qualifying
24 gift for the period of the preceding state fiscal year. All transfers made in
25 accordance with the provisions of this subsection shall be considered de-
26 mand transfers from the state general fund, except that all such transfers
27 during the fiscal year ending June 30, ~~2004~~ 2005, shall be considered to
28 be revenue transfers from the state general fund.

29 (b) There is hereby established in the state treasury the faculty of dis-
30 tinction program fund which shall be administered by the state board of
31 regents. All moneys transferred under this section to the faculty of dis-
32 tinction program fund of the state board of regents shall be paid to eligible
33 educational institutions that are not state educational institutions for earn-
34 ings equivalent awards for qualifying gifts to such eligible educational
35 institutions. The state board of regents shall pay from the faculty of dis-
36 tinction program fund the amount of each such transfer to the eligible
37 educational institution for the earnings equivalent award for which such
38 transfer was made under this section.

39 (c) The earnings equivalent award for an endowed professorship shall
40 be determined by the director of accounts and reports and shall be the
41 amount of interest earnings that the amount of the qualifying gift certified
42 by the state board of regents would have earned at the average net earn-
43 ings rate of the pooled money investment board portfolio for the period

1 for which the determination is being made.

2 (d) The total amount of new qualifying gifts which may be certified to
3 the director of accounts and reports under this act during any state fiscal
4 year for all eligible educational institutions shall not exceed \$30,000,000.
5 The total amount of new qualifying gifts which may be certified to the
6 director of accounts and reports under this act during any state fiscal year
7 for any individual eligible educational institution shall not exceed
8 \$10,000,000. No additional qualifying gifts shall be certified by the state
9 board of regents under this act when the total of all transfers from the
10 state general fund for earnings equivalent awards for qualifying gifts pur-
11 suant to this section and amendments thereto for a fiscal year is equal to
12 or greater than \$5,000,000.

13 Sec. 76. On July 1, 2004, K.S.A. 2003 Supp. 79-2959 is hereby amended
14 to read as follows: 79-2959. (a) There is hereby created the local ad va-
15 lorem tax reduction fund. All moneys transferred or credited to such fund
16 under the provisions of this act or any other law shall be apportioned and
17 distributed in the manner provided herein.

18 (b) On January 15 and on July 15 of each year, the director of accounts
19 and reports shall make transfers in equal amounts which in the aggregate
20 equal 3.63% of the total retail sales and compensating taxes credited to
21 the state general fund pursuant to articles 36 and 37 of chapter 79 of
22 Kansas Statutes Annotated and acts amendatory thereof and supplement-
23 tal thereto during the preceding calendar year from the state general fund
24 to the local ad valorem tax reduction fund, except that no moneys shall
25 be transferred from the state general fund to the local ad valorem tax
26 reduction fund during state fiscal year ~~2004~~ 2005. All such transfers are
27 subject to reduction under K.S.A. 75-6704 and amendments thereto. All
28 transfers made in accordance with the provisions of this section shall be
29 considered to be demand transfers from the state general fund.

30 (c) The state treasurer shall apportion and pay the amounts transferred
31 under subsection (b) to the several county treasurers on January 15 and
32 on July 15 in each year as follows: (1) Sixty-five percent of the amount to
33 be distributed shall be apportioned on the basis of the population figures
34 of the counties certified to the secretary of state pursuant to K.S.A. 11-
35 201 and amendments thereto on July 1 of the preceding year; and (2)
36 thirty-five percent of such amount shall be apportioned on the basis of
37 the equalized assessed tangible valuations on the tax rolls of the counties
38 on November 1 of the preceding year as certified by the director of prop-
39 erty valuation.

40 Sec. 77. On July 1, 2004, K.S.A. 2003 Supp. 79-2964 is hereby amended
41 to read as follows: 79-2964. There is hereby created the county and city
42 revenue sharing fund. All moneys transferred or credited to such fund
43 under the provisions of this act or any other law shall be allocated and

1 distributed in the manner provided herein. The director of accounts and
2 reports in each year on July 15 and December 10, shall make transfers
3 in equal amounts which in the aggregate equal 2.823% of the total retail
4 sales and compensating taxes credited to the state general fund pursuant
5 to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated and
6 acts amendatory thereof and supplemental thereto during the preceding
7 calendar year from the state general fund to the county and city revenue
8 sharing fund, except that no moneys shall be transferred from the state
9 general fund to the county and city revenue sharing fund during state
10 fiscal year ~~2004~~ 2005. All such transfers are subject to reduction under
11 K.S.A. 75-6704 and amendments thereto. All transfers made in accord-
12 ance with the provisions of this section shall be considered to be demand
13 transfers from the state general fund.

14 Sec. 78. On July 1, 2004, K.S.A. 2003 Supp. 79-3425c is hereby
15 amended to read as follows: 79-3425c. (a) On July 15, ~~2003~~ 2004, October
16 15, ~~2003~~ 2004, February 15, ~~2004~~ 2005, and May 15, ~~2004~~ 2005, and on
17 each January 15, April 15, July 15 and October 15 of each year thereafter,
18 the director of accounts and reports shall transfer \$625,000 to the county
19 equalization and adjustment fund from the special city and county high-
20 way fund and on such dates the state treasurer shall apportion and pay
21 to the several counties of the state 57% of the moneys in the special city
22 and county highway fund, created by K.S.A. 79-3425, and amendments
23 thereto, and shall apportion and pay to the several cities of the state the
24 remaining 43% of such moneys.

25 (b) The allocation and payment to each county under the provisions of
26 this section shall be made in the following manner:

27 *First*, Each county of the state shall receive a payment of \$5,000;

28 *Second*, Of the balance remaining, 44.06% thereof shall be apportioned
29 and paid to each county on February 15, ~~2004~~ 2005, and May 15, ~~2004~~
30 2005, and on each January 15 and April 15 of each year thereafter in the
31 proportion that the total amount of money collected in such county from
32 motor vehicle registration fees for the second preceding calendar year
33 bears to the total amount of money collected in all counties from motor
34 vehicle registration fees for the second preceding calendar year, and on
35 July 15 and October 15 of each year in the proportion that the total
36 amount of money collected in such county from motor vehicle registration
37 fees for the preceding calendar year bears to the total amount of money
38 collected in all counties from motor vehicle registration fees for the pre-
39 ceding calendar year;

40 *Third*, 44.06% of such balance shall be apportioned and paid to each
41 county on February 15, ~~2004~~ 2005, and May 15, ~~2004~~ 2005, and on each
42 January 15 and April 15 of each year thereafter in the proportion that the
43 average daily vehicle miles traveled in such county for the second pre-

1 ceding calendar year bears to the average daily vehicle miles traveled in
2 all counties of the state for the second preceding calendar year, and on
3 July 15 and October 15 of each year in the proportion that the average
4 daily vehicle miles traveled in such county for the preceding calendar
5 year bears to the average daily vehicle miles traveled in all counties of the
6 state for the preceding calendar year; and

7 *Fourth*, the remaining 11.88% of such balance shall be apportioned
8 and paid to each county on February 15, ~~2004~~ 2005, and May 15, ~~2004~~
9 2005, and on each January 15 and April 15 of each year thereafter in the
10 proportion that the total road miles in such county for the second pre-
11 ceding calendar year bears to the total road miles in all counties of the
12 state for the second preceding calendar year; and on July 15 and October
13 15 of each year in the proportion that the total road miles in such county
14 for the preceding calendar year bears to the total road miles in all counties
15 of the state for the preceding calendar year.

16 If the total amount of money received by any county pursuant to the
17 foregoing distribution formula during the period from July 15 of any year
18 to April 15 of the next succeeding year is less than the total amount
19 received by such county from the special city and county highway fund
20 and the county equalization and adjustment fund for fiscal year 1999, the
21 state treasurer shall apportion and pay to each such county from the
22 county equalization and adjustment fund an amount which together with
23 the amount received pursuant to the foregoing distribution formula will
24 equal the total amount received from the two aforementioned funds dur-
25 ing such period of time. In the event that there is insufficient funds in
26 the county equalization and adjustment fund to pay each county the
27 amount to which it is entitled, each county shall receive a payment in the
28 proportion that the amount to which such county is entitled bears to the
29 amount to which all such counties are entitled. If there is money remain-
30 ing in such fund after such distribution, the state treasurer shall distribute
31 the balance to the several counties in the manner provided in the second
32 and third clauses of the foregoing formula for distributing moneys to
33 counties from the special city and county highway fund.

34 All payments shall be made to the county treasurers of the respective
35 counties, and upon receipt of the same:

36 (1) The county treasurers of Sedgwick and Shawnee counties shall
37 credit 50% of the moneys received to the road and bridge fund of such
38 counties and apportion and pay the remainder of such moneys to the
39 several cities located in such counties;

40 (2) the county treasurer of Wyandotte county shall credit 10% of the
41 moneys received to the road and bridge fund of such county and appor-
42 tion and pay the remainder of such moneys to the several cities located
43 in such county;

1 (3) the county treasurers of Lyon, Cowley, Crawford, Montgomery,
2 Butler, Saline, Leavenworth, Riley, Reno and Douglas counties shall
3 credit 90% of the moneys so received to the road and bridge fund of such
4 counties and apportion and pay the remainder of such moneys to the
5 several cities located in such counties except that no persons residing
6 within the Fort Riley military reservation shall be included or considered
7 in determining the population of any city located within Geary or Riley
8 county; and

9 (4) the county treasurers of Johnson county and all other counties not
10 listed in paragraphs (1), (2) or (3) shall credit all of the moneys received
11 to the road and bridge fund of such counties.

12 Not less than 25% of the amount received by each county and credited
13 to the county road and bridge fund under the provisions of this section
14 shall be expended by the county on mail and school bus routes on county
15 roads as defined in K.S.A. 68-101, and amendments thereto. Payments
16 to the cities under the provisions of this subsection shall be in the pro-
17 portion that the population of each city bears to the total population of
18 all cities located in the same county as such city.

19 In counties which have not adopted the county-unit road system, the
20 amount of money retained by such counties after distribution to the cities
21 within such county pursuant to this subsection shall be distributed to each
22 township within such county in not less than the proportion that the
23 amount of money received by each township from the county and town-
24 ship road fund during the period from July 1, 1969, to June 30, 1970,
25 bears to the total amount of money received by such county from the
26 county and township road fund, the county road and city street funds,
27 the special motor carrier fee county road fund and the special city and
28 county highway fund during the period from July 1, 1969, to June 30,
29 1970, plus the amount such county would have received on July 15, 1970,
30 from the special city and county highway fund based on the formula for
31 distributing such fund in effect on June 30, 1970. All payments to town-
32 ships hereunder shall be made to the treasurers thereof, and all moneys
33 so received shall be deposited in the general road fund of such township.

34 (c) The allocation and payment of moneys to the several cities of the
35 state from the special city and county highway fund shall be in the pro-
36 portion that the population of each city bears to the total population of
37 all cities in the state except that the population of any military reservation
38 which has been annexed to a city after the date of December 31, 1981,
39 shall not be included in the population of such city for the purpose of this
40 allocation. All such payments shall be to the city treasurers of the re-
41 spective cities. Upon receipt of same unless a consolidated street and
42 highway fund is established pursuant to K.S.A. 12-1,119, and amend-
43 ments thereto, the city treasurer of each city shall credit the same to a

1 separate fund to be used for the construction, reconstruction, alteration,
2 repair and maintenance of the streets and highways of such city and for
3 the payment of bonds, and interest thereon, issued pursuant to K.S.A.
4 79-3425g, and amendments thereto.

5 (d) For the purposes of this section, the average daily vehicle miles
6 traveled in each county shall be determined by the secretary of transpor-
7 tation, but it shall not include miles traveled on interstate highways, and
8 the population of each city shall be reported in the annual enumeration
9 by the state board of agriculture for the preceding calendar year.

10 (e) In order to reduce vehicular traffic and congestion on its streets
11 and highways, the board of county commissioners of any county, the gov-
12 erning body of any city or the township board of any township may use
13 for the purpose of constructing, repairing and maintaining footpaths and
14 bicycle paths not to exceed 10% of the moneys such government receives
15 under K.S.A. 79-3425c, and amendments thereto, except that such limi-
16 tation shall not apply to moneys received by a county that the county is
17 required to distribute to a city or a township. Such moneys shall not be
18 expended on any recreational trail, as defined in subsection (b) of K.S.A.
19 2003 Supp. 58-3211, and amendments thereto.

20 Sec. 79. On July 1, 2004, K.S.A. 2003 Supp. 79-3425i is hereby
21 amended to read as follows: 79-3425i. On January 15 and July 15 of each
22 year, the director of accounts and reports shall transfer a sum equal to
23 the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-
24 6a10, and amendments thereto, and credited to the state general fund
25 during the six months next preceding the date of transfer, from the state
26 general fund to the special city and county highway fund, created by
27 K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers
28 are subject to reduction under K.S.A. 75-6704, and amendments thereto;
29 and (2) ~~no the amount of~~ moneys shall be transferred from the state
30 general fund to the special city and county highway fund during state
31 fiscal year ~~2004~~ 2005 on each such date shall not exceed \$5,031,832. All
32 transfers under this section shall be considered to be demand transfers
33 from the state general fund *except that all such transfers during the fiscal*
34 *year ending June 30, 2005, shall be considered to be revenue transfers*
35 *from the state general fund.*

36 Sec. 80. On July 1, 2004, K.S.A. 2003 Supp. 79-34,147 is hereby
37 amended to read as follows: 79-34,147. (a) (1) On July 1, 1999, and quar-
38 terly thereafter the secretary of revenue shall certify to the director of
39 accounts and reports the amount equal to 7.628% of the total revenues
40 received by the secretary from the taxes imposed under the Kansas re-
41 tailers' sales tax act and deposited in the state treasury and credited to
42 the state general fund during the preceding three calendar months.

43 (2) On July 1, 2001, and quarterly thereafter, the secretary of revenue

1 shall certify to the director of accounts and reports the amount equal to
2 9.5% of the total revenues received by the secretary from the taxes im-
3 posed under the Kansas retailers' sales tax act and deposited in the state
4 treasury and credited to the state general fund during the preceding three
5 calendar months.

6 (3) On July 1, 2002, and quarterly thereafter, the secretary of revenue
7 shall certify to the director of accounts and reports the amount equal to
8 11% of the total revenues received by the secretary from the taxes im-
9 posed under the Kansas retailers' sales tax act and deposited in the state
10 treasury and credited to the state general fund during the preceding three
11 calendar months.

12 (4) On July 1, 2003, and quarterly thereafter, the secretary of revenue
13 shall certify to the director of accounts and reports the amount equal to
14 11.25% of the total revenues received by the secretary from the taxes
15 imposed under the Kansas retailers' sales tax act and deposited in the
16 state treasury and credited to the state general fund during the preceding
17 three calendar months.

18 (5) On July 1, 2004, and quarterly thereafter, the secretary of revenue
19 shall certify to the director of accounts and reports the amount equal to
20 12% of the total revenues received by the secretary from the taxes im-
21 posed under the Kansas retailers' sales tax act and deposited in the state
22 treasury and credited to the state general fund during the preceding three
23 calendar months.

24 (b) Upon receipt of each certification under subsection (a), the director
25 of accounts and reports shall transfer from the state general fund to the
26 state highway fund an amount equal to the amount so certified, on each
27 July 1, October 1, January 1 and April 1, except that no transfers shall be
28 made pursuant to this section during state fiscal year ~~2004~~ 2005. All trans-
29 fers made pursuant to this section are subject to reduction under K.S.A.
30 75-6704, and amendments thereto.

31 (c) All transfers made in accordance with the provisions of this section
32 shall be considered to be demand transfers from the state general fund.

33 Sec. 81. On July 1, 2004, K.S.A. 2003 Supp. 82a-953a is hereby
34 amended to read as follows: 82a-953a. During the fiscal year ending June
35 30, ~~2004~~ 2005, the director of accounts and reports shall transfer
36 ~~\$3,773,949~~ \$3,748,839 from the state general fund to the state water plan
37 fund created by K.S.A. 82a-951, and amendments thereto, ½ of such
38 amount to be transferred on July 15 and ½ to be transferred on January
39 15, except that such transfers are subject to reduction under K.S.A. 75-
40 6704, and amendments thereto. All transfers under this section shall be
41 considered to be demand transfers from the state general fund, except
42 that all such transfers during the fiscal year ending June 30, ~~2004~~ 2005,
43 shall be considered revenue transfers from the state general fund.

1 **[Sec. 82. On July 1, 2004, K.S.A. 2003 Supp. 75-6702 is hereby**
2 **amended to read as follows: 75-6702. (a) The last appropriation**
3 **bill passed in any regular session of the legislature shall be the**
4 **omnibus reconciliation spending limit bill. Each bill which is**
5 **passed during a regular session of the legislature and which ap-**
6 **propriates or transfers money from the state general fund for the**
7 **ensuing fiscal year shall contain a provision that such bill shall take**
8 **effect and be in force from and after the effective date of the om-**
9 **nibus reconciliation spending limit bill for that regular session of**
10 **the legislature or from and after such effective date and a subse-**
11 **quent date or an event occurring after such effective date.**

12 **[(b) Except as provided in subsection (c), the maximum amount**
13 **of expenditures and demand transfers from the state general fund**
14 **that may be authorized by act of the legislature during the 2004**
15 **regular session of the legislature and each regular session of the**
16 **legislature thereafter, is hereby fixed so that there will be an end-**
17 **ing balance in the state general fund for the ensuing fiscal year**
18 **that is equal to 7½% or more of the total amount authorized to be**
19 **expended or transferred by demand transfer from the state gener-**
20 **al fund in such fiscal year.**

21 **[(c) The provisions of subsection (b) are hereby suspended for**
22 **the fiscal year ending June 30, 2004 2005, and shall not prescribe**
23 **a maximum amount of expenditures and demand transfers from**
24 **the state general fund that may be authorized by act of the legis-**
25 **lature during the 2003 2004 regular session of the legislature.]**

26 ~~Sec. 82.~~ **[83.]** On July 1, 2004, K.S.A. 2003 Supp. 2-223, 55-193, 75-
27 2319, 76-775, 79-2959, 79-2964, 79-2964, 79-3425c, 79-3425i, 79-34,147 and 82a-
28 953a are hereby repealed.

29 ~~Sec. 83.~~ **[84.]** *Appeals to exceed position limitations.* **The limitations**
30 **imposed by this act on the number of full-time and regular part-**
31 **time positions equated to full-time, excluding seasonal and tem-**
32 **porary positions, paid from appropriations for the fiscal years end-**
33 **ing June 30, 2004, or ending June 30, 2005, made in chapter 138**
34 **or chapter 160 of the 2003 Session Laws of Kansas or in this act**
35 **or in any other appropriation act of the 2004 regular session of the**
36 **legislature may be exceeded upon approval of the state finance**
37 **council.**

38 ~~Sec. 84.~~ **[85.]** *Appeals to exceed expenditure limitations.* (a) Upon writ-
39 ten application to the governor and approval of the state finance council,
40 expenditures from special revenue funds may exceed the amounts spec-
41 ified in this act.

42 (b) This section shall not apply to the state economic development
43 initiatives fund, the children's initiatives fund, the state water plan fund

1 or the Kansas endowment for youth fund, or to any account of any of
2 such funds.

3 ~~Sec. 85.~~ **[86.]** *Savings.* (a) Any unencumbered balance as of June 30,
4 2004, in any special revenue fund, or account thereof, of any state agency
5 named in this act which is not otherwise specifically appropriated or lim-
6 ited by this or other appropriation act of the 2004 regular session of the
7 legislature, is hereby appropriated for the fiscal year ending June 30,
8 2005, for the same use and purpose as the same was heretofore approp-
9 riated. This subsection shall not apply to any state agency named in
10 section 22 of chapter 138 of the 2003 Session Laws of Kansas.

11 (b) Any unencumbered balance as of June 30, 2004, in any special
12 revenue fund, or account thereof, of any state agency named in section
13 22 of chapter 138 of the 2003 Session Laws of Kansas which is not oth-
14 erwise specifically appropriated or limited for fiscal year 2005 by chapter
15 138 or chapter 160 of the 2003 Session Laws of Kansas by this or other
16 appropriation act of the 2004 regular session of the legislature, is hereby
17 appropriated for fiscal year 2005 for the same use and purpose as the
18 same was heretofore appropriated.

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

23 ~~Sec. 86.~~ **[87.]** During the fiscal year ending June 30, 2005, all moneys
24 which are lawfully credited to and available in any bond special revenue
25 fund, which are not otherwise specifically appropriated or limited by this
26 or other appropriation act of the 2004 regular session of the legislature,
27 are hereby appropriated for the fiscal year ending June 30, 2005, for the
28 state agency for which the bond special revenue fund was established for
29 the purposes authorized by law for expenditures from such bond special
30 revenue fund. As used in this subsection, "bond special revenue fund"
31 means any special revenue fund or account thereof established in the
32 state treasury prior to or on or after the effective date of this act for the
33 deposit of the proceeds of bonds issued by the Kansas development fi-
34 nance authority, for the payment of debt service for bonds issued by the
35 Kansas development finance authority, or for any related purpose in ac-
36 cordance with applicable bond covenants.

37 ~~Sec. 87.~~ **[88.]** *Federal grants.* (a) During the fiscal year ending June
38 30, 2005, 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 2004 regular
41 session of the legislature, is hereby appropriated for the fiscal year ending
42 June 30, 2005, 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 reapprop-
3 priated or approved for expenditure by the governor, until the governor
4 has authorized the state agency to make expenditures therefrom.

5 (b) During the fiscal year ending June 30, 2005, each federal grant or
6 other federal receipt which is received by a state agency named in section
7 22 of chapter 138 of the 2003 Session Laws of Kansas and which is not
8 otherwise appropriated to that state agency for fiscal year 2005 by chapter
9 138 or chapter 160 of the 2003 Session Laws of Kansas or by this or other
10 appropriation act of the 2004 regular session of the legislature, is hereby
11 appropriated for fiscal year 2005 for that state agency for the purpose set
12 forth in such federal grant or receipt, except that no expenditure shall be
13 made from and no obligation shall be incurred against any such federal
14 grant or other federal receipt, which has not been previously appropriated
15 or reappropriated or approved for expenditure by the governor, for fiscal
16 year 2005, until the governor has authorized the state agency to make
17 expenditures from such federal grant or other federal receipt for fiscal
18 year 2005.

19 (c) In addition to the other purposes for which expenditures may be
20 made by any state agency which is named in this act and which is not
21 otherwise authorized by law to apply for and receive federal grants, ex-
22 penditures may be made by such state agency from moneys appropriated
23 for fiscal year 2005 by chapter 138 or chapter 160 of the 2003 Session
24 Laws of Kansas or by this or other appropriation act of the 2004 regular
25 session of the legislature to apply for and receive federal grants during
26 fiscal year 2005, which federal grants are hereby authorized to be applied
27 for and received by such state agencies: *Provided*, That no expenditure
28 shall be made from and no obligation shall be incurred against any such
29 federal grant or other federal receipt, which has not been previously ap-
30 propriated or reappropriated or approved for expenditure by the gover-
31 nor, until the governor has authorized the state agency to make expend-
32 itures therefrom.

33 Sec. ~~88.~~ [89.] Any correctional institutions building fund appropriation
34 heretofore appropriated to any state agency named in this or other ap-
35 propriation act of the 2004 regular session of the legislature, and having
36 an unencumbered balance as of June 30, 2004, in excess of \$100 is hereby
37 reappropriated for the fiscal year ending June 30, 2005, for the same uses
38 and purposes as originally appropriated unless specific provision is made
39 for lapsing such appropriation.

40 Sec. ~~89.~~ [90.] Any Kansas educational building fund appropriation
41 heretofore appropriated to any institution named in this or other approp-
42 riation act of the 2004 regular session of the legislature and having an
43 unencumbered balance as of June 30, 2004, in excess of \$100 is hereby

1 reappropriated for the fiscal year ending June 30, 2005, for the same use
2 and purpose as originally appropriated, unless specific provision is made
3 for lapsing such appropriation.

4 ~~Sec. 90.~~ **[91.]** Any state institutions building fund appropriation here-
5 tofore appropriated to any state agency named in this or other appropri-
6 ation act of the 2004 regular session of the legislature and having an
7 unencumbered balance as of June 30, 2004, in excess of \$100 is hereby
8 reappropriated for the fiscal year ending June 30, 2005, for the same use
9 and purpose as originally appropriated, unless specific provision is made
10 for lapsing such appropriation.

11 ~~Sec. 91.~~ **[92.]** Any transfers of money during the fiscal year ending June
12 30, 2005, from any special revenue fund of any state agency named in
13 this act to the audit services fund of the division of post audit under K.S.A.
14 46-1121 and amendments thereto shall be in addition to any expenditure
15 limitation imposed on any such fund for the fiscal year ending June 30,
16 2005.

17 ~~Sec. 92.~~ **[93.]** During the fiscal year ending June 30, 2005, each state
18 agency named in this act that has a cost reduction for which an employee
19 suggestion bonus is paid pursuant to subsection (f) of K.S.A. 2003 Supp.
20 75-37,105, and amendments thereto, shall transfer (1) from each state
21 general fund appropriation or reappropriation account for fiscal year 2005
22 from which all or part of such cost reduction has been realized to the
23 state general fund, in accordance with subsection (f) of K.S.A. 2003 Supp.
24 75-37,105, and amendments thereto, the amount equal to 80% of the cost
25 reduction which is attributed to such account, and (2) from each special
26 revenue fund for fiscal year 2005 from which all or part of such cost
27 reduction has been realized to the state general fund, in accordance with
28 subsection (f) of K.S.A. 2003 Supp. 75-37,105, and amendments thereto,
29 the amount equal to 80% of the cost reduction which is attributed to such
30 special revenue fund.

31 ~~Sec. 93.~~ **[94.]** This act shall take effect and be in force from and after
32 July 1, 2004, or the date upon which the omnibus reconciliation spending
33 limit bill of the 2004 regular session of the legislature becomes effective,
34 whichever is later, and its publication in the statute book **[its publication**
35 **in the Kansas register].**