

[As Amended by Senate Committee of the Whole]

As Amended by Senate Committee

Session of 2004

SENATE BILL No. 538

By Committee on Ways and Means

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, **75-6702**,
18 76-775, 79-2959, 79-2964, 79-3425c, 79-3425i, 79-34,147 and 82a-953a
19 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, 2005,
23 and June 30, 2006, appropriations are hereby made, restrictions and lim-
24 itations are hereby imposed, and transfers, capital improvement projects,
25 fees, receipts, disbursements and acts incidental to the foregoing are
26 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 — operations..... \$2,603,987

42 *Provided*, That any unencumbered balance in the legislative research de-
43 partment — operations account in excess of \$100 as of June 30, 2004, is

1 hereby reappropriated for fiscal year 2005.
 2 Office of revisor of statutes — operations \$2,342,579
 3 *Provided*, That any unencumbered balance in the office of revisor of
 4 statutes — operations account in excess of \$100 as of June 30, 2004, is
 5 hereby reappropriated for fiscal year 2005.
 6 (b) There is appropriated for the above agency from the following spe-
 7 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
 8 moneys now or hereafter lawfully credited to and available in such fund
 9 or funds, except that expenditures other than refunds authorized by law
 10 shall not exceed the following:
 11 Legislative research department special revenue fund..... No limit
 12 Sec. 3.

13 LEGISLATURE

14 (a) There is appropriated for the above agency from the state general
 15 fund for the fiscal year ending June 30, 2005, the following:
 16 Operations (including official hospitality) ~~\$12,758,831~~ **\$12,727,045**
 17 *Provided*, That any unencumbered balance in the operations (including
 18 official hospitality) account in excess of \$100 as of June 30, 2004, is hereby
 19 reappropriated for fiscal year 2005: *Provided further*, That expenditures
 20 may be made from this account, pursuant to vouchers approved by the
 21 chairperson or vice-chairperson of the legislative coordinating council, to
 22 pay compensation and travel expenses and subsistence expenses or allow-
 23 ances as authorized by K.S.A. 75-3212 and amendments thereto for mem-
 24 bers and associate members of the advisory committee to the Kansas
 25 commission on interstate cooperation established under K.S.A. 46-407a
 26 and amendments thereto for attendance at meetings of the advisory com-
 27 mittee which are authorized by the legislative coordinating council, except
 28 that (1) the legislative coordinating council may establish restrictions or
 29 limitations, or both, on travel expenses, subsistence expenses or allow-
 30 ances, or any combination thereof, paid to members and associate mem-
 31 bers of such advisory committee, and (2) any person who is an associate
 32 member of such advisory committee, by reason of such person having
 33 been accredited by the national conference of commissioners on uniform
 34 state laws as a life member of that organization, shall receive the same
 35 travel expenses and subsistence expenses for attendance at meetings of
 36 the advisory committee as a regular member, but shall receive no per
 37 diem compensation: *And provided further*, That expenditures may be
 38 made from this account for services, facilities and supplies provided for
 39 legislators in addition to those provided under the approved budget and
 40 for related copying, facsimile transmission and other services provided to
 41 persons other than legislators, in accordance with policies and any restric-
 42 tions or limitations prescribed by the legislative coordinating council: *And*
 43 *provided further*, That no expenditures shall be made from this account

1 for any meeting of any joint committee of the legislature during fiscal
 2 year 2005 unless such meeting is approved by the legislative coordinating
 3 council, except that expenditures shall be made by the legislature from
 4 this account for any meeting of the joint committee on state building
 5 construction during fiscal year 2005 that is called in accordance with
 6 K.S.A. 46-1701, and amendments thereto, notwithstanding that such
 7 meeting has not been approved by the legislative coordinating council:
 8 *And provided further, That no expenditures shall be made to reim-*
 9 *burse any legislator for out-of-state travel above an aggregate total*
 10 *of \$2,500 per calendar year without legislative coordinating council*
 11 *approval: And provided further, That no individual legislator, ex-*
 12 *cluding the speaker of the house of representatives and the president*
 13 *of the senate, shall be paid for more than 150 days per calendar*
 14 *year without legislative coordinating council approval for each day*
 15 *above the 150 day total.*

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 shall not exceed the following:

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

1 other than legislators, in accordance with policies and any restrictions or
 2 limitations prescribed by the legislative coordinating council: *And pro-*
 3 *vided further*, That amounts are hereby authorized to be collected for
 4 such services, facilities and supplies in accordance with policies of the
 5 council: *And provided further*, That such amounts shall be fixed in order
 6 to recover all or part of the expenses incurred for providing such services,
 7 facilities and supplies and shall be consistent with policies and fees estab-
 8 lished in accordance with K.S.A. 46-1207a and amendments thereto: *And*
 9 *provided further*, That all such amounts received shall be deposited in
 10 the state treasury to the credit of the legislative special revenue fund: *And*
 11 *provided further*, That all donations, gifts or bequests of money for the
 12 legislative branch of government which are received and accepted by the
 13 legislative coordinating council shall be deposited in the state treasury
 14 and credited to an account of the legislative special revenue fund: *And*
 15 *provided further*, That no expenditures shall be made from this fund for
 16 any meeting of any joint committee of the legislature during fiscal year
 17 2005 unless such meeting is approved by the legislative coordinating
 18 council, except that expenditures shall be made by the legislature from
 19 this fund for any meeting of the joint committee on state building con-
 20 struction during fiscal year 2005 that is called in accordance with K.S.A.
 21 46-1701, and amendments thereto, notwithstanding that such meeting
 22 has not been approved by the legislative coordinating council: *And pro-*
 23 *vided further*, ***That no expenditures shall be made to reimburse any***
 24 ***legislator for out-of-state travel above an aggregate total of \$2,500***
 25 ***per calendar year without legislative coordinating council ap-***
 26 ***proval: And provided further, That no individual legislator, excluding***
 27 ***the speaker of the house of representatives and the president of the***
 28 ***senate, shall be paid for more than 150 days per calendar year with-***
 29 ***out legislative coordinating council approval for each day above***
 30 ***the 150 day total.***

31 Sec. 4.

32 DIVISION OF POST AUDIT

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 Operations (including legislative post audit committee).... \$1,833,570
 36 *Provided*, That any unencumbered balance in the operations (including
 37 legislative post audit committee) account in excess of \$100 as of June 30,
 38 2004, is hereby reappropriated for fiscal year 2005.

39 (b) 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 shall not exceed the following:
 43 Audit services fund..... No limit

1 *Provided*, That the division of post audit is hereby authorized to fix, charge
 2 and collect fees for copies of public records of the division, including
 3 distribution of such copies: *Provided further*, That such fees shall be fixed
 4 to recover all or part of the expenses incurred for reproducing and dis-
 5 tributing such copies and shall be consistent with policies and fees estab-
 6 lished in accordance with K.S.A. 46-1207a and amendments thereto: *And*
 7 *provided further*, That all moneys received for such fees shall be depos-
 8 ited in the state treasury to the credit of the audit services fund.
 9 Conversion of materials and equipment fund No limit
 10 State agency audits fund..... No limit
 11 Sec. 5.

12 GOVERNOR’S DEPARTMENT

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 Governor’s department \$1,624,479
 16 *Provided*, That any unencumbered balance in the governor’s department
 17 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 18 for fiscal year 2005: *Provided further*, That expenditures may be made
 19 from this account for official hospitality and contingencies without limi-
 20 tation at the discretion of the governor.

21 (b) Expenditures may be made by the above agency for travel expenses
 22 of the governor’s spouse when accompanying the governor or when rep-
 23 resenting the governor on official state business, for travel and subsistence
 24 expenditures for security personnel when traveling with the governor and
 25 for entertainment of officials and other persons as guests from the amount
 26 appropriated for the fiscal year ending June 30, 2005, by subsection (a)
 27 from the state general fund in the governor’s department account.

28 (c) 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 shall not exceed the following:

32 Special programs fund..... No limit
 33 *Provided*, That expenditures may be made from the special programs
 34 fund for operating expenditures for the governor’s department, including
 35 conferences and official hospitality: *Provided further*, That the governor
 36 is hereby authorized to fix, charge and collect fees for such conferences:
 37 *And provided further*, That fees for such conferences shall be fixed in
 38 order to recover all or part of the operating expenses incurred for such
 39 conferences, including official hospitality: *And provided further*, That all
 40 fees received for such conferences and all fees received by the governor’s
 41 department under the open records act for providing access to or fur-
 42 nishing copies of public records, shall be credited to this fund.
 43 Conversion of materials and equipment fund No limit

1 Federal grants fund No limit
2 Sec. 6.

3 LIEUTENANT GOVERNOR

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 Operations \$114,817

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

10 (b) Expenditures may be made by the above agency for travel expenses
11 of the lieutenant governor’s spouse when accompanying the lieutenant
12 governor on official state business and for travel and subsistence expend-
13 itures for security personnel when traveling with the lieutenant governor
14 on official state business from the amount appropriated by subsection (a)
15 from the state general fund for the fiscal year ending June 30, 2005, in
16 the operations account.

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

22 Sec. 7.

23 ATTORNEY GENERAL

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 \$3,743,512

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 further*, That expenditures from this account
30 for official hospitality shall not exceed \$1,200: *Provided further*, That the
31 attorney general may make expenditures from this account for the rent
32 of office space in the memorial building: *Provided, however*, That any
33 reduction in utilization of space in the memorial building and correspond-
34 ing reduction in rent assessed the attorney general must be so certified
35 by the secretary of administration: *Provided further*, That any savings in
36 rent as the result of the secretary of administration certifying that there
37 has been a reduction in the utilization of space in the memorial building
38 by the office of the attorney general may be used for any operating ex-
39 penses authorized to be paid from this account.

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

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

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

6 *Provided, That, in addition to the other purposes authorized by*
7 *K.S.A. 82a-1802 and amendments thereto, expenditures may be*
8 *made from the interstate water litigation fund for: (1) Litigation*
9 *costs for the case of Kansas v. Colorado No. 105, Original in the*
10 *Supreme Court of the United States, including repayment of past*
11 *contributions; (2) expenses related to the appointment of a river*
12 *master or such other official as may be appointed by the Supreme*
13 *Court to administer, implement or enforce its decree or other orders*
14 *of the Supreme Court related to this case; and (3) expenses incurred*
15 *by agencies of the state of Kansas to monitor actions of the state of*
16 *Colorado and its water users and to enforce any settlement, decree*
17 *or order of the Supreme Court related to this case.*

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 Court cost fund.....	No limit
24 Bond transcript review fee fund	No limit
25 Conversion of materials and equipment fund	No limit
26 Attorney general’s antitrust special revenue fund	No limit
27 Private gifts fund.....	No limit
28 Medicaid fraud reimbursement fund.....	No limit
29 Attorney general’s antitrust suspense fund	No limit
30 Attorney general’s consumer protection clearing fund.....	No limit
31 Attorney general’s committee on crime prevention fee	
32 fund	No limit

33 *Provided, That expenditures may be made from the attorney general’s*
34 *committee on crime prevention fee fund for operating expenditures di-*
35 *rectly or indirectly related to conducting training seminars organized by*
36 *the attorney general’s committee on crime prevention, including official*
37 *hospitality: Provided further, That the attorney general is hereby author-*
38 *ized to fix, charge and collect fees for conducting training seminars or-*
39 *ganized by the attorney general’s committee on crime prevention: And*
40 *provided further, That such fees shall be fixed in order to recover all or*
41 *part of the direct and indirect operating expenses incurred for conducting*
42 *such seminars, including official hospitality: And provided further, That*
43 *all fees received for conducting such seminars shall be deposited in the*

1 state treasury and credited to this fund.

2 Tort claims fund..... No limit

3 *Provided*, That, of the moneys transferred during fiscal year 2005 from

4 the state general fund to the tort claims fund pursuant to K.S.A. 75-6117

5 and amendments thereto, the aggregate amount transferred during fiscal

6 year 2005 for costs of defending the state or an employee of the state in

7 any actions or proceedings on claims against the state or an employee of

8 the state under the tort claims act or under the civil rights laws of the

9 United States or of the state of Kansas, shall not exceed ~~\$1,026,072~~

10 **\$1,176,072**, except upon approval of the state finance council acting on

11 this matter which is hereby characterized as a matter of legislative dele-

12 gation and subject to the guidelines prescribed in subsection (c) of K.S.A.

13 75-3711c and amendments thereto: *Provided, however*, That such ap-

14 proval also may be given while the legislature is in session: *Provided fur-*

15 *ther, That expenditures may be made from the tort claims fund for*

16 *defense of state officials in connection with litigation brought pur-*

17 *suant to 2002 House Resolution 6003: Provided, however, That no*

18 *such expenditure shall be made for defense of members of the Kan-*

19 *sas legislature in connection with litigation brought pursuant to*

20 *2002 House Resolution 6003.*

21 Crime victims compensation fund..... No limit

22 *Provided*, That expenditures from the crime victims compensation fund

23 for state operations shall not exceed \$323,311: *Provided further*, That any

24 expenditures for payment of compensation to crime victims are author-

25 ized to be made from this fund regardless of when the claim was awarded.

26 Crime victims assistance fund No limit

27 Protection from abuse fund No limit

28 Victims of crime assistance act — federal fund No limit

29 Crime victims grants and gifts fund..... No limit

30 *Provided*, That all private grants and gifts received by the crime victims

31 compensation board shall be deposited to the credit of the crime victims

32 grants and gifts fund.

33 Attorney general’s medicaid fraud control fund..... No limit

34 Other federal grants and reimbursement fund No limit

35 Debt collection administration cost recovery fund..... No limit

36 *Provided*, That the attorney general shall deposit in the state treasury to

37 the credit of the debt collection administration cost recovery fund all

38 moneys remitted to the attorney general as administrative costs under

39 contracts entered into pursuant to K.S.A. 75-719 and amendments

40 thereto: *Provided further*, That the attorney general shall authorize the

41 director of accounts and reports to transfer \$30,000 from this fund to the

42 state general fund at such time as receipts to this fund are sufficient to

43 sustain expenditures for administering and monitoring such contracts as

1 well as to repay the state general fund for money advanced for such
2 purpose: *And provided further*, That, upon receipt of such authorization,
3 the director of accounts and reports shall transfer \$30,000 from the debt
4 collection administration cost recovery fund to the state general fund.

5 Medicaid fraud prosecution revolving fund No limit

6 *Provided*, That all moneys recovered by the medicaid fraud and abuse
7 division of the attorney general’s office in the enforcement of state and
8 federal law which are in excess of any restitution for overcharges and
9 interest, including all moneys recovered as recoupment of expenses of
10 investigation and prosecution, shall be deposited in the state treasury to
11 the credit of the medicaid fraud prosecution revolving fund.

12 Interstate water litigation fund No limit

13 *Provided*, That, in addition to the other purposes authorized by K.S.A.
14 82a-1802 and amendments thereto, expenditures may be made from the
15 interstate water litigation fund for: (1) Litigation costs for the case of
16 *Kansas v. Colorado* No. 105, Original in the Supreme Court of the United
17 States, including repayment of past contributions; (2) expenses related to
18 the appointment of a river master or such other official as may be ap-
19 pointed by the Supreme Court to administer, implement or enforce its
20 decree or other orders of the Supreme Court related to this case; and (3)
21 expenses incurred by agencies of the state of Kansas to monitor actions
22 of the state of Colorado and its water users and to enforce any settlement,
23 decree or order of the Supreme Court related to this case.

24 Suspense fund No limit

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

33 ***(d) During the fiscal year ending June 30, 2005, of the aggregate***
34 ***amount of fines, penalties and forfeitures remitted each month to***
35 ***the state treasurer by the clerks of the district courts, the state trea-***
36 ***surer shall credit (1) the amount equal to 1% of each such aggregate***
37 ***monthly remittance to the crime victims compensation fund; and (2)***
38 ***the amount equal to 1% of each such aggregate monthly remittance***
39 ***to the crime victims assistance fund: Provided, That all moneys cred-***
40 ***ited to the crime victims compensation fund pursuant to this sub-***
41 ***section shall be in addition to all other amounts credited to the***
42 ***crime victims compensation fund as prescribed by K.S.A. 74-7336***
43 ***and amendments thereto or by any other statute: Provided further,***

1 *That all moneys credited to the crime victims assistance fund pur-*
2 *suant to this subsection shall be in addition to all other amounts*
3 *credited to the crime victims assistance fund as prescribed by K.S.A.*
4 *20-367 and 74-7336 and amendments thereto or by any other stat-*
5 *ute.*

6 *(e) During the fiscal year ending June 30, 2005, the director of*
7 *accounts and reports is hereby authorized to transfer an amount*
8 *certified by the attorney general of not to exceed \$100,000 from the*
9 *crime victims compensation fund to the crime victims assistance*
10 *fund.*

11 *(f) The attorney general is hereby directed to submit to the leg-*
12 *islature any vouchers or claims for payment of expenses related to*
13 *seeking an injunction to prohibit the expenditure of state funds for*
14 *the purpose of terminating lives of human beings pursuant to 2002*
15 *House Resolution 6003.*

16 Sec. 8.

17 SECRETARY OF STATE

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

20 Any unencumbered balance in excess of \$100 as of June 30, 2004, in the
21 HAVA match account is 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 Cemetery and funeral audit fee fund.....	No limit
27 Conversion of materials and equipment fund	No limit
28 Information and services fee fund.....	No limit
29 <i>Provided, That expenditures from the information and services fee</i>	
30 <i>fund for official hospitality shall not exceed \$2,500.</i>	
31 State register fee fund.....	No limit
32 Uniform commercial code fee fund.....	No limit
33 State flag and banner fund.....	No limit
34 Secretary of state fee refund fund.....	No limit
35 Electronic voting machine examination fund	No limit
36 Suspense fund	No limit
37 Prepaid services fund.....	No limit
38 Athlete agent registration fee fund.....	No limit
39 Franchise fee recovery fund.....	No limit
40 Democracy fund	No limit
41 Technology communication fee fund.....	No limit
42 HAVA federal grants fund	No limit

43 ~~—(c) During each month of the fiscal year ending June 30, 2005, the~~

1 ~~secretary of state shall certify to the director of accounts and reports the~~
 2 ~~amount equal to the product of \$1 multiplied by the number of annual~~
 3 ~~reports received by the secretary of state during the preceding month~~
 4 ~~from professional corporations, domestic or foreign corporations, corpo-~~
 5 ~~rations organized not for profit, domestic or foreign limited liability com-~~
 6 ~~panies, domestic or foreign limited partnerships or any other entities pur-~~
 7 ~~suant to statute, which include the receipt of an annual franchise tax or~~
 8 ~~privilege fee. Upon receipt of each such certification, the director of ac-~~
 9 ~~counts and reports shall transfer an amount equal to the amount certified~~
 10 ~~from the state general fund to the franchise fee recovery fund of the~~
 11 ~~secretary of state.~~

12 Sec. 9.

13 STATE TREASURER

14 (a) 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 shall not exceed the following:

18	Fiscal agency fund.....	No limit
19	Bond services fee fund.....	No limit
20	City bond finance fund.....	No limit
21	Local ad valorem tax reduction fund	No limit
22	County and city revenue sharing fund	No limit
23	Suspense fund	No limit
24	County and city retailers' sales tax fund	No limit
25	County and city compensating use tax fund.....	No limit
26	Local alcoholic liquor fund	No limit
27	Local alcoholic liquor equalization fund.....	No limit
28	Unclaimed property claims fund.....	No limit
29	Unclaimed property expense fund	No limit
30	<i>Provided, That expenditures from the unclaimed property expense fund</i>	
31	<i>for official hospitality shall not exceed \$2,000.</i>	
32	Unclaimed property fee fund.....	No limit
33	County and city transient guest tax fund	No limit
34	Racing admissions tax fund	No limit
35	Rental motor vehicle excise tax fund	No limit
36	Transportation development district sales tax fund	No limit
37	Redevelopment bond fund	No limit
38	Services reimbursement fund.....	No limit

39 *Provided, That the state treasurer is hereby authorized to fix, charge*
 40 *and collect a cash management fee for services provided by the state*
 41 *treasurer for banking services and for processing warrants and di-*
 42 *rect deposits except that payroll warrants shall not be subject to*
 43 *any fee prescribed by this section: Provided further, That such fees*

1 *shall be fixed to recover all or part of the operating expenditures*
2 *incurred in providing such services: And provided further, That fees*
3 *fixed by the state treasurer for services provided by the state trea-*
4 *surer in providing banking services shall be fixed to collect an es-*
5 *timated aggregate amount not to exceed the actual transaction costs*
6 *for the fiscal year ending June 30, 2005: And provided further, That*
7 *fees fixed by the state treasurer for processing warrants and direct*
8 *deposits shall be fixed to collect an estimated aggregate amount not*
9 *to exceed \$979,303 for the fiscal year ending June 30, 2005: And*
10 *provided further, That the state treasurer is hereby authorized to fix,*
11 *charge and collect a voucher processing fee for services provided*
12 *by the state treasurer in processing vouchers and maintaining the*
13 *voucher system: And provided further, That such fees shall be fixed*
14 *to recover all or part of the operating expenditures incurred in pro-*
15 *viding such services: And provided further, That fees fixed by the*
16 *state treasurer for services provided by the state treasurer in proc-*
17 *essing vouchers and maintaining the voucher system shall be fixed*
18 *to collect an estimated aggregate amount not to exceed \$180,000*
19 *for the fiscal year ending June 30, 2005: And provided further, That*
20 *all moneys received from such fees shall be deposited in the state*
21 *treasury and credited to the services reimbursement fund: And pro-*
22 *vided further, That expenditures from this fund may be made for*
23 *operating expenditures for the state treasurer’s office: And provided*
24 *further, That during the fiscal year ending June 30, 2005, the direc-*
25 *tor of accounts and reports shall transfer to the services reimburse-*
26 *ment fund of the state treasurer one or more amounts certified by*
27 *the state treasurer, for expenses incurred for warrants issued and*
28 *processed and electronic transactions processed for the department*
29 *of human resources payable from the employment security fund,*
30 *from moneys made available to the state under section 903(d) of*
31 *the federal social security act, as amended, and credited to the em-*
32 *ployment security fund, except that the aggregate of such amounts*
33 *transferred shall not exceed \$451,000.*

34 Municipal investment pool fund No limit
35 Pooled money investment portfolio fee fund No limit

36 *Provided, That on or before the fifth day of each month of the fiscal year*
37 *ending June 30, 2005, the state treasurer shall certify to the pooled money*
38 *investment board an accounting of the banking fees incurred by the state*
39 *treasurer during the second preceding month that are attributable to the*
40 *investment of the pooled money investment portfolio during such month:*
41 *Provided further, That prior to the 10th day of each month during the*
42 *fiscal year ending June 30, 2005, the pooled money investment board*
43 *shall review the certification from the state treasurer and shall make ex-*

- 1 expenditures from the pooled money investment portfolio fee fund to pay
- 2 the amount of banking fees incurred by the state treasurer during the
- 3 second preceding month that are attributable to the investment of the
- 4 pooled money investment portfolio during the second preceding month,
- 5 as determined by the pooled money investment board.
- 6 Kansas postsecondary education savings program trust
- 7 fund No limit
- 8 Kansas postsecondary education savings program expense
- 9 fund No limit
- 10 Conversion of materials and equipment fund No limit
- 11 Tax increment financing revenue replacement fund No limit
- 12 Sec. 10.

INSURANCE DEPARTMENT

13

14 (a) 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 Insurance department service regulation fund No limit
- 20 *Provided*, That expenditures from the insurance department service reg-
- 21 ulation fund for official hospitality shall not exceed \$2,000: *Provided fur-*
- 22 *ther*, That any transfers from this fund to the insurance building principal
- 23 and interest payment fund or the insurance department rehabilitation and
- 24 repair fund of the department of insurance shall be in addition to any
- 25 expenditure limitation imposed on the insurance department service reg-
- 26 ulation fund.
- 27 Insurance company examination fund..... No limit
- 28 *Provided*, That any transfers from the insurance company examination
- 29 fund to the insurance building principal and interest payment fund or the
- 30 insurance department rehabilitation and repair fund of the department
- 31 of insurance shall be in addition to any expenditure limitation imposed
- 32 on the insurance company examination fund.
- 33 Insurance company annual statement examination fund... No limit
- 34 Insurance company examiner training fund No limit
- 35 Conversion of materials and equipment fund No limit
- 36 Commissioner’s travel reimbursement fund..... No limit
- 37 *Provided*, That expenditures may be made from the commissioner’s travel
- 38 reimbursement fund only to reimburse the commissioner of insurance,
- 39 or any designated employee, for expenses incurred for in-state or out-of-
- 40 state travel for official purposes, including travel to meetings of public or
- 41 private associations: *Provided further*, That all moneys received by the
- 42 commissioner of insurance for such travel from any non-state agency
- 43 source shall be deposited in the state treasury to the credit of this fund.

1 Workers compensation fund No limit
2 *Provided*, That expenditures from the workers compensation fund for
3 attorney fees and other costs and benefit payments may be made regard-
4 less of when services were rendered or when the initial award of benefits
5 was made: *Provided further*, That any transfers from the workers com-
6 pensation fund to the insurance building principal and interest payment
7 fund or the insurance department rehabilitation and repair fund of the
8 department of insurance shall be in addition to any expenditure limitation
9 imposed on the workers compensation fund.

10 State firefighters relief fund..... No limit
11 *Provided*, That any transfers from the state firefighters relief fund to the
12 insurance building principal and interest payment fund or the insurance
13 department rehabilitation and repair fund of the department of insurance
14 shall be in addition to any expenditure limitation imposed on the state
15 firefighters relief fund.

16 Insurance company tax and fee refund fund..... No limit
17 Group-funded workers’ compensation pools fee fund No limit
18 *Provided*, That any transfers from the group-funded workers’ compen-
19 sation pools fee fund to the insurance building principal and interest
20 payment fund or the insurance department rehabilitation and repair fund
21 of the department of insurance shall be in addition to any expenditure
22 limitation imposed on the group-funded workers’ compensation pools fee
23 fund.

24 Municipal group-funded pools fee fund..... No limit
25 *Provided*, That any transfers from the municipal group-funded pools fee
26 fund to the insurance building principal and interest payment fund or the
27 insurance department rehabilitation and repair fund of the department
28 of insurance shall be in addition to any expenditure limitation imposed
29 on this fund.

30 Uninsurable health insurance plan fund..... No limit
31 Insurance education and training fund No limit
32 *Provided*, That expenditures may be made from the insurance education
33 and training fund for training programs and official hospitality: *Provided*
34 *further*, That the insurance commissioner is hereby authorized to fix,
35 charge and collect fees for such training programs: *And provided further*,
36 That fees for such training programs shall be fixed in order to collect all
37 or part of the operating expenses incurred for such training programs,
38 including official hospitality: *And provided further*, That all fees received
39 for such training programs shall be deposited in the state treasury and
40 credited to this fund.

41 Other federal grants fund No limit
42 *Provided*, That the above agency is authorized to make expenditures from
43 the other federal grants fund of any moneys credited to this fund from

1 any individual grant if the grant is: (1) Less than or equal to \$250,000 in
 2 the aggregate, and (2) does not require the matching expenditure of any
 3 other moneys in the state treasury during fiscal year 2005 other than
 4 moneys appropriated by this or other appropriation act of the 2004 reg-
 5 ular session of the legislature: *Provided, however*, That, upon application
 6 to and authorization by the governor, the above agency may make ex-
 7 penditures of moneys credited to this fund from any individual federal
 8 grant which is more than \$250,000 in the aggregate or which requires the
 9 matching expenditure of moneys in the state treasury during fiscal year
 10 2005, other than moneys appropriated by this or other appropriation act
 11 of the 2004 regular session of the legislature.

12 **Monumental life settlement fund \$12,396**
 13 ***Provided, That all expenditures from the monumental life settlement***
 14 ***fund shall be made for scholarship purposes: Provided further, That***
 15 ***the scholarship recipients shall be African-American students who***
 16 ***are making satisfactory progress toward a degree in actuarial sci-***
 17 ***ences and who are attending an accredited higher education insti-***
 18 ***tution in the state of Kansas.***

19 (b) In addition to the other purposes for which expenditures may be
 20 made by the insurance department from the insurance company exami-
 21 nation fund for fiscal year 2005 as authorized by K.S.A. 40-223 and
 22 amendments thereto, notwithstanding the provisions of K.S.A. 40-223 or
 23 75-3721 and amendments thereto or any other statute, expenditures may
 24 be made by the insurance department from the insurance company ex-
 25 amination fund for fiscal year 2005 for the examination of annual state-
 26 ments filed with the commissioner of insurance, regardless of when the
 27 services were rendered, when the expenses were incurred or when any
 28 claim was submitted or processed for payment and regardless of whether
 29 or not the services were rendered or the expenses were incurred prior to
 30 the effective date of this act.

31 (c) On July 1, 2004, or as soon thereafter as moneys are available,
 32 notwithstanding the provisions of K.S.A. 40-112 and amendments thereto
 33 or of any other statute, the director of accounts and reports shall transfer
 34 \$920,000 from the insurance department service regulation fund to the
 35 state general fund: *Provided*, That the transfer of such amount shall be
 36 in addition to any other transfer from the insurance department service
 37 regulation fund to the state general fund as prescribed by law: *Provided*
 38 *further*, That the amount transferred from the insurance department
 39 service regulation fund to the state general fund pursuant to this subsec-
 40 tion is to reimburse the state general fund for accounting, auditing, budg-
 41 eting, legal, payroll, personnel and purchasing services and any other gov-
 42 ernmental services which are performed on behalf of the insurance
 43 department by other state agencies which receive appropriations from

1 the state general fund to provide such services.

2 Sec. 11.

3 HEALTH CARE STABILIZATION FUND BOARD OF
4 GOVERNORS

5 (a) 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 Health care stabilization fund..... No limit

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

15 Operating expenditures~~\$1,041,610~~ **\$1,059,786**

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

18 Fees — legal and professional services No limit

19 *Provided*, That expenditures from the fees — legal and professional serv-
20 ices account for attorney fees and other professional service fees may be
21 made regardless of when services were rendered or when the judgment
22 or settlement was made.

23 Claims and benefits No limit

24 *Provided*, That expenditures from the claims and benefits account for
25 claim and benefit payments may be made regardless of when services
26 were rendered or when the judgment or settlement was made.

27 Sec. 12.

28 JUDICIAL COUNCIL

29 (a) 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 Judicial council fund..... No limit

35 Grants and gifts fund..... No limit

36 *Provided*, That all private grants and gifts received by the judicial council,
37 other than moneys received as grants, gifts or donations for the prepa-
38 ration, publication or distribution of legal publications, shall be deposited
39 to the credit of the grants and gifts fund.

40 Publications fee fund No limit

41 *Provided*, That, notwithstanding the provisions of K.S.A. 2003 Supp. 20-
42 2207 and amendments thereto, expenditures are authorized to be made
43 from the publications fee fund for operating expenses that are not related

1 to publications activities.
 2 (b) On June 30, 2005, the director of accounts and reports shall transfer
 3 the amount of any unencumbered balance in the publications fee fund
 4 as of June 30, 2005, in excess of \$175,000 from the publications fee fund
 5 to the state general fund: *Provided*, That the transfer of such amount shall
 6 be in addition to any other transfer from the publications fee fund to the
 7 state general fund as prescribed by law: *Provided further*, That the
 8 amount transferred from the publications fee fund to the state general
 9 fund pursuant to this subsection is to reimburse the state general fund
 10 for accounting, auditing, budgeting, legal, payroll, personnel and pur-
 11 chasing services and any other governmental services which are per-
 12 formed on behalf of the judicial council by other state agencies which
 13 receive appropriations from the state general fund to provide such serv-
 14 ices.

15 Sec. 13.

16 STATE BOARD OF INDIGENTS' DEFENSE SERVICES

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 ~~\$15,400,621~~ **\$16,000,621**

20 *Provided*, 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: *Provided, however*, That any expenditures for indi-
 23 gents' defense services are authorized to be made from the operating
 24 expenditures account regardless of when services were rendered: *Pro-
 25 vided further*, That expenditures may be made from the operating ex-
 26 penditures account for negotiated contracts for malpractice insurance for
 27 public defenders and deputy or assistant public defenders: *And provided
 28 further*, That all contracts for malpractice insurance for public defenders
 29 and deputy or assistant public defenders shall be negotiated and pur-
 30 chased by the state board of indigents' defense services, shall not be
 31 subject to approval or purchase by the committee on surety bonds and
 32 insurance under K.S.A. 75-4114 and 75-6111 and amendments thereto
 33 and shall not be subject to the provisions of K.S.A. 75-3739 and amend-
 34 ments thereto: *And provided further*, That during the fiscal year ending
 35 June 30, 2005, the executive director of the state board of indigents'
 36 defense services, with the approval of the director of the budget, may
 37 transfer moneys in the operating expenditures account of the state general
 38 fund to any other item of appropriation from the state general fund for
 39 the state board of indigents' defense services: *And provided further*, That
 40 the executive director shall certify each such transfer to the director of
 41 accounts and reports and shall transmit a copy of each such certification
 42 to the director of the legislative research department.

43 Capital defense operations..... \$1,922,489

1 *Provided*, That any unencumbered balance in excess of \$100 as of June
2 30, 2004, in the capital defense operations account is hereby reappro-
3 priated for fiscal year 2005.

4 Legal services for prisoners..... \$359,300

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 Indigents' defense services fund No limit

11 *Provided*, That expenditures may be made from the indigents' defense
12 services fund for the purpose of assigned counsel and other professional
13 services related to contract cases.

14 Inservice education workshop fee fund..... No limit

15 *Provided*, That expenditures may be made from the inservice education
16 workshop fee fund for operating expenditures, including official hospi-
17 tality, incurred for inservice workshops and conferences: *Provided fur-*
18 *ther*, That the state board of indigents' defense services is hereby au-
19 thorized to fix, charge and collect fees for inservice workshops and
20 conferences: *And provided further*, That such fees shall be fixed in order
21 to recover all or part of such operating expenditures incurred for inservice
22 workshops and conferences: *And provided further*, That all fees received
23 for inservice workshops and conferences shall be deposited in the state
24 treasury and credited to the inservice education workshop fee fund.

25 Sec. 14.

26 JUDICIAL BRANCH

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

29 Judiciary operations ~~\$93,392,348~~ **\$89,972,387**

30 *Provided*, That any unencumbered balance in the judiciary operations
31 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
32 for fiscal year 2005: *Provided further*, That contracts for computer input
33 of judicial opinions under this appropriation shall be executed in the name
34 of the supreme court by the chief justice and may be interrelated with
35 contracts for the comprehensive legislative information system: *And pro-*
36 *vided further*, That all such contracts for computer input of judicial opin-
37 ions and all purchases thereunder shall not be subject to the provisions
38 of K.S.A. 75-3739 and amendments thereto: *And provided further*, That
39 expenditures may be made from the judiciary operations account for con-
40 tingencies without limitation at the discretion of the chief justice: *And*
41 *provided further*, That expenditures from the judiciary operations account
42 for such contingencies shall not exceed \$25,000: *And provided further*,
43 That expenditures from the judiciary operations account for official hos-

1 pitality shall not exceed \$4,000: *And provided further*, That expenditures
2 shall be made from the judicial operations account for the travel expenses
3 of panels of the court of appeals for travel to cities across the state to hear
4 appealed cases.

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	Emergency surcharge fee fund.....	No limit
11	Library report fee fund	No limit
12	Judiciary technology fund	No limit
13	Judicial branch gifts fund.....	No limit
14	Dispute resolution fund.....	No limit
15	Judicial branch education fund.....	No limit

16 *Provided*, That expenditures may be made from the judicial branch ed-
17 ucation fund to provide services and programs for the purpose of edu-
18 cating and training judicial branch officers and employees, administering
19 the training, testing and education of municipal judges as provided in
20 K.S.A. 12-4114 and amendments thereto, education and training munic-
21 ipal judges and municipal court support staff, and for the planning and
22 implementation of a family court system, as provided by law, including
23 official hospitality: *Provided further*, That the judicial administrator is
24 hereby authorized to fix, charge and collect fees for such services and
25 programs: *And provided further*, That such fees may be fixed to cover all
26 or part of the operating expenditures incurred in providing such services
27 and programs, including official hospitality: *And provided further*, That
28 all fees received for such services and programs, including official hos-
29 pitality, shall be credited to the judicial branch education fund.

30	Conversion of materials and equipment fund	No limit
31	Child welfare federal grant fund.....	No limit
32	Child support enforcement contractual agreement fund...	No limit
33	Bar admission fee fund	No limit
34	Permanent families account — family and children invest-	
35	ment fund	No limit
36	Duplicate law book fund	No limit
37	Court reporter fund.....	No limit
38	Access to justice fund.....	No limit
39	Judicial technology and building and grounds fund.....	No limit
40	Judicial branch nonjudicial salary initiative fund.....	No limit

41 Sec. 15.

42 **KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM**

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 13th retirement check — debt service..... \$3,212,624
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 other than refunds authorized by law
7 shall not exceed the following:
8 Kansas public employees retirement fund..... No limit
9 *Provided*, That no expenditures may be made from the Kansas public
10 employees retirement fund other than for benefits, investments, refunds
11 authorized by law, and other purposes specifically authorized by this or
12 other appropriation act.
13 Group insurance reserve fund..... No limit
14 Optional death benefit plan reserve fund..... No limit
15 Kansas endowment for youth fund..... No limit
16 Senior services trust fund..... No limit
17 Family and children endowment account — family and
18 children investment fund..... No limit
19 Non-retirement administration fund..... No limit
20 *Provided*, That the executive officer of the Kansas public employees re-
21 tirement system shall certify to the director of accounts and reports the
22 amount of moneys to transfer from the Kansas endowment for youth
23 fund, the senior services trust fund, the family and children endowment
24 account — family and children investment fund, and the unclaimed prop-
25 erty account of the state general fund for the purpose of reimbursing the
26 costs of non-retirement related administrative activities and investment-
27 related expenses for managing such funds in accordance with K.S.A. 74-
28 4909b and amendments thereto.
29 (c) Expenditures may be made from the expense reserve of the Kansas
30 public employees retirement fund for the fiscal year ending June 30,
31 2005, for the following specified purposes:
32 Agency operations..... \$6,826,058
33 *Provided*, That expenditures from the agency operations account may be
34 made for official hospitality.
35 Investment-related expenses..... No limit
36 KPERS technology project..... No limit
37 (d) Expenditures may be made from the non-retirement administration
38 fund for the fiscal year ending June 30, 2005, for the following specified
39 purposes:
40 Agency operations..... \$150,009
41 Investment-related expenses..... No limit
42 (e) On June 30, 2005, or as soon thereafter as moneys are available,
43 notwithstanding the provisions of K.S.A. 38-2101 and amendments

1 thereto or of any other statute, the director of accounts and reports shall
2 transfer \$4,611,533 from the Kansas endowment for youth fund to the
3 state general fund.

4 (f) On July 1, 2004, or as soon thereafter as moneys are available, not-
5 withstanding the provisions of K.S.A. 38-2102 and amendments thereto
6 or of any other statute, the director of accounts and reports shall transfer
7 \$3,857,460 from the Kansas endowment for youth fund to the children’s
8 initiatives fund: *Provided*, That the transfer of such amount shall be in
9 addition to any other transfer from the Kansas endowment for youth fund
10 to the children’s initiatives fund as prescribed by law.

11 Sec. 16.

12 KANSAS HUMAN RIGHTS COMMISSION

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 \$1,392,724

16 *Provided*, That any unencumbered balance in the operating expenditures
17 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
18 for fiscal year 2005: *Provided, however*, That expenditures from such
19 reappropriated balance shall be made only upon approval of the state
20 finance council: *Provided further*, That expenditures from this account
21 for official hospitality shall not exceed \$150: *And provided further*, That
22 expenditures for mediation services contracted with Kansas legal services
23 shall be made only upon certification by the executive director of the
24 human rights commission to the director of accounts and reports that
25 private moneys are available to match the expenditure of state moneys
26 on a \$1 of private moneys to \$3 of state moneys basis.

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

32 Federal fund..... No limit

33 Conversion of materials and equipment fund No limit

34 Annual banquet fund No limit

35 *Provided*, That expenditures may be made from the annual banquet fund
36 for operating expenditures for the commission’s annual banquet, includ-
37 ing official hospitality: *Provided further*, That the executive director is
38 hereby authorized to fix, charge and collect fees for such banquet: *And*
39 *provided further*, That such fees shall be fixed in order to recover all or
40 part of the operating expenses incurred for such banquet, including of-
41 ficial hospitality: *And provided further*, That all fees received for such
42 banquet shall be credited to this fund.

43 Education and training fund No limit

1 *Provided*, That expenditures may be made from the education and train-
 2 ing fund for operating expenditures for the commission’s education and
 3 training programs for the general public, including official hospitality:
 4 *Provided further*, That the executive director is hereby authorized to fix,
 5 charge and collect fees for such programs: *And provided further*, That
 6 such fees shall be fixed in order to recover all or part of the operating
 7 expenses incurred for such training programs, including official hospital-
 8 ity: *And provided further*, That all fees received for such programs shall
 9 be credited to this fund.

10 Sec. 17.

11 STATE CORPORATION COMMISSION

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 Public service regulation fund	No limit
18 Motor carrier license fees fund.....	No limit
19 Conservation fee fund.....	No limit

20 *Provided*, That any expenditure made from the conservation fee fund for
 21 plugging abandoned wells, cleanup of pollution from oil and gas activities
 22 and testing of wells shall be in addition to any expenditure limitation
 23 imposed on this fund: *Provided further*, That expenditures may be made
 24 from this fund for debt collection and set-off administration: *And pro-*
 25 *vided further*, That a percentage of the fees collected, not to exceed 27%,
 26 shall be transferred from the conservation fee fund to the accounting
 27 services recovery fund of the department of administration for services
 28 rendered in collection efforts: *And provided further*, That all expenditures
 29 made from the conservation fee fund for debt collection and set-off ad-
 30 ministration shall be in addition to any expenditure limitation imposed
 31 on this fund: *And provided further*, That the state corporation commis-
 32 sion shall include as part of the fiscal year 2006 budget estimates for the
 33 state corporation commission submitted pursuant to K.S.A. 75-3717 and
 34 amendments thereto, a three-year projection of receipts to and expend-
 35 itures from the conservation fee fund for fiscal years 2006, 2007 and 2008.

36 Natural gas underground storage fee fund	No limit
37 Gas pipeline inspection fee fund.....	No limit
38 Abandoned oil and gas well fund	No limit
39 Well plugging assurance fund.....	No limit
40 Facility conservation improvement program fund.....	No limit
41 Gas pipeline safety program — federal fund	No limit
42 Energy related grants — federal fund	No limit
43 Energy grants management fund	No limit

1 Energy conservation plan — federal fund No limit
 2 Underground injection control class II — federal fund No limit
 3 Pipeline damage prevention grant program — federal
 4 fund No limit
 5 Other federal grants fund No limit
 6 *Provided*, That the above agency is authorized to make expenditures from
 7 the other federal grants fund of any moneys credited to this fund from
 8 any individual grant if the grant is: (1) Less than or equal to \$250,000 in
 9 the aggregate, and (2) does not require the matching expenditure of any
 10 other moneys in the state treasury during fiscal year 2005 other than
 11 moneys appropriated by this or other appropriation act of the 2004 reg-
 12 ular session of the legislature: *Provided, however*, That, upon application
 13 to and authorization by the governor, the above agency may make ex-
 14 penditures of moneys credited to this fund from any individual federal
 15 grant which is more than \$250,000 in the aggregate or which requires the
 16 matching expenditure of moneys in the state treasury during fiscal year
 17 2005, other than moneys appropriated by this or other appropriation act
 18 of the 2004 regular session of the legislature.
 19 Inservice education workshop fee fund..... No limit
 20 *Provided*, That expenditures may be made from the inservice education
 21 workshop fee fund for operating expenditures, including official hospi-
 22 tality, incurred for inservice workshops and conferences conducted by the
 23 state corporation commission for staff and members of the state corpo-
 24 ration commission: *Provided further*, That the state corporation commis-
 25 sion is hereby authorized to fix, charge and collect fees for such inservice
 26 workshops and conferences: *And provided further*, That such fees shall
 27 be fixed in order to recover all or part of the operating expenditures
 28 incurred for conducting such inservice workshops and conferences: *And*
 29 *provided further*, That all moneys received for such fees shall be depos-
 30 ited in the state treasury and credited to this fund.
 31 Base state registration clearing fund..... No limit
 32 Credit card clearing fund..... No limit
 33 Suspense fund No limit
 34 (b) Expenditures for the fiscal year ending June 30, 2005, by the state
 35 corporation commission from the public service regulation fund, the mo-
 36 tor carrier license fees fund and the conservation fee fund shall not ex-
 37 ceed, in the aggregate, \$14,668,997: *Provided*, That, within such limita-
 38 tion on the aggregate of expenditures, expenditures made for fiscal year
 39 2005 from the public service regulation fund, the motor carrier license
 40 fees fund and the conservation fee fund for official hospitality shall not
 41 exceed, in the aggregate, \$600: *Provided further*, That the state corpo-
 42 ration commission is authorized to make expenditures from the public
 43 service regulation fund and the conservation fee fund for the operational

1 costs of the Kansas energy council: *Provided, however,* That the opera-
2 tional costs of the Kansas energy council shall not include compensation
3 for members of the Kansas energy council: *And provided further,* That
4 expenditures from the public service regulation fund and the conservation
5 fee fund for the operational costs of the Kansas energy council shall not
6 exceed, in the aggregate, \$150,000.

7 (c) Expenditures for the fiscal year ending June 30, 2005, by the state
8 corporation commission from the conservation fee fund or the abandoned
9 oil and gas well fund may be made for the service of independent on-site
10 supervision of well plugging contracts: *Provided,* That all expenditures
11 from the conservation fee fund or the abandoned oil and gas well fund
12 for the purpose of plugging of abandoned oil and gas wells shall be subject
13 to the competitive bidding requirements of K.S.A. 75-3739 and amend-
14 ments thereto and shall not be exempt from such competitive bidding
15 requirements on the basis of the estimated amount of such purchases.

16 (d) During the fiscal year ending June 30, 2005, the executive director
17 of the state corporation commission, with the approval of the director of
18 the budget, may transfer additional moneys from the conservation fee
19 fund of the state corporation commission, which are in excess of \$400,000
20 prescribed by K.S.A. 2003 Supp 55-193 and amendments thereto, to the
21 abandoned oil and gas well plugging fund of the state corporation com-
22 mission: *Provided, however,* That the executive director of the state cor-
23 poration commission shall certify each such transfer of additional moneys
24 to the director of accounts and reports and shall transmit a copy of each
25 such certification to the director of the legislative research department.

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

31 Sec. 18.

32 CITIZENS' UTILITY RATEPAYER BOARD

33 (a) 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 other than refunds authorized by law
37 shall not exceed the following:

38 Utility regulatory fee fund \$637,691

39 *Provided,* That expenditures may be made by the citizens' utility ratepayer
40 board from the utility regulatory fee fund pursuant to contracts for pro-
41 fessional services, which are hereby authorized to be entered into by the
42 board: *Provided further,* That such professional services shall include but
43 are not limited to the services of engineers, accountants, attorneys and

1 economists, to assist in carrying out the duties of the board, which assis-
2 tance may include preparation and presentation of expert testimony,
3 when the expenses of such professional services are required to be as-
4 sessed under K.S.A. 66-1502 and amendments thereto against the public
5 utilities involved: *And provided further*, That such contracts shall be ne-
6 gotiated by a negotiating committee composed of the following persons:
7 The consumer counsel of the citizens' utility ratepayer board or the con-
8 sumer counsel's designee, the director of the budget or that director's
9 designee, the director of accounts and reports or that director's designee,
10 and the chairperson of the citizens' utility ratepayer board or the chair-
11 person's designee: *And provided further*, That the consumer counsel of
12 the citizens' utility ratepayer board or the consumer counsel's designee
13 shall convene the negotiating committee for each such contract and the
14 negotiating committee shall consider all proposals by persons applying to
15 perform such contract and shall award the contract: *And provided further*,
16 That such contracts shall not be subject to the provisions of K.S.A. 75-
17 3739 and amendments thereto or to the provisions of the acts contained
18 in article 58 of chapter 75 of the Kansas Statutes Annotated: *And provided*
19 *further*, That, of the amount of additional expenditures authorized by the
20 expenditure limitation prescribed by this subsection, no portion of such
21 unspent expenditure authority for fiscal year 2005 shall be the basis for
22 any amount being transferred into a Kansas savings incentive program
23 account or KSIP account under the Kansas savings incentive program of
24 any other Kansas savings incentive program section in this or other ap-
25 propriation act of the 2004 regular session of the legislature: *Provided,*
26 *however*, That, if the total amount of additional expenditures authorized
27 by the expenditure limitation prescribed by this section are not expended
28 or encumbered for fiscal year 2005, then the amount equal to the amount
29 of such increased expenditure authority for fiscal year 2005 remaining
30 may be expended from the utility regulatory fee fund for fiscal year 2006
31 pursuant to contracts for professional services and any such expenditure
32 for fiscal year 2005 shall be in addition to any expenditure limitation
33 imposed on the utility regulatory fee fund for the fiscal year ending June
34 30, 2005.

35 (b) On July 1, 2004, October 1, 2004, January 1, 2005, and April 1,
36 2005, or as soon after each such date as moneys are available, and upon
37 receipt of certification by the state corporation commission of the amount
38 to be transferred, the director of accounts and reports shall transfer from
39 the public service regulation fund of the state corporation commission to
40 the utility regulatory fee fund of the citizens' utility ratepayer board all
41 moneys assessed by the state corporation commission for the citizens'
42 utility ratepayer board under K.S.A. 66-1502 or 66-1503 and amendments
43 thereto and deposited in the state treasury to the credit of the public

1 service regulation fund.

2 Sec. 19.

3 DEPARTMENT OF ADMINISTRATION

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 General administration \$1,338,771

7 *Provided*, That any unencumbered balance in the general administration
8 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
9 for fiscal year 2005: *Provided, however*, That expenditures from such
10 reappropriated balance shall be made only upon approval of the state
11 finance council: *Provided further*, That in addition to other positions
12 within the department of administration in the unclassified service as
13 prescribed by law, expenditures may be made from the general admin-
14 istration account for three employees in the unclassified service under
15 the Kansas civil service act: *And provided further*, That expenditures from
16 this account for official hospitality shall not exceed \$1,000.

17 Department of administration systems..... \$2,820,466

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

23 Accounting and reporting services \$529,968

24 *Provided*, That any unencumbered balance in the accounting and re-
25 porting services account in excess of \$100 as of June 30, 2004, is hereby
26 reappropriated for fiscal year 2005: *Provided, however*, That expenditures
27 for such reappropriated balance shall be made only upon approval of the
28 state finance council.

29 Personnel services \$1,576,086

30 *Provided*, That any unencumbered balance in the personnel services ac-
31 count in excess of \$100 as of June 30, 2004, is hereby reappropriated for
32 fiscal year 2005: *Provided, however*, That expenditures for such reappro-
33 priated balance shall be made only upon approval of the state finance
34 council.

35 Purchasing..... \$476,421

36 *Provided*, That any unencumbered balance in the purchasing account in
37 excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
38 year 2005: *Provided, however*, That expenditures for such reappropriated
39 balance shall be made only upon approval of the state finance council.

40 Facilities management..... \$1,754,150

41 *Provided*, That any unencumbered balance in the facilities management
42 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
43 for fiscal year 2005: *Provided, however*, That expenditures for such reap-

1 appropriated balance shall be made only upon approval of the state finance
2 council.

3 Budget analysis \$1,291,950

4 *Provided*, That any unencumbered balance in the budget analysis account
5 in excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
6 year 2005: *Provided further*, That, in addition to other positions within
7 the department of administration in the unclassified service as prescribed
8 by law, expenditures may be made from the budget analysis account for
9 two employees in the unclassified service under the Kansas civil service
10 act: *And provided, further*, That expenditures from this account for of-
11 ficial hospitality shall not exceed \$1,000.

12 Public broadcasting council grants \$1,813,016

13 *Provided*, That any unencumbered balance in the public broadcasting
14 council grants account in excess of \$100 as of June 30, 2004, is hereby
15 reappropriated for fiscal year 2005: *Provided further*, That all expendi-
16 tures from the public broadcasting council grants account for capital
17 equipment shall be made to provide matching funds for federal capital
18 equipment grants awarded to eligible public broadcasting stations: *And*
19 *provided further*, That expenditures from this account may be made to
20 provide matching funds for capital equipment projects funded from any
21 nonstate source in the event federal capital equipment grants are not
22 awarded: *And provided further*, That in the event the federal facility pro-
23 grams cease to exist or fail to conduct grant solicitations, expenditures
24 may be made from this account to provide matching funds for capital
25 equipment projects funded from any nonstate source without first apply-
26 ing for federal capital equipment grants.

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

28 Policy analysis initiatives \$194,926

29 *Provided*, That any unencumbered balance in the policy analysis initia-
30 tives account in excess of \$100 as of June 30, 2004, is hereby reap-
31 propriated for fiscal year 2005: *Provided further*, That expenditures from this
32 account for official hospitality shall not exceed \$5,000.

33 Long-term care ombudsman \$119,406

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

40 (b) There is appropriated for the above agency from the following spe-
41 cial revenue fund or funds for the fiscal year ending June 30, 2005, all
42 moneys now or hereafter lawfully credited to and available in such fund
43 or funds, except that expenditures other than refunds or indirect cost

1 recoveries authorized by law shall not exceed the following:

2 Federal cash management fund..... No limit

3 State budget stabilization fund \$0

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

5 Building and ground fund..... No limit

6 *Provided*, That expenditures may be made from the building and ground

7 fund for operating and other expenses for the Hiram Price Dillon

8 House.

9 General fees fund..... No limit

10 *Provided*, That expenditures may be made from the general fees fund for

11 operating expenditures for the division of personnel services, including

12 human resources programs and official hospitality: *Provided further*, That

13 the director of personnel services is hereby authorized to fix, charge and

14 collect fees: *And provided further*, That fees shall be fixed in order to

15 recover all or part of the operating expenses incurred, including official

16 hospitality: *And provided further*, That all fees received, including fees

17 received under the open records act for providing access to or furnishing

18 copies of public records, shall be credited to this fund.

19 Human resource information systems cost recovery

20 fund No limit

21 Budget fees fund..... No limit

22 *Provided*, That expenditures may be made from the budget fees fund for

23 operating expenditures for the division of the budget, including training

24 programs, special projects and official hospitality: *Provided further*, That

25 the director of the budget is hereby authorized to fix, charge and collect

26 fees for such training programs: *And provided further*, That fees for such

27 training programs and special projects shall be fixed in order to recover

28 all or part of the operating expenses incurred for such training programs

29 and special projects, including official hospitality: *And provided further*,

30 That all fees received for such training programs and special projects and

31 all fees received by the division of the budget under the open records act

32 for providing access to or furnishing copies of public records, shall be

33 credited to this fund.

34 Purchasing fees fund..... No limit

35 *Provided*, That expenditures may be made from the purchasing fees fund

36 for operating expenditures of the division of purchases, including training

37 seminars and official hospitality: *Provided further*, That the director of

38 purchases is hereby authorized to fix, charge and collect fees for operating

39 expenditures incurred to reproduce and disseminate purchasing infor-

40 mation, administer vendor applications, administer state contracts and

41 conduct training seminars, including official hospitality: *And provided fur-*

42 *ther*, That such fees shall be fixed in order to recover all or part of such

43 operating expenses: *And provided further*, That all moneys received for

1 such fees and all moneys received pursuant to the state travel services
 2 contract shall be deposited in the state treasury to the credit of this fund.
 3 Architectural services fee fund No limit
 4 *Provided*, That expenditures may be made from the architectural services
 5 fee fund for operating expenditures for distribution of architectural in-
 6 formation: *Provided further*, That the director of facilities management
 7 is hereby authorized to fix, charge and collect fees for reproduction and
 8 distribution of architectural information: *And provided further*, That such
 9 fees shall be fixed in order to recover all or part of the operating expenses
 10 incurred for reproducing and distributing architectural information: *And*
 11 *provided further*, That all fees received for such reproduction and distri-
 12 bution of architectural information shall be credited to this fund.
 13 Budget equipment conversion fund..... No limit
 14 Conversion of materials and equipment fund No limit
 15 Architectural services equipment conversion fund..... No limit
 16 Property contingency fund..... No limit
 17 Flood control emergency — federal fund No limit
 18 CJIS Byrne Grant — federal fund No limit
 19 Digital orthophoto project — federal fund..... No limit
 20 FICA reimbursements medical residents fund..... No limit
 21 Information technology fund..... No limit
 22 Information technology reserve fund..... No limit
 23 Computer services recovery fund..... No limit
 24 *Provided*, That expenditures may be made from the computer services
 25 recovery fund to provide central computer system development services,
 26 which shall be in addition to data processing services provided under
 27 K.S.A. 75-4704 and amendments thereto to other state agencies: *Provided*
 28 *further*, That the secretary of administration is hereby authorized, in ac-
 29 cordance with the procedures and guidelines prescribed by K.S.A. 75-
 30 4703 and amendments thereto, to fix, charge and collect fees for such
 31 central computer system development services to other state agencies:
 32 *And provided further*, That such fees shall be fixed in order to recover
 33 all or part of the operating expenses incurred in providing such services:
 34 *And provided further*, That all fees received for such services shall be
 35 credited to this fund: *And provided further*, That all expenditures for the
 36 personnel/payroll project shall be made from the personnel/payroll pro-
 37 ject program account of this fund: *And provided further*, That amounts
 38 may be transferred into this account from any state general fund account
 39 or any special revenue fund of the department of administration or any
 40 other state agency.
 41 State buildings operating fund..... No limit
 42 *Provided*, That expenditures may be made from the state buildings op-
 43 erating fund for operating and other expenses for the Hiram Price Dillon

1 House: *Provided further*, That the secretary of administration is hereby
2 authorized to fix, charge and collect fees for use of the rooms and other
3 facilities of the Hiram Price Dillon House in accordance with policies
4 adopted by the legislative coordinating council under K.S.A. 75-3682 and
5 amendments thereto for approving the use of such property: *And pro-*
6 *vided further*, That fees for approved use of such property shall be rea-
7 sonable and directly related to the costs of such use and shall be fixed in
8 order to recover all or part of the operating expenses incurred for such
9 use: *And provided further*, That all moneys received for such fees shall
10 be deposited in the state treasury and credited to the state buildings
11 operating fund or the building and ground fund, as determined and di-
12 rected by the secretary of administration: *And provided further*, That the
13 secretary of administration is hereby authorized to fix, charge and collect
14 a real estate property leasing services fee at a reasonable rate per square
15 foot of space leased by state agencies as approved by the secretary of
16 administration under K.S.A. 75-3739 and amendments thereto to recover
17 the costs incurred by the department of administration in providing serv-
18 ices to state agencies relating to leases of real property: *And provided*
19 *further*, That each state agency that is party to a lease of real property
20 that is approved by the secretary of administration under K.S.A. 75-3739
21 and amendments thereto shall remit to the secretary of administration
22 the real estate property leasing services fee upon receipt of the billing
23 therefor: *And provided further*, That all moneys received for real estate
24 property leasing services fees shall be deposited in the state treasury and
25 credited to the state buildings operating fund or the building and ground
26 fund, as determined and directed by the secretary of administration: *And*
27 *provided further*, That the net proceeds from the sale of all or any part
28 of the Topeka state hospital property, as defined by subsection (a) of
29 K.S.A. 2003 Supp. 75-37,123 and amendments thereto shall be deposited
30 in the state treasury and credited to the state buildings operating fund or
31 the building and ground fund, as determined and directed by the secre-
32 tary of administration: *And provided further*, That the secretary of ad-
33 ministration is hereby authorized to fix, charge and collect a surcharge
34 against all state agency leased square footage in Shawnee County includ-
35 ing both state-owned and privately-owned buildings: *And provided fur-*
36 *ther*, That all moneys received for such fees shall be deposited in the state
37 treasury and credited to the state buildings operating fund or the building
38 and ground fund, as determined and directed by the secretary of admin-
39 istration.

40 Accounting services recovery fund No limit
41 *Provided*, That expenditures may be made from the accounting services
42 recovery fund for the operating expenditures, including official hospital-
43 ity, of the department of administration: *Provided further*, That the sec-

1 retary of administration is hereby authorized to fix, charge and collect
2 fees for services or sales provided by the department of administration
3 which are not specifically authorized by any other statute: *And provided*
4 *further*, That all fees received for such services or sales shall be credited
5 to this fund.

6 Architectural services recovery fund..... No limit
7 *Provided*, That expenditures may be made from the architectural services
8 recovery fund for operating expenditures for the division of architectural
9 services: *Provided further*, That, notwithstanding the provisions of sub-
10 section (b) of K.S.A. 75-4403 and amendments thereto, the director of
11 facilities management may exchange an employee with the attorney gen-
12 eral’s office to assist in the enforcement of K.S.A. 58-1301 *et seq.*, and
13 amendments thereto: *And provided further*, That the director of facilities
14 management is hereby authorized to charge and collect fees for services
15 provided to other state agencies not directly related to the construction
16 of a capital improvement project: *And provided further*, That the director
17 of facilities management is hereby authorized to charge and collect (1) a
18 fee equal to 1% of the estimated cost of each capital improvement project
19 for a state agency which is not financed, in whole or in part, by gifts,
20 bequests, or donations made by one or more private individuals or other
21 private entities and for which the division provides architectural, engi-
22 neering or management services or, in the case of any capital improve-
23 ment project for a state agency which is partially financed by gifts, be-
24 quests or donations made by one or more private individuals or other
25 private entities, a fee equal to 1% of the proportional amount of the
26 estimated cost of such capital improvement project which is not financed
27 by gifts, bequests or donations made by one or more private individuals
28 or other private entities and for which the division provides architectural,
29 engineering or management services, and (2) an additional fee equal to
30 8% of the construction cost of each capital improvement project for which
31 the division provides in-house architectural and engineering design serv-
32 ices: *And provided further*, That such services shall be subject to the
33 limitations of K.S.A. 75-1253 and amendments thereto: *And provided*
34 *further*, That all fees received for such services shall be credited to this
35 fund.

36 Motor pool service fund..... No limit
37 *Provided*, That, notwithstanding the provisions of K.S.A. 75-4607 and
38 amendments thereto, expenditures may be made from the motor pool
39 service fund for return of contributed capital of the motor pool service
40 fund to the state general fund.

41 Motor pool service depreciation reserve fund..... No limit
42 *Provided*, That, notwithstanding the provisions of K.S.A. 75-4614 and
43 amendments thereto, expenditures may be made from the motor pool

1	service depreciation reserve fund for return of contributed capital of the	
2	motor pool service depreciation reserve fund to the state general fund.	
3	Kansas public employees retirement clearing fund	No limit
4	Intragovernmental printing service fund	No limit
5	Intragovernmental printing service depreciation reserve	
6	fund	No limit
7	Municipal accounting and training services recovery	
8	fund	No limit
9	<i>Provided</i> , That expenditures may be made from the municipal accounting	
10	and training services recovery fund to provide general ledger, payroll	
11	reporting, utilities billing, data processing, and accounting services to mun-	
12	icipalities and to provide training programs conducted for municipal	
13	government personnel, including official hospitality: <i>Provided further</i> ,	
14	That the director of accounts and reports is hereby authorized to fix,	
15	charge and collect fees for such services and programs: <i>And provided</i>	
16	<i>further</i> , That such fees shall be fixed to cover all or part of the operating	
17	expenditures incurred in providing such services and programs, including	
18	official hospitality: <i>And provided further</i> , That all fees received for such	
19	services and programs, including official hospitality, shall be credited to	
20	this fund.	
21	Canceled warrants payment fund.....	No limit
22	State emergency fund	No limit
23	Bid and contract deposit fund	No limit
24	State workers compensation self-insurance fund	No limit
25	Health and hospitalization insurance clearing fund.....	No limit
26	Federal withholding tax clearing fund.....	No limit
27	State gaming revenues fund.....	No limit
28	Health insurance premium reserve fund.....	No limit
29	Legal office collection clearing fund.....	No limit
30	Excise tax refund clearing fund	No limit
31	State withholding tax clearing fund	No limit
32	Unemployment compensation tax clearing fund.....	No limit
33	Construction defects recovery fund.....	No limit
34	Preventive health care program fund.....	No limit
35	Facilities conservation improvement fund	No limit
36	State revolving fund services fee fund	No limit
37	Cafeteria benefits fund.....	No limit
38	<i>Provided</i> , That expenditures from the cafeteria benefits fund for salaries	
39	and wages and other operating expenditures shall not exceed \$2,100,362.	
40	Dependent care assistance program fund.....	No limit
41	Conversion of materials and equipment — recycling pro-	
42	gram fund	No limit
43	Curtis office building maintenance reserve fund	No limit

1	Employees faithful performance bond clearing fund.....	No limit
2	Deferred compensation clearing fund.....	No limit
3	Deferred compensation fees fund.....	No limit
4	Equipment lease purchase program administration clear-	
5	ing fund.....	No limit
6	Suspense fund	No limit
7	Series E savings bond clearing fund.....	No limit
8	Optional life insurance clearing fund.....	No limit
9	Employee organization dues clearing fund	No limit
10	United Way contributions clearing fund.....	No limit
11	Setoff clearing fund	No limit
12	Parking fees clearing fund	No limit
13	Electronic funds transfer suspense fund	No limit
14	State employee contribution clearing fund for OASDHI ..	No limit
15	Intergovernmental cooperation agreement for develop-	
16	ment of statewide cost allocation plan clearing fund	No limit
17	Medicare fund clearing account.....	No limit
18	Surplus property program fund — on budget.....	No limit
19	Surplus property program fund — off budget.....	No limit
20	Non-state employer group benefit fund.....	No limit
21	Leave payment reserve clearing fund	No limit
22	Administrative hearings office fund.....	No limit
23	Older Americans act long term care ombudsman federal	
24	fund	No limit
25	Office of health planning and finance fund.....	No limit
26	<i>Provided</i> , That expenditures from the office of health planning and fi-	
27	nance fund for the fiscal year ending June 30, 2005, for official hospitality	
28	shall not exceed \$1,000.	
29	Long term care ombudsman gift and grant fund.....	No limit
30	(c) On or before the 10th of each month during the fiscal year ending	
31	June 30, 2005, the director of accounts and reports shall transfer from	
32	the state general fund to the deferred compensation fees fund of the	
33	department of administration interest earnings based on: (1) The average	
34	daily balance of moneys in the deferred compensation fees fund for the	
35	preceding month; and (2) the net earnings rate for the pooled money	
36	investment portfolio for the preceding month.	
37	(d) On July 1, 2004, the director of accounts and reports shall transfer	
38	\$210,000 from the state highway fund to the state general fund for the	
39	purpose of reimbursing the state general fund for the cost of providing	
40	purchasing services to the department of transportation.	
41	(e) During the fiscal year ending June 30, 2005, the secretary of ad-	
42	ministration is authorized to approve refinancing of equipment being fi-	
43	nanced by state agencies through the department's equipment financing	

1 program. Such project is approved for the purposes of subsection (b) of
2 K.S.A. 74-8905 and amendments thereto.

3 (f) In addition to the other purposes for which expenditures may be
4 made by the above agency from moneys appropriated in any capital im-
5 provement account of any special revenue fund or in any capital improve-
6 ment account of the state general fund for the above agency for fiscal
7 year 2005 by this or other appropriation act of the 2004 regular session
8 of the legislature, expenditures may be made by the above agency from
9 any such capital improvement account of any special revenue fund or any
10 such capital improvement account of the state general fund for fiscal year
11 2005 for the purpose of making emergency repairs to any facility that is
12 under the charge, care, management or control of the department of
13 administration as provided by law: *Provided*, That the secretary of ad-
14 ministration shall make a full report on such repairs and expenditures to
15 the director of the budget and the director of the legislative research
16 department.

17 (g) 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 shall transfer an amount or amounts from the appropriate federal fund
20 or funds of the department on aging to the older Americans act long term
21 care ombudsman federal fund of the department of administration: *Pro-*
22 *vided*, That the aggregate of such amount or amounts transferred during
23 fiscal year 2005 shall be equal to and shall not exceed \$321,796.

24 (h) (1) On July 1, 2004, the director of accounts and reports shall record
25 a debit to the state treasurer's receivables for the children's initiatives
26 fund and shall record a corresponding credit to the children's initiatives
27 fund in an amount certified by the director of the budget which shall be
28 equal to 50% of the amount estimated by the director of the budget to
29 be transferred and credited to the children's initiatives fund during the
30 fiscal year ending June 30, 2005, except that such amount shall be pro-
31 portionally adjusted during fiscal year 2005 with respect to any change in
32 the moneys to be transferred and credited to the children's initiatives
33 fund during fiscal year 2005. Among other appropriate factors, the direc-
34 tor of the budget shall take into consideration the estimated and actual
35 receipts and interest earnings of the Kansas endowment for youth fund
36 for fiscal year 2004 and fiscal year 2005 in determining the amount to be
37 certified under this subsection. All moneys transferred and credited to
38 the children's initiatives fund during fiscal year 2005 shall reduce the
39 amount debited and credited to the children's initiatives fund under this
40 subsection.

41 (2) On June 30, 2005, the director of accounts and reports shall adjust
42 the amounts debited and credited to the state treasurer's receivables and
43 to the children's initiatives fund pursuant to this subsection, to reflect all

1 moneys actually transferred and credited to the children's initiatives fund
2 during fiscal year 2005.

3 (3) The director of accounts and reports shall notify the state treasurer
4 of all amounts debited and credited to the children's initiatives fund pur-
5 suant to this subsection and all reductions and adjustments thereto made
6 pursuant to this subsection. The state treasurer shall enter all such
7 amounts debited and credited and shall make reductions and adjustments
8 thereto on the books and records kept and maintained for the children's
9 initiatives fund by the state treasurer in accordance with the notice
10 thereof.

11 (i) (1) On July 1, 2004, the director of accounts and reports shall record
12 a debit to the state treasurer's receivables for the correctional institutions
13 building fund and shall record a corresponding credit to the correctional
14 institutions building fund in an amount certified by the director of the
15 budget which shall be equal to 80% of the amount estimated by the
16 director of the budget to be transferred and credited to the correctional
17 institutions building fund during the fiscal year ending June 30, 2005,
18 except that such amount shall be proportionally adjusted during fiscal year
19 2005 with respect to any change in the moneys to be transferred and
20 credited to the correctional institutions building fund during fiscal year
21 2005. All moneys transferred and credited to the correctional institutions
22 building fund during fiscal year 2005 shall reduce the amount debited
23 and credited to the correctional institutions building fund under this sub-
24 section.

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 correctional institutions building fund pursuant to this subsection,
28 to reflect all moneys actually transferred and credited to the correctional
29 institutions building fund 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 correctional institutions build-
32 ing fund pursuant to this subsection and all reductions and adjustments
33 thereto made pursuant to this subsection. The state treasurer shall enter
34 all such amounts debited and credited and shall make reductions and
35 adjustments thereto on the books and records kept and maintained for
36 the correctional institutions building fund by the state treasurer in ac-
37 cordance with the notice thereof.

38 (j) During the fiscal year ending June 30, 2005, the secretary of ad-
39 ministration, with the approval of the director of the budget, may transfer
40 any part of any item of appropriation for the fiscal year ending June 30,
41 2005, from the state general fund for the department of administration
42 to another item of appropriation for fiscal year 2005 from the state general
43 fund for the department of administration. The secretary of administra-

1 tion shall certify each such transfer to the director of accounts and reports
2 and shall transmit a copy of each such certification to the director of the
3 legislative research department.

4 (k) On October 1, 2004, on January 1, 2005, on April 1, 2005, and on
5 June 30, 2005, the state corporation commission shall transfer any unen-
6 cumbered balance in excess of \$40,000 in the facility conservation im-
7 provement program fund of the state corporation commission to the ar-
8 chitectural services recovery fund of the department of administration:
9 *Provided*, That the amounts transferred from the facility conservation
10 improvement program fund of the state corporation commission to the
11 architectural services recovery fund of the department of administration
12 pursuant to this subsection are to reimburse the architectural services
13 recovery fund of the department of administration for architectural and
14 related services which are performed on behalf of the facility conservation
15 improvement program of the state corporation commission by the de-
16 partment of administration.

17 (l) On July 1, 2004, or as soon thereafter as moneys are available, the
18 director of the budget shall certify to the director of accounts and reports
19 the amount equal to that portion of the unencumbered balance in the
20 budget fees fund that originated from private grants to finance the office
21 of health planning and finance. Upon receipt of such certification, the
22 director of accounts and reports shall transfer the amount certified from
23 the budget fees fund of the department of administration to the office of
24 health planning and finance fund of the department of administration.

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

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

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

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

1 (p) *There is appropriated for the above agency from the state*
2 *economic development initiatives fund for the fiscal year ending*
3 *June 30, 2005, the following:*

4 **EDIF — public broadcasting capital equipment**
5 **grants..... \$74,924**

6 (q) *In addition to the other purposes for which expenditures may*
7 *be made by the department of administration from moneys appro-*
8 *riated from the state general fund or any special revenue fund for*
9 *the fiscal year ending June 30, 2005, by this or other appropriation*
10 *act of the 2004 regular session of the legislature, expenditures shall*
11 *be made by the department of administration to produce paper cop-*
12 *ies of the health risk appraisal instrument for any participant in the*
13 *group health insurance plan who submits a written request for such*
14 *paper copy.*

15 (r) *In addition to other purposes for which expenditures may be*
16 *made by the department of administration from moneys appropri-*
17 *ated from the information technology fund for the fiscal year ending*
18 *June 30, 2005, by this or other appropriation act of the 2004 regular*
19 *session of the legislature, the director of the division of information*
20 *systems and communications is hereby authorized to fix, charge and*
21 *collect fees for publication and distribution of the KANS-A-N tele-*
22 *phone directory.*

23 Sec. 20.

24 STATE BOARD OF TAX APPEALS

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 \$1,294,199

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.*

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

37 BOTA filing fee fund \$279,220

38 Sec. 21.

39 DEPARTMENT OF REVENUE

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 \$20,046,408

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 this ac-
3 count for official hospitality shall not exceed \$1,500.

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 other than refunds authorized by law
8 shall not exceed the following:

9 Sand royalty fund No limit

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

11 *Provided,* That all receipts collected under authority of K.S.A. 74-2012
12 and amendments thereto shall be credited to the division of vehicles op-
13 erating fund: *Provided further,* That any expenditure from the division of
14 vehicles operating fund of the department of revenue to reimburse the
15 audit services fund of the division of post audit for a financial-compliance
16 audit in an amount certified by the legislative post auditor shall be in
17 addition to any expenditure limitation imposed on the division of vehicles
18 operating fund for the fiscal year ending June 30, 2005: *And provided*
19 *further,* That, notwithstanding the provisions of K.S.A. 68-416 and
20 amendments thereto or of any statute, expenditures may be made from
21 this fund for other operating expenditures of the department of revenue,
22 including administration and operation of driver license and registration,
23 administration of the taxation laws, administration of the alcoholic bev-
24 erage control laws, and the indirect costs of operations in support of these
25 activities in the department of revenue.

26 Vehicle dealers and manufacturers fee fund No limit

27 Kansas qualified agricultural ethyl alcohol producer incen-
28 tive fund No limit

29 Local report fee fund..... No limit

30 Military retirees income tax refund fund..... No limit

31 Conversion of materials and equipment fund No limit

32 Forfeited property fee fund No limit

33 Setoff services revenue fund No limit

34 Publications fee fund No limit

35 State bingo regulation fund..... No limit

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

37 County treasurers' vehicle licensing fee fund..... No limit

38 Reappraisal reimbursement fund..... No limit

39 *Provided,* That all moneys received for the costs incurred for conducting
40 appraisals for any county shall be deposited in the state treasury and
41 credited to the reappraisal reimbursement fund: *Provided further,* That
42 expenditures may be made from this fund for the purpose of conducting
43 appraisals pursuant to orders of the board of tax appeals under K.S.A. 79-

1 1479 and amendments thereto.

2 Special training fund..... No limit

3 *Provided*, That expenditures may be made from the special training fund

4 for operating expenditures, including official hospitality, incurred for con-

5 ferences, training seminars, workshops and examinations: *Provided fur-*

6 *ther*, That the secretary of revenue is hereby authorized to fix, charge and

7 collect fees for conferences, training seminars, workshops and examina-

8 tions sponsored or cosponsored by the department of revenue: *And pro-*

9 *vided further*, That such fees shall be fixed in order to recover all or part

10 of the operating expenditures incurred for such conferences, training

11 seminars, workshops and examinations or for qualifying applicants for

12 such conferences, training seminars, workshops and examinations: *And*

13 *provided further*, That all fees received for conferences, training semi-

14 nars, workshops and examinations shall be deposited in the state treasury

15 and credited to the special training fund.

16 Recovery fund for enforcement actions and attorney

17 fees No limit

18 Federal commercial motor vehicle safety fund..... No limit

19 Central stores fund..... No limit

20 *Provided*, That expenditures may be made from the central stores fund

21 to operate and maintain a central stores activity to sell supplies to other

22 state agencies: *Provided further*, That all moneys received for such sup-

23 plies shall be deposited in the state treasury and credited to this fund.

24 Microfilming fund No limit

25 *Provided*, That expenditures may be made from the microfilming fund to

26 operate and maintain a microfilming activity to sell microfilming services

27 to other state agencies: *Provided further*, That all moneys received for

28 such services shall be deposited in the state treasury and credited to this

29 fund.

30 Miscellaneous trust bonds fund No limit

31 Liquor excise tax guaranty bond fund No limit

32 Non-resident contractors cash bond fund..... No limit

33 Bond guaranty fund..... No limit

34 Interstate motor fuel user cash bond fund No limit

35 Motor fuel distributor cash bond fund..... No limit

36 County and city bingo tax fund..... No limit

37 Special county mineral production tax fund..... No limit

38 County drug tax fund..... No limit

39 Escheat proceeds suspense fund..... No limit

40 Privilege tax refund fund No limit

41 Suspense fund No limit

42 Cigarette tax refund fund No limit

43 Motor-vehicle fuel tax refund fund No limit

1	Cereal malt beverage tax refund fund.....	No limit
2	Income tax refund fund.....	No limit
3	Sales tax refund fund.....	No limit
4	Compensating tax refund fund.....	No limit
5	Alcoholic liquor tax refund fund.....	No limit
6	Cigarette/tobacco products regulation fund.....	No limit
7	Motor carrier tax refund fund.....	No limit
8	Car company tax fund.....	No limit
9	Protested motor carrier taxes fund.....	No limit
10	Tobacco products refund fund.....	No limit
11	Transient guest tax refund fund established by K.S.A. 12-	
12	1694a.....	No limit
13	Interstate motor fuel taxes clearing fund.....	No limit
14	Bingo refund fund.....	No limit
15	Transient guest tax refund fund established by K.S.A. 12-	
16	16,100.....	No limit
17	Inheritance tax abatement refund fund.....	No limit
18	Interstate motor fuel taxes refund fund.....	No limit
19	Interfund clearing fund.....	No limit
20	Local alcoholic liquor clearing fund.....	No limit
21	International registration plan distribution clearing fund..	No limit
22	Rental motor vehicle excise tax refund fund.....	No limit
23	International fuel tax agreement clearing fund.....	No limit
24	Mineral production tax refund fund.....	No limit
25	Special fuels tax refund fund.....	No limit
26	LP-gas motor fuels refund fund.....	No limit
27	Local alcoholic liquor refund fund.....	No limit
28	Sales tax clearing fund.....	No limit
29	Rental motor vehicle excise tax clearing fund.....	No limit
30	VIPS/CAMA technology hardware fund.....	No limit
31	<i>Provided, That, notwithstanding the provisions of K.S.A. 74-2021 and</i>	
32	<i>amendments thereto or of any other statute, expenditures may be made</i>	
33	<i>from VIPS/CAMA technology hardware fund for the purposes of up-</i>	
34	<i>grading the VIPS/CAMA computer hardware and software for the state</i>	
35	<i>or for the counties, of administration and operation of the department of</i>	
36	<i>revenue, and of the indirect costs of operations in support of these activ-</i>	
37	<i>ities in the department of revenue.</i>	
38	County and city retailers sales tax clearing fund — county	
39	and city sales tax.....	No limit
40	City and county compensating use tax clearing fund.....	No limit
41	County and city transient guest tax clearing fund.....	No limit
42	Automated tax systems fund.....	No limit
43	Dyed diesel fuel fee fund.....	No limit

1 Electronic databases fee fund..... No limit
 2 *Provided*, That, notwithstanding the provisions of K.S.A. 74-2022 and
 3 amendments thereto or of any other statute, expenditures may be made
 4 from electronic databases fee fund for the purposes of operating expend-
 5 itures, including expenditures for capital outlay; of operating, maintaining
 6 or improving the vehicle information processing system (VIPS), the Kan-
 7 sas computer assisted mass appraisal system (CAMA) and other electronic
 8 database systems of the department of revenue, including the costs in-
 9 curred to provide access to or to furnish copies of public records in such
 10 database systems; of the administration and operation of the department
 11 of revenue; and of the indirect costs of operations in support of these
 12 activities in the department of revenue.

13 Photo fee fund..... No limit
 14 *Provided*, That expenditures may be made from the photo fee fund for
 15 administration and operation of the driver license program and related
 16 support operations in the division of administration of the department of
 17 revenue, including costs of implementing Chapter 5 and Chapter 63 of
 18 the 2003 Session Laws of Kansas.

19 Estate tax abatement refund fund..... No limit
 20 (c) On July 1, 2004, October 1, 2004, January 1, 2005, and April 1,
 21 2005, the director of accounts and reports shall transfer \$9,532,114.25
 22 from the state highway fund of the department of transportation to the
 23 division of vehicles operating fund of the department of revenue for the
 24 purpose of financing the cost of operation and general expense of the
 25 division of vehicles and related operations of the department of revenue.

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

31 (e) On August 1, 2004, the director of accounts and reports shall trans-
 32 fer \$60,000 from the social welfare fund of the department of social and
 33 rehabilitation services to the child support enforcement contractual
 34 agreement fund of the department of revenue to reimburse costs of ad-
 35 ministrative expenses of child support enforcement activities under the
 36 agreement.

37 Sec. 22.

38 KANSAS LOTTERY

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

3 *Provided*, That all expenditures from the lottery operating fund for on-
4 line terminal communication charges, for on-line vendor commission pay-
5 ments, for instant ticket printing charges, or for refunds and transfers
6 shall be in addition to any expenditure limitation imposed on this fund:
7 *Provided further*, That expenditures from this fund for official hospitality
8 shall not exceed \$5,000: *And provided further*, That any expenditure from
9 the lottery operating fund to reimburse the audit services fund of the
10 division of legislative post audit for audits performed pursuant to K.S.A.
11 74-8707 and amendments thereto in amounts certified by the legislative
12 post auditor shall be in addition to any expenditure limitation imposed
13 on the lottery operating fund for the fiscal year ending June 30, 2005.

14 (b) Notwithstanding the provisions of K.S.A. 74-8711 and amendments
15 thereto, an amount of not less than \$4,500,000 shall be transferred
16 monthly in the fiscal year ending June 30, 2005, with the first transfer to
17 be made on or before ~~July 15, 2004~~ **[August 15, 2004]**, and monthly
18 transfers shall continue until an aggregate total of not less than
19 \$63,250,000 shall be transferred by July 15, 2005, for a total of 12 monthly
20 transfers to be made during the period. The director of accounts and
21 reports shall transfer moneys certified by the director of the Kansas lot-
22 tery from the lottery operating fund to the state gaming revenues fund
23 on or before the 15th of each month in an amount of not less than
24 \$4,500,000 for each transfer during the period ending June 30, 2005.

25 (c) On June 16, 2005, or as soon thereafter as moneys are available,
26 notwithstanding the provisions of K.S.A. 74-8711 and amendments
27 thereto or of any other statute, the director of accounts and reports shall
28 transfer \$500,000 from the lottery operating fund to the state general
29 fund: *Provided*, That the transfer of such amount shall be in addition to
30 any other transfer from the lottery operating fund to the state general
31 fund as prescribed by law: *Provided further*, That the amount transferred
32 from the lottery operating fund to the state general fund pursuant to this
33 subsection is to reimburse the state general fund for accounting, auditing,
34 budgeting, legal, payroll, personnel and purchasing services and any other
35 governmental services which are performed on behalf of the Kansas lot-
36 tery by other state agencies which receive appropriations from the state
37 general fund to provide such services.

38 (d) Notwithstanding the provisions of K.S.A. 79-4801 and amendments
39 thereto and in addition to the requirements of subsection (b) of this sec-
40 tion, on or after January 15, 2005, upon certification by the executive
41 director of the lottery, the director of accounts and reports shall transfer
42 from the lottery operating fund to the state gaming revenues fund the
43 amount of \$500,000: *Provided*, That the director of accounts and reports

1 shall transfer immediately thereafter from the state gaming revenues fund
 2 to the state general fund an amount of \$500,000: *Provided further*, That,
 3 on or before June 15, 2005, the executive director of the lottery shall
 4 certify to the director of accounts and reports the amount of total profit
 5 attributed to the special veterans benefits game, reduced by the \$500,000
 6 previously transferred pursuant to this subsection: *And provided further*,
 7 That, upon receipt of such additional certification from the executive
 8 director of the lottery, the director of accounts and reports shall transfer
 9 the amount so certified from the lottery operating fund to the state gam-
 10 ing revenues fund.

11 Sec. 23.

12 KANSAS RACING AND GAMING COMMISSION

13 (a) 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 State racing fund.....	\$3,047,161
19 <i>Provided</i> , That all expenditures from the state racing fund for refunds	
20 and transfers shall be in addition to any expenditure limitation imposed	
21 on this fund: <i>Provided further</i> , That expenditures from this fund for of-	
22 ficial hospitality shall not exceed \$2,500: <i>And provided further</i> , That any	
23 expenditure from the state racing fund to reimburse the audit services	
24 fund of the division of legislative post audit for a financial-compliance	
25 audit in an amount certified by the legislative post auditor shall be in	
26 addition to any expenditure limitation imposed on the state racing fund	
27 for the fiscal year ending June 30, 2005.	
28 Racing reimbursable expense fund.....	No limit
29 Racing applicant deposit fund	No limit
30 Kansas horse breeding development fund.....	No limit
31 Kansas greyhound breeding development fund.....	No limit
32 Racing investigative expense fund.....	No limit
33 Horse fair racing benefit fund.....	No limit
34 Tribal gaming fund	No limit \$1,650,753

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

37 (b) On July 1, 2004, the director of accounts and reports shall transfer
 38 \$450,000 from the state general fund to the tribal gaming fund of the
 39 Kansas racing and gaming commission.

40 (c) During the fiscal year ending June 30, 2005, the director of accounts
 41 and reports shall transfer one or more amounts certified by the executive
 42 director of the state gaming agency from the tribal gaming fund to the
 43 state general fund: *Provided*, That all such transfers shall be for the pur-

1 pose of reimbursing the state general fund for the amount equal to the
2 net amount obtained by subtracting (1) the aggregate of any costs in-
3 curred by the state gaming agency during fiscal year 2005 for any arbi-
4 tration or litigation in connection with the administration and enforce-
5 ment of tribal-state gaming compacts or the provisions of the tribal
6 gaming oversight act, from (2) the aggregate of the amounts transferred
7 to the tribal gaming fund of the Kansas racing and gaming commission
8 during fiscal year 2005 for the operating expenditures for the state gaming
9 agency and any other expenses incurred in connection with the admin-
10 istration and enforcement of tribal-state gaming compacts or the provi-
11 sions of the tribal gaming oversight act.

12 (d) Notwithstanding any other provision of law, no transfers shall be
13 made during the fiscal year ending June 30, 2005, from the state racing
14 fund to any fund of the Kansas bureau of investigation for any purpose.
15 All payments during the fiscal year ending June 30, 2005, for services
16 provided by the Kansas bureau of investigation shall be paid by the Kansas
17 racing and gaming commission in accordance with subsection (b) of
18 K.S.A. 75-5516 and amendments thereto, pursuant to bills which are pre-
19 sented in a timely manner by the Kansas bureau of investigation for serv-
20 ices rendered. Any expenditure from the state racing fund during fiscal
21 year 2005 to reimburse the Kansas bureau of investigation for professional
22 services and fees in an amount certified by the director of the Kansas
23 bureau of investigation shall be in addition to any expenditure limitation
24 imposed on the state racing fund for the fiscal year ending June 30, 2005.

25 (e) In addition to the other purposes for which expenditures may be
26 made from the moneys appropriated in the tribal gaming fund for fiscal
27 year 2005 for the Kansas racing and gaming commission by this or other
28 appropriation act of the 2004 regular session of the legislature, expendi-
29 tures may be made from the tribal gaming fund for fiscal year 2005 for
30 the state gaming agency regulatory oversight of class III gaming, including
31 but not limited to the regulatory oversight and law enforcement activities
32 of monitoring compliance with tribal-state gaming compacts and con-
33 ducting investigations of violations of tribal-state gaming compacts, in-
34 vestigations of criminal violations of the laws of this state at tribal gaming
35 facilities, criminal violations of the tribal gaming oversight act, and inves-
36 tigation of other criminal activities related to tribal gaming, which are
37 hereby authorized.

38 (f) In addition to the other purposes for which expenditures may be
39 made from the moneys appropriated in the state racing fund for fiscal
40 year 2005 for the Kansas racing and gaming commission by this or other
41 appropriation act of the 2004 regular session of the legislature, expendi-
42 tures may be made from the state racing fund for fiscal year 2005 for
43 paying salaries and wages of agency personnel performing criminal history

1 record checks, background investigations and other investigations speci-
 2 fied in statute.

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

8 Sec. 24.

9 DEPARTMENT OF COMMERCE

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

13 State brand and image implementation~~\$2,000,000~~ **\$100,000**
 14 Operating grant (including official
 15 hospitality)~~\$14,368,030~~ **\$15,168,030**

16 *Provided*, That any unencumbered balance in the operating grant (in-
 17 cluding official hospitality) account in excess of \$100 as of June 30, 2004,
 18 is hereby reappropriated for fiscal year 2005: *Provided further*, That ex-
 19 penditures may be made from the operating grant (including official hos-
 20 pitality) account for loans pursuant to loan agreements which are hereby
 21 authorized to be entered into by the secretary of commerce in accordance
 22 with repayment provisions and other terms and conditions as may be
 23 prescribed by the secretary therefor under the agricultural value added
 24 center program: *And provided further*, That expenditures may be made
 25 from the operating grant (including official hospitality) account for cer-
 26 tified development companies that have been determined to be qualified
 27 for grants by the secretary of commerce, except that expenditures for
 28 such grants shall not be made for grants to more than 10 certified devel-
 29 opment companies that have been determined to be qualified for grants
 30 by the secretary of commerce: *And provided further*, That during fiscal
 31 year 2005, expenditures made by the department of commerce from the
 32 operating grant (including official hospitality) account of the state eco-
 33 nomic development initiatives fund shall be made for the purpose of
 34 achieving the following outcome measures:

35

Measure	Budget Year Projection FY 2005
Jobs created by projects utilizing KDOC assistance	5,361
Jobs retained by projects utilizing KDOC assistance	4,000

36
37
38
39
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43

1	Payroll generated by projects utilizing KDOC assistance	\$189,648,000
2		
3	Capital investment in Kansas resulting from projects utilizing	
4	KDOC assistance	\$440,000,000
5		
6	Funds leveraged through match in projects utilizing KDOC assistance	\$11,450,000
7		
8	Individuals trained through workforce development programs	7,900
9		
10	Sales generated by projects utilizing KDOC assistance	\$63,970,000
11		
12	Increase in visitation resulting from KDOC tourism promotion efforts	335,800
13		
14	Tourism revenue generated as a result of KDOC tourism promotion	\$26,750,000
15		
16	Kansans served with counseling, technical assistance or business services	4,552
17		
18	Number of communities receiving community assistance services	230

19
 20 (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
 21 moneys now or hereafter lawfully credited to and available in such fund
 22 or funds, except that expenditures other than refunds authorized by law
 23 shall not exceed the following:

24	Publication and other sales fund	No limit
25	Conversion of equipment and materials fund	No limit
26	Conference registration and disbursement fund	No limit
27	Kansas venture capital companies certificate fee fund.....	No limit
28	Trademark fund	No limit
29	Flood mitigation assistance federal fund	No limit
30	Trade show promotion fund.....	No limit
31	Kansas tourist attraction matching grant development	
32	fund	No limit
33	Greyhound tourism fund	No limit
34	Reimbursement and recovery fund	No limit
35	Community development block grant — federal fund.....	No limit
36	Community development block grant — federal fund —	
37	revolving loan account	No limit
38	Other federal grants fund	No limit

39 *Provided*, That the above agency is authorized to make expenditures from
 40 the other federal grants fund of any moneys credited to this fund from
 41 any individual grant if the grant is: (1) Less than or equal to \$250,000 in
 42 the aggregate, and (2) does not require the matching expenditure of any
 43

1 other moneys in the state treasury during fiscal year 2005 other than
2 moneys appropriated by this or other appropriation act of the 2004 reg-
3 ular session of the legislature: *Provided, however,* That, upon application
4 to and authorization by the governor, the above agency may make ex-
5 penditures of moneys credited to this fund from any individual federal
6 grant which is more than \$250,000 in the aggregate or which requires the
7 matching expenditure of moneys in the state treasury during the fiscal
8 year 2005, other than moneys appropriated by this or other appropriation
9 act of the 2004 regular session of the legislature.

10 National main street center fund No limit
11 IMPACT program services fund..... No limit
12 IMPACT program repayment fund..... No limit
13 Kansas partnership fund..... No limit
14 *Provided,* That the interest rate on any loan made from the Kansas part-
15 nership fund shall be annually indexed to the federal discount rate.

16 Goodyear bond repayment fund..... No limit
17 *Provided,* That, on July 1, 2004, or as soon thereafter as moneys are
18 available, the director of the division of accounts and reports shall transfer
19 from the state general fund to the Goodyear bond repayment fund an
20 amount sufficient to pay annual debt service on the bond obligations
21 authorized pursuant to K.S.A. 74-8942 through 74-8945 and amendments
22 thereto as certified by the secretary of commerce, in accordance with and
23 subject to the provisions of K.S.A. 74-8943 and amendments thereto.

24 General fees fund..... No limit
25 *Provided,* That expenditures may be made from the general fees fund for
26 loans pursuant to loan agreements which are hereby authorized to be
27 entered into by the secretary of commerce in accordance with repayment
28 provisions and other terms and conditions as may be prescribed by the
29 secretary therefor under programs of the department.

30 Market development fund No limit
31 *Provided,* That expenditures may be made from the market development
32 fund for loans pursuant to loan agreements which are hereby authorized
33 to be entered into by the secretary of commerce in accordance with re-
34 payment provisions and other terms and conditions as may be prescribed
35 by the secretary therefor under the agricultural value added center pro-
36 gram: *Provided further,* That all moneys received by the department of
37 commerce for repayment of loans made under the agricultural value
38 added center program shall be deposited in the state treasury and cred-
39 ited to this fund.

40 Kansas economic opportunity initiatives fund No limit
41 Kansas existing industry expansion fund..... No limit
42 *Provided,* That expenditures may be made from the Kansas existing in-
43 dustry expansion fund for loans pursuant to loan agreements which are

1 hereby authorized to be entered into by the secretary of commerce in
2 accordance with repayment provisions and other terms and conditions as
3 may be prescribed by the secretary therefor under the Kansas existing
4 industry expansion program: *Provided further*, That all moneys received
5 by the department of commerce for repayment of loans made under the
6 Kansas existing industry expansion program shall be deposited in the state
7 treasury and credited to this fund.

8 (c) The secretary of commerce is hereby authorized to fix, charge and
9 collect fees during the fiscal year ending June 30, 2005, for (1) the pro-
10 vision and administration of conferences held for the purposes of pro-
11 grams and activities of the department of commerce and for which fees
12 are not specifically prescribed by statute, (2) sale of *Kansas!* magazine
13 and other publications of the department of commerce and for sale of
14 educational and other promotional items and for which fees are not spe-
15 cifically prescribed by statute, and (3) promotional and other advertising
16 and related economic development activities and services provided under
17 economic development programs and activities of the department of com-
18 merce, including those provided at tourist information centers: *Provided*,
19 That such fees shall be fixed in order to recover all or part of the operating
20 expenses incurred in providing such services, conferences, publications
21 and items, advertising and other economic development activities and
22 services provided under economic development programs and activities
23 of the department of commerce for which fees are not specifically pre-
24 scribed by statute: *Provided further*, That all such fees shall be credited
25 to one or more special revenue funds of the department of commerce as
26 specified by the secretary of commerce: *And provided further*, That ex-
27 penditures may be made from such special revenue funds of the depart-
28 ment of commerce for fiscal year 2005, in accordance with the provisions
29 of this or other appropriation act of the 2004 regular session of the leg-
30 islature, for operating expenses incurred in providing such services, con-
31 ferences, publications and items, advertising, programs and activities and
32 for operating expenses incurred in providing similar economic develop-
33 ment activities and services provided under economic development pro-
34 grams and activities of the department of commerce.

35 (d) In addition to the other purposes for which expenditures may be
36 made by the department of commerce from moneys appropriated in any
37 special revenue fund for fiscal year 2005 for the department of commerce
38 as authorized by this or other appropriation act of the 2004 regular session
39 of the legislature, expenditures may be made by the department of com-
40 merce from moneys appropriated in any special revenue fund for fiscal
41 year 2005 for official hospitality.

42 (e) On August 15, 2004, and December 15, 2004, or as soon thereafter
43 as moneys are available, the director of accounts and reports shall transfer

1 \$1,612,500 from the state economic development initiatives fund to the
2 Kansas economic opportunity initiatives fund of the department of com-
3 merce.

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

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

16 Sec. 25.

17 KANSAS, INC.

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

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

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 Kansas, Inc., matching fund No limit

28 Conversion of materials and equipment fund No limit

29 Sec. 26.

30 KANSAS TECHNOLOGY ENTERPRISE CORPORATION

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

34 Operations, assistance and grants (including official hos-
35 pitality) ~~\$11,310,217~~ **\$11,510,217**

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

39 (b) 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 MAMTC federal fund No limit
 2 KTEC special revenue fund..... No limit
 3 (c) No moneys appropriated for the fiscal year or years specified, by
 4 this or other appropriation act of the 2004 regular session of the legisla-
 5 ture for the Kansas technology enterprise corporation shall be expended
 6 for any bonus or other payment of additional compensation for any officer
 7 or employee of the Kansas technology enterprise corporation, or any sub-
 8 sidiary corporation, agency or instrumentality thereof, except longevity
 9 bonus payments pursuant to K.S.A. 75-5541 and amendments thereto or
 10 as otherwise specifically authorized by statute.

11 Sec. 27.

12 DEPARTMENT OF HUMAN RESOURCES

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 \$1,055,737
 16 *Provided*, That any unencumbered balance in the operating expenditures
 17 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 18 for fiscal year 2005: *Provided further*, That in addition to the other pur-
 19 poses for which expenditures may be made by the above agency from this
 20 account for the fiscal year ending June 30, 2005, expenditures may be
 21 made from this account for the costs incurred for court reporting under
 22 K.S.A. 72-5413 *et seq.*, and 75-4321 *et seq.*, and amendments thereto:
 23 *And provided further*, That expenditures from this account for official
 24 hospitality by the secretary of human resources shall not exceed \$2,000.
 25 Any unencumbered balance in excess of \$100 as of June 30, 2004, in each
 26 of the following accounts is hereby reappropriated for fiscal year 2005:
 27 Welfare to work grant — state match.

28 (b) 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 Workmen’s compensation fee fund \$11,013,511
 34 Occupational health and safety — federal fund..... \$580,153
 35 Boiler inspection fee fund..... No limit
 36 General fees fund..... No limit
 37 Special employment security fund..... No limit
 38 *Provided*, That expenditures may be made from the special employment
 39 security fund for payment of the portion of telecommunications services
 40 provided by the state of Kansas which are required to be paid from non-
 41 federal sources: *Provided, however*, That expenditures from the special
 42 employment security fund for such purpose shall not exceed \$40,000:
 43 *Provided further*, That expenditures may be made from the special em-

1 ployment security fund for payment of debt service on revenue bonds
 2 issued to finance remodeling of the 401 S. Topeka building: *Provided,*
 3 *however,* That expenditures from this fund for such debt service shall not
 4 exceed \$279,758: *And provided further,* That expenditures may be made
 5 from the special employment security fund for the wheat harvest pro-
 6 gram: *And provided further,* That expenditures from this fund for the
 7 wheat harvest program shall not exceed \$66,082: *And provided further,*
 8 That expenditures may be made from the special employment security
 9 fund for payment for the department of administration’s lease space
 10 agreement: *And provided further,* That expenditures from this fund for
 11 payment of such lease space agreement shall not exceed \$21,965.

12	Employment security administration fund.....	No limit
13	State workplace health and safety fund.....	No limit
14	Wage claims assignment fee fund	No limit
15	Employment security computer systems institute fund.....	No limit
16	Workforce investment act state operations fund.....	No limit
17	Welfare to work grant — federal fund.....	No limit
18	Workforce investment act non-state operations fund	No limit
19	Human resources special projects fund — federal.....	No limit
20	Advisory committee on Hispanic affairs — donations	
21	fund	No limit
22	Committee on employment of the handicapped — gifts,	
23	grants and donations fund.....	No limit
24	Federal indirect cost offset fund.....	\$344,150
25	Dispute resolution fund.....	No limit

26 *Provided,* That all moneys received by the secretary of human resources
 27 for reimbursement of expenditures for the costs incurred for mediation
 28 under K.S.A. 72-5427 and amendments thereto and for fact-finding under
 29 K.S.A. 72-5428 and amendments thereto shall be deposited in the state
 30 treasury and credited to the dispute resolution fund: *Provided further,*
 31 That expenditures may be made from this fund to pay the costs incurred
 32 for mediation under K.S.A. 72-5427 and amendments thereto and for
 33 fact-finding under K.S.A. 72-5428 and amendments thereto, subject to
 34 full reimbursement therefor by the board of education and the profes-
 35 sional employees’ organization involved in such mediation and fact-find-
 36 ing procedures.

37	Employment security fund.....	No limit
38	Employment security administration property sale fund...	No limit

39 *Provided,* That the secretary of human resources, in consultation with the
 40 secretary of administration, is hereby authorized to make expenditures
 41 from the employment security administration property sale fund to pur-
 42 chase or acquire by exchange additional real estate to provide space for
 43 the job service and unemployment insurance programs of the department

1 of human resources, including the initiation, planning and completion of
 2 capital improvements on such real estate for such purposes: *Provided,*
 3 *however,* That no expenditures shall be made from this fund for a pro-
 4 posed purchase or other acquisition of additional real estate to provide
 5 space for the job service and unemployment insurance programs of the
 6 department of human resources until such proposed purchase or other
 7 acquisition, including the preliminary plans and program statement for
 8 any capital improvement project that is proposed to be initiated and com-
 9 pleted by or for the department of human resources on such real estate
 10 for such purposes, have been reviewed by the joint committee on state
 11 building construction.

12 ***(c) There is appropriated for the above agency from the state***
 13 ***economic development initiatives fund for the fiscal year ending***
 14 ***June 30, 2005, the following:***

15 ***Older Kansans employment program \$239,430***

16 ~~(c)~~ ***(d)*** In addition to the other purposes for which expenditures may
 17 be made by the department of human resources from moneys appropri-
 18 ated from any special revenue fund for fiscal year 2005 as authorized by
 19 this or other appropriation act of the 2004 regular session of the legisla-
 20 ture, expenditures may be made by the department of human resources
 21 for fiscal year 2005 from the moneys appropriated from any special rev-
 22 enue fund for the expenses of the sale, exchange or other disposition
 23 conveying title for any portion or all of the real estate of the department
 24 of human resources: *Provided,* That such expenditures may be made and
 25 such sale, exchange or other disposition conveying title for any portion or
 26 all of the real estate of the department of human resources may be exe-
 27 cuted or otherwise effectuated only upon specific authorization by the
 28 state finance council acting on this matter, which is hereby characterized
 29 as a matter of legislative delegation and subject to the guidelines pre-
 30 scribed in subsection (c) of K.S.A. 75-3711c and amendments thereto and
 31 acting after receiving the recommendations of the joint committee on
 32 state building construction: *Provided, however,* That no such sale,
 33 exchange or other disposition conveying title for any portion of the real
 34 estate of the department of human resources shall be executed until the
 35 proposed sale, exchange or other disposition conveying title for such real
 36 estate has been reviewed by the joint committee on state building con-
 37 struction: *Provided further,* That the net proceeds from the sale of any
 38 of the real estate of the department of human resources shall be deposited
 39 in the state treasury to the credit of the employment security administra-
 40 tion property sale fund of the department of human resources: *Provided,*
 41 *however,* That expenditures from such fund shall not exceed the limita-
 42 tion established for fiscal year 2005 by this or other appropriation act of
 43 the 2004 regular session of the legislature except upon approval of the

1 state finance council.

2 Sec. 28.

3 KANSAS COMMISSION ON VETERANS AFFAIRS

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 — veterans affairs \$1,554,183

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

10 Operations — state veterans cemeteries \$437,902

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

15 Operating expenditures — Kansas soldiers’

16 home ~~\$1,452,603~~ **\$1,730,750**

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

20 Operating expenditures — Kansas veterans’

21 home ~~\$1,649,009~~ **\$1,760,410**

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

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 other than refunds authorized by law
29 shall not exceed the following:

30 Kansas commission on veterans affairs fund \$50,019

31 Soldiers’ home fee fund ~~\$1,922,298~~ **\$2,074,686**

32 Soldiers’ home benefit fund No limit

33 Soldiers’ home work therapy fund No limit

34 Veterans’ home fee fund ~~\$6,702,903~~ **\$5,833,139**

35 Persian Gulf War veterans health initiative fund No limit

36 Veterans’ home canteen fund No limit

37 Veterans’ home benefit fund No limit

38 Soldiers’ home outpatient clinic fund \$368,103

39 State veterans cemeteries fee fund \$9,167

40 State veterans cemeteries donations and contributions

41 fund No limit

42 Outpatient clinic patient federal reimbursement fund —

43 federal No limit

1	VA burial reimbursement fund — federal.....	No limit
2	Veterans home federal fund.....	No limit
3	Soldiers home federal fund.....	No limit
4	Commission on veterans affairs federal fund	No limit
5	Sec. 29.	

6 DEPARTMENT OF HEALTH AND ENVIRONMENT —
7 DIVISION OF HEALTH

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 (including official
11 hospitality) ~~\$6,876,940~~ **\$6,926,940**

12 *Provided*, That any unencumbered balance in the operating expenditures
13 (including official hospitality) account of the department of health and
14 environment — division of health in excess of \$100 as of June 30, 2004,
15 is hereby reappropriated for fiscal year 2005: *Provided further*, That ex-
16 penditures from such reappropriated balance shall not exceed \$1,087 ex-
17 cept upon approval of the state finance council.

18 SIDS network grant..... \$25,000

19 *Provided*, That any unencumbered balance in the SIDS network grant
20 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
21 for fiscal year 2005.

22 Vaccine purchases \$869,598

23 *Provided*, That any unencumbered balance in the vaccine purchases ac-
24 count in excess of \$100 as of June 30, 2004, is hereby reappropriated for
25 fiscal year 2005.

26 Infant and toddler program..... \$1,871,305

27 *Provided*, That any unencumbered balance in the infant and toddler pro-
28 gram account in excess of \$100 as of June 30, 2004, is hereby reappro-
29 priated for fiscal year 2005.

30 Aid to local units \$4,757,102

31 *Provided*, That any unencumbered balance in the aid to local units ac-
32 count in excess of \$100 as of June 30, 2004, is hereby reappropriated for
33 fiscal year 2005: *Provided further*, That expenditures from the aid to local
34 units account for child care licensure activities are hereby authorized to
35 be made for contracts which are hereby authorized to be entered into by
36 the secretary of health and environment with local health departments,
37 private individuals and others: *And provided further*, That all expendi-
38 tures from this account for state financial assistance to local health de-
39 partments shall be in accordance with the formula prescribed by K.S.A.
40 65-241 through 65-246 and amendments thereto.

41 Aid to local units — primary health projects..... \$1,520,840

42 *Provided*, That any unencumbered balance in the aid to local units —
43 primary health projects account in excess of \$100 as of June 30, 2004, is

1 hereby reappropriated for fiscal year 2005: *Provided further*, That no
2 expenditures shall be made from the aid to local units — primary health
3 projects account to disburse any amount to a local government or other
4 health care unit until the amount has been matched on a \$1 for \$1 basis
5 by the local government or other health care unit on a cash or in-kind
6 basis, or some combination thereof, as approved by the secretary of health
7 and environment.

8 Teen pregnancy prevention activities..... \$537,660

9 *Provided*, That any unencumbered balance in the teen pregnancy pre-
10 vention activities account in excess of \$100 as of June 30, 2004, is hereby
11 reappropriated for fiscal year 2005: *Provided further*, That expenditures
12 from the teen pregnancy prevention activities account shall be made to
13 give highest priority to recipients of temporary assistance to families and
14 other medicaid eligible teens: *And provided further*, That expenditures
15 may be made from this account for grants made pursuant to K.S.A. 65-
16 1,158 and amendments thereto: *And provided further*, That no expend-
17 itures shall be made from this account to disburse any amount to the
18 recipient of any grant pursuant to K.S.A. 65-1,158 and amendments
19 thereto until the amount has been matched in the manner prescribed by
20 K.S.A. 65-1,158 and amendments thereto.

21 Aid to local units — family planning..... \$98,880

22 *Provided*, That any unencumbered balance in the aid to local units —
23 family planning account in excess of \$100 as of June 30, 2004, is hereby
24 reappropriated for fiscal year 2005: *Provided further*, That all expendi-
25 tures from the aid to local units — family planning account shall be in
26 accordance with grant agreements entered into by the secretary of health
27 and environment and grant recipients: *And provided further*, That all
28 expenditures from this account pursuant to such grant agreements shall
29 be made only for the costs of pap smears or initial and follow-up labo-
30 ratory tests.

31 Immunization programs \$350,000

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

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 Title XIX fund No limit

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

1 Breast and cervical cancer program and detection fund ... No limit
2 Health and environment training fee fund — health..... No limit
3 *Provided*, That expenditures may be made from the health and environ-
4 ment training fee fund — health for acquisition and distribution of divi-
5 sion of health program literature and films and for participation in or
6 conducting training seminars for training employees of the division of
7 health of the department of health and environment, for training recipi-
8 ents of state aid from the division of health of the department of health
9 and environment and for training representatives of industries affected
10 by rules and regulations of the department of health and environment
11 relating to the division of health: *Provided further*, That the secretary of
12 health and environment is hereby authorized to fix, charge and collect
13 fees in order to recover costs incurred for such acquisition and distribu-
14 tion of literature and films and for the operation of such seminars: *And*
15 *provided further*, That such fees may be fixed in order to recover all or
16 part of such costs: *And provided further*, That all moneys received from
17 such fees shall be deposited in the state treasury and credited to this fund:
18 *And provided further*, That, in addition to the other purposes for which
19 expenditures may be made by the department of health and environment
20 for the division of health from moneys appropriated from the health and
21 environment training fee fund — health for fiscal year 2005, expenditures
22 may be made by the department of health and environment from the
23 health and environment training fee fund — health for fiscal year 2005
24 for agency operations for the division of health.
25 Health facilities review fund..... No limit
26 Food service inspection reimbursement fund No limit
27 Food inspection fee fund..... No limit
28 *Provided*, That expenditures may be made from the food inspection fee
29 fund for operating expenditures for the food inspection program and
30 other activities for the regulation of food service establishments, food
31 vending machines, food vending machine companies and food vending
32 machine dealers under the food service and lodging act: *Provided further*,
33 That, notwithstanding the provisions of K.S.A. 36-512 and amendments
34 thereto to the contrary, all moneys received from fees charged and col-
35 lected by the secretary of health and environment under the food in-
36 spection program and other activities for the regulation of food service
37 establishments, food vending machines, food vending machine companies
38 and food vending machine dealers under the food service and lodging act
39 shall be deposited in the state treasury and credited to this food inspection
40 fee fund: *And provided further*, That, on July 1, 2004, and on the first
41 day of each month thereafter, the director of accounts and reports shall
42 transfer from the food inspection fee fund to the food service inspection
43 reimbursement fund an amount equal to 80% of all fees credited to the

1 food inspection fee fund where food service inspection services are pro-
 2 vided by a local agency under contract with the secretary to inspect food
 3 service establishments located in a municipality.

4 Insurance statistical plan fund No limit
 5 Health and environment publication fee fund — health... No limit
 6 *Provided*, That expenditures from the health and environment publica-
 7 tion fee fund — health shall be made only for the purpose of paying the
 8 expenses of publishing documents as required by K.S.A. 75-5662 and
 9 amendments thereto.

10 District coroners fund..... No limit
 11 Sponsored project overhead fund — health..... No limit
 12 Child care facilities licensure fund No limit
 13 Federal cancer registry fund No limit
 14 Child care and development block grant — federal
 15 fund No limit
 16 Office of rural health — federal fund No limit
 17 Medicare fund — federal No limit
 18 *Provided*, That transfers of moneys from the medicare fund — federal to
 19 the state fire marshal may be made during fiscal year 2005 pursuant to a
 20 contract which is hereby authorized to be entered into by the secretary
 21 of health and environment and the state fire marshal to provide fire and
 22 safety inspections for hospitals.

23 Federal migrant health program fund..... No limit
 24 Venereal disease control project fund — federal No limit
 25 Disease prevention and health promotion federal grants
 26 fund No limit
 27 *Provided*, That no moneys from any grant that requires the matching
 28 expenditure of any other moneys in the state treasury during the current
 29 or any ensuing fiscal year shall be deposited to the credit of the disease
 30 prevention and health promotion federal grants fund: *Provided further*,
 31 That transfers or payments from this fund to other state agencies shall be
 32 in addition to any expenditure limitation placed on this fund.

33 Federal women, infants and children health program
 34 fund No limit
 35 Federal occupational health and safety statistics program
 36 fund No limit
 37 Other federal grants fund — health No limit
 38 *Provided*, That the department of health and environment is authorized
 39 to make expenditures for the division of health and environment from
 40 the other federal grants fund — health of any moneys credited to this
 41 fund from any individual grant if the grant is: (1) Less than or equal to
 42 \$500,000 in the aggregate, and (2) does not require the matching ex-
 43 penditure of any other 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: *Provided, however*, That,
 3 upon application to and authorization by the governor, the division of
 4 health and environment may make expenditures for the division of health
 5 and environment of moneys credited to this fund from any individual
 6 federal grant which is more than \$500,000 in the aggregate or which
 7 requires the matching expenditure of moneys in the state treasury during
 8 the current or any ensuing fiscal year: *Provided further*, That transfers or
 9 payments from this fund to other state agencies shall be in addition to
 10 any expenditure limitation placed on this fund.

11 Immunization grant funds — federal fund	No limit
12 Title I — P.L. 99-457 child development — federal	
13 fund	No limit
14 Preventive health and health services block grant fund	No limit
15 Maternal and child health services block grant fund	No limit
16 National center for health statistics fund — federal	No limit
17 Federal title X family planning fund.....	No limit
18 Early childhood developmental services — federal fund ..	No limit
19 Commodity supplemental food program fund.....	No limit
20 Special child clinic program — federal fund.....	No limit
21 Make a difference information network — federal fund...	No limit
22 Ryan White Title II — federal fund.....	No limit
23 Bicycle helmet revolving fund	No limit
24 SSA fee fund	No limit
25 Lead poisoning prevention — federal fund	No limit
26 Title IV-E — federal fund	No limit
27 Trauma fund	No limit

28 *Provided*, That, notwithstanding the provisions of K.S.A. 2003 Supp. 75-
 29 5670 and amendments thereto, expenditures may be made by the de-
 30 partment of health and environment for fiscal year 2005 for the stroke
 31 prevention project from the trauma fund of the department of health and
 32 environment.

33 Federal homeland security fund	No limit
34 AIDS project — education and risk reduction fund —	
35 federal	No limit
36 Medical student loan repayment fund — federal.....	No limit
37 HRSA federal grant fund.....	No limit
38 Gifts, grants and donations fund — health	No limit
39 Special bequest fund — health.....	No limit
40 Civil registration and health statistics fee fund.....	No limit
41 <i>[Fetal alcohol syndrome diagnostic and prevention</i>	
42 <i>network pilot program grant fund</i>	<i>\$99,000]</i>
43 <i>[Tobacco use prevention and control program fund ..</i>	<i>\$500,000</i>

1 *[Provided, That expenditures from this fund may be made for the*
2 *establishment of a comprehensive state-wide tobacco use preven-*
3 *tion and control program: Provided further, That the comprehensive*
4 *state-wide tobacco use prevention and control program shall sup-*
5 *port tobacco use prevention and control activities including but not*
6 *limited to: (1) Community programs to prevent and reduce tobacco*
7 *use through local involvement and partnerships; (2) school-based*
8 *programs to prevent and reduce tobacco use; (3) tobacco cessation*
9 *programs for youth and adults; (4) special projects to reduce the*
10 *disparities in smoking prevalence among various populations; (5)*
11 *restriction of youth access to tobacco products; (6) surveillance of*
12 *smoking rates; and (7) any other activities determined by the sec-*
13 *retary to be necessary to implement the program: And provided fur-*
14 *ther, That programs shall be selected by the secretary through an*
15 *application process that takes into account whether a program util-*
16 *izes methods recognized as effective in reducing smoking and to-*
17 *bacco use and eligible applicants include, but are not limited to, a*
18 *health care provider, a school, a college or university, a local public*
19 *health department, a public health organization, a health care pro-*
20 *vider organization, association or society where a professional ed-*
21 *ucational organization: And provided further, That, as part of the*
22 *comprehensive state-wide tobacco use prevention and control pro-*
23 *gram, expenditures shall be made to evaluate the effectiveness of*
24 *the efforts by state and local governments to reduce the use of to-*
25 *bacco products among minors and adults with the principal meas-*
26 *urements of effectiveness including negative attitudes toward to-*
27 *bacco use and reduction of tobacco use among the general*
28 *population and among target populations prone to tobacco use: And*
29 *provided further, That expenditures shall be made as part of this*
30 *program to diminish tobacco use among minors and adults and, to*
31 *the extent practicable to ensure that the following is achieved: (1)*
32 *The secretary shall conduct as part of this program an independent*
33 *evaluation of the statewide tobacco use prevention and control pro-*
34 *gram to accomplish the maximum prevention and reduction of use*
35 *among adults and minors possible through the most efficient allo-*
36 *cation of state tobacco education and cessation resources; (2) the*
37 *secretary's evaluation shall be provided to the governor, the pres-*
38 *ident of the senate and the speaker of the house of representatives*
39 *on or before July 1, 2005; (3) the comprehensive evaluation design*
40 *shall be guided by the following: (A) Sound evaluation principles,*
41 *including elements of controlled experimental methods, to the extent*
42 *feasible; (B) an evaluation of the comparative effectiveness of in-*
43 *dividual program designs, which shall be used in funding decisions*

1 *and program modifications; and (C) an evaluation of other pro-*
 2 *grams identified by state agencies, local lead agencies and federal*
 3 *agencies: And provided further, That as part of this program expend-*
 4 *itures shall be made from the tobacco use prevention and control*
 5 *program fund for submission to the governor and the legislature of*
 6 *a tobacco control report that describes the extent of the use of to-*
 7 *bacco products by minors in the state and documents the progress*
 8 *state and local governments have made in reducing tobacco use*
 9 *among minors: And provided further, That the secretary shall submit*
 10 *the tobacco control report on or before July 1, 2005, and to the*
 11 *extent practicable, the report shall include the following informa-*
 12 *tion on a county by county basis: (1) The number of licensed and*
 13 *registered tobacco retailers and vendors; (2) the names and ad-*
 14 *dresses of retailers and vendors who have paid fines or have been*
 15 *otherwise penalized due to enforcement actions; (3) the number of*
 16 *complaints filed against licensed and registered tobacco retailers;*
 17 *(4) the number of fires caused or believed to be caused by tobacco*
 18 *products and deaths and injuries resulting therefrom; (5) the num-*
 19 *ber and type of compliance checks conducted; (6) the number of*
 20 *licensed and registered tobacco retailers and vendors; (7) the names*
 21 *and addresses of retailers and vendors who have paid fines or have*
 22 *been otherwise penalized due to enforcement actions; (8) the num-*
 23 *ber of complaints filed against licensed and registered tobacco re-*
 24 *tailers; (9) the number of fires caused or believed to be caused by*
 25 *tobacco products and deaths and injuries resulting therefrom; (10)*
 26 *the number and type of compliance checks conducted; (11) a survey*
 27 *of attitudes and behaviors regarding tobacco use among minors,*
 28 *and the initial survey shall be deemed to constitute the baseline*
 29 *survey; (12) the number of tobacco users and estimated trends in*
 30 *tobacco use among minors; (13) annual tobacco sales; (14) tax rev-*
 31 *enue collected from sale of tobacco products; (15) the number of*
 32 *licensed tobacco retail outlets; (16) the number of cigarette vending*
 33 *machines; and (17) the names of entities that have paid fines due to*
 34 *enforcement actions; (18) tobacco control efforts sponsored by state*
 35 *government agencies, including money spent to educate minors on*
 36 *the hazards of tobacco use; (19) recommendations for improving*
 37 *tobacco control efforts in the state; and (20) other information the*
 38 *secretary deems appropriate.]*

39 (c) There is appropriated for the above agency from the children’s
 40 initiatives fund for the fiscal year ending June 30, 2005, the following:
 41 Healthy start..... \$250,000
 42 *Provided, That any unencumbered balance in the healthy start account*
 43 *in excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal*

1 year 2005.

2 Infants and toddlers program \$800,000

3 *Provided*, That any unencumbered balance in the infants and toddlers

4 program account in excess of \$100 as of June 30, 2004, is hereby reap-

5 propriated for fiscal year 2005: *Provided, however*, That expenditures

6 from such reappropriated balance shall be made only upon approval of

7 the state finance council acting on this matter which is hereby character-

8 ized as a matter of legislative delegation and subject to the guidelines

9 prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

10 ~~Smoking prevention \$500,000~~

11 ~~*Provided*, That any unencumbered balance in the smoking prevention~~

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 acting on this matter which is hereby characterized as a~~

16 ~~matter of legislative delegation and subject to the guidelines prescribed~~

17 ~~in subsection (c) of K.S.A. 75-3711c and amendments thereto.~~

18 (d) On July 1, 2004, and on other occasions during fiscal year 2005

19 when necessary as determined by the secretary of health and environ-

20 ment, the director of accounts and reports shall transfer amounts speci-

21 fied by the secretary of health and environment, which amounts consti-

22 tute reimbursements, credits and other amounts received by the

23 department of health and environment for activities related to federal

24 programs, from specified special revenue funds of the department of

25 health and environment — division of health or of the department of

26 health and environment — division of environment, to the sponsored

27 project overhead fund — health of the department of health and envi-

28 ronment — division of health.

29 (e) On July 1, 2004, or as soon thereafter as moneys are available, the

30 director of accounts and reports shall transfer \$780,415 from the child

31 care and development fund of the department of social and rehabilitation

32 services to the child care and development block grant — federal fund

33 of the department of health and environment.

34 (f) On July 1, 2004, or as soon thereafter as moneys are available, the

35 director of accounts and reports shall transfer \$617,153 from the foster

36 care assistance federal fund of the department of social and rehabilitation

37 services to the title IV-E — federal fund of the department of health and

38 environment.

39 (g) During the fiscal year ending June 30, 2005, the director of accounts

40 and reports shall transfer an amount or amounts specified by the secretary

41 of health and environment from any one or more special revenue funds

42 of the department of health and environment — division of health, which

43 have available moneys, to the sponsored project overhead fund — health

1 of the department of health and environment — division of health for
2 expenditures, as the case may be, for administrative expenses.

3 (h) In addition to the other purposes for which expenditures may be
4 made by the department of health and environment from moneys appro-
5 priated from the state general fund or from any special revenue fund for
6 fiscal year 2005 and from which expenditures may be made for salaries
7 and wages, as authorized by this or other appropriation act of the 2004
8 regular session of the legislature, expenditures may be made by the de-
9 partment of health and environment from such moneys appropriated
10 from the state general fund or from any special revenue fund for fiscal
11 year 2005 for up to four full-time equivalent positions in the unclassified
12 service under the Kansas civil service act: *Provided*, That all such addi-
13 tional full-time equivalent positions in the unclassified service under the
14 Kansas civil service act shall be in addition to other positions within the
15 department of health and environment in the unclassified service as pre-
16 scribed by law and shall be established by the secretary of health and
17 environment within the position limitation established for the department
18 of health and environment on the number of full-time and regular part-
19 time positions equated to full-time, excluding seasonal and temporary
20 positions, paid from appropriations for fiscal year 2005 made by this or
21 other appropriation act of the 2004 regular session of the legislature:
22 *Provided, however*, That the authority to establish such additional posi-
23 tions in the unclassified service shall not affect the classified service status
24 of any person who is an employee of the department of health and en-
25 vironment in the classified service under the Kansas civil service act.

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

33 (j) During the fiscal year ending June 30, 2005, the secretary of health
34 and environment, with approval of the director of the budget, may trans-
35 fer any part of any item of appropriation for the fiscal year ending June
36 30, 2005, from the state general fund for the department of health and
37 environment — division of health or the department of health and en-
38 vironment — division of environment to another item of appropriation
39 for FY 2005 from the state general fund for the department of health and
40 environment — division of health or the department of health and en-
41 vironment — division of environment. The secretary of health and envi-
42 ronment shall certify each such transfer to the director of accounts and
43 reports and shall transmit a copy of each such certification to the director

1 of the legislative research department.
 2 (k) In addition to the other purposes for which expenditures may be
 3 made by the department of health and environment — division of health
 4 from moneys appropriated from the district coroners fund for fiscal year
 5 2005, as authorized by this or other appropriation act of the 2004 regular
 6 session of the legislature, and notwithstanding the provisions of K.S.A.
 7 22a-245 and amendments thereto, or any other statute, expenditures may
 8 be made by the department of health and environment — division of
 9 health from such moneys appropriated from the district coroners fund
 10 for fiscal year 2005 pursuant to K.S.A. 22a-242 and amendments thereto.

11 (l) On July 1, 2004, the director of accounts and reports shall transfer
 12 \$180,000 from the health care stabilization fund of the health care sta-
 13 bilization fund board of governors to the health facilities review fund of
 14 the department of health and environment for the purpose of financing
 15 a review of records of licensed medical care facilities and an analysis of
 16 quality of health care services provided to assist in correcting substandard
 17 services and to reduce the incidence of liability resulting from the ren-
 18 dering of health care services and implementing the risk management
 19 provisions of K.S.A. 65-4922 *et seq.*, and amendments thereto.

20 ***[(m) On July 1, 2004, or as soon thereafter as moneys are avail-***
 21 ***able, the director of accounts and reports shall transfer \$99,000***
 22 ***from the children’s initiatives fund to the fetal alcohol syndrome***
 23 ***diagnostic and prevention network pilot program grant fund.]***

24 ***[(n) On July 1, 2004, or as soon thereafter as moneys are avail-***
 25 ***able, the director of accounts and reports shall transfer \$500,000***
 26 ***from the children’s initiatives fund to the tobacco use prevention***
 27 ***and control program fund.]***

28 Sec. 30.

29 DEPARTMENT OF HEALTH AND ENVIRONMENT —
 30 DIVISION OF ENVIRONMENT

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 Operating expenditures (including official hospitality).....	\$9,202,485
34 <i>Provided</i> , That any unencumbered balance in the operating expenditures	
35 (including official hospitality) account of the department of health and	
36 environment — division of environment in excess of \$100 as of June 30,	
37 2004, is hereby reappropriated for fiscal year 2005.	
38 Stream II	\$557,843

39 (b) 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 Mined-land conservation and reclamation fee fund No limit
2 Solid waste management fund..... No limit
3 *Provided*, That expenditures may be made from the solid waste manage-
4 ment fund during the fiscal year ending June 30, 2005, for official hos-
5 pitality: *Provided further*, That such expenditures for official hospitality
6 shall not exceed \$2,500.
7 Public water supply fee fund..... No limit
8 Voluntary cleanup fund..... No limit
9 Storage tank fee fund..... No limit
10 Air quality fee fund..... No limit
11 Hazardous waste collection fund..... No limit
12 Power generating facility fee fund..... No limit
13 Health and environment training fee fund —
14 environment No limit
15 *Provided*, That expenditures may be made from the health and environ-
16 ment training fee fund — environment for acquisition and distribution
17 of division of environment program literature and films and for partici-
18 pation in or conducting training seminars for training employees of the
19 division of environment of the department of health and environment,
20 for training recipients of state aid from the division of environment of the
21 department of health and environment and for training representatives
22 of industries affected by rules and regulations of the department of health
23 and environment relating to the division of environment: *Provided fur-*
24 *ther*, That the secretary of health and environment is hereby authorized
25 to fix, charge and collect fees in order to recover costs incurred for such
26 acquisition and distribution of literature and films and for the operation
27 of such seminars: *And provided further*, That such fees may be fixed in
28 order to recover all or part of such costs: *And provided further*, That all
29 moneys received from such fees shall be deposited in the state treasury
30 and credited to this fund: *And provided further*, That, in addition to the
31 other purposes for which expenditures may be made by the department
32 of health and environment for the division of environment from moneys
33 appropriated from the health and environment training fee fund — en-
34 vironment for fiscal year 2005, expenditures may be made by the de-
35 partment of health and environment from the health and environment
36 training fee fund — environment for fiscal year 2005 for agency opera-
37 tions for the division of environment.
38 Driving under the influence equipment fund No limit
39 *Provided*, That expenditures from the driving under the influence equip-
40 ment fund may be made only for the purpose of purchasing blood or
41 breath alcohol concentration testing equipment, and other related ex-
42 penditures.
43

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

1 ensuing fiscal year: *Provided further*, That transfers or payments from
 2 this fund to other state agencies shall be in addition to any expenditure
 3 limitation placed on this fund.

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

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

26 Cost of issuance fund for Kansas water pollution control	
27 revolving fund revenue bonds	No limit
28 Surcharge fund for Kansas water pollution control revolv-	
29 ing fund revenue bonds.....	No limit
30 Debt service reserve fund.....	No limit
31 EPA water related federal grants fund.....	No limit

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

36 Chemical control fund — federal.....	No limit
37 Subsurface hydracarbon storage fund	No limit
38 Clean air leadership fund — federal.....	No limit
39 Natural resources damages trust fund.....	No limit
40 Hazardous waste management fund	No limit
41 Brownfields revolving loan federal fund.....	No limit
42 Mined—land reclamation fund.....	No limit

43

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

1 project overhead fund — environment of the department of health and
2 environment — division of environment.

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

12 (h) During the fiscal year ending June 30, 2005, the secretary of health
13 and environment, with approval of the director of the budget, may trans-
14 fer any part of any item of appropriation for the fiscal year ending June
15 30, 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 to another item of appropriation
18 for FY 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. The secretary of health and envi-
21 ronment shall certify each such transfer to the director of accounts and
22 reports and shall transmit a copy of each such certification to the director
23 of the legislative research department.

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

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

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

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

27 Sec. 31.

28 DEPARTMENT ON AGING

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 Administration \$243,399

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

40 Administration — assessments \$123,683

41 *Provided*, That any unencumbered balance in the administration — as-
 42 sessments account in excess of \$100 as of June 30, 2004, is hereby reap-
 43 propriated for fiscal year 2005.

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

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

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

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

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

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

31 LTC — medicaid assistance — NF..... \$127,660,800

32 *Provided*, That any unencumbered balance in the LTC — medicaid as-
 33 sistance — NF account in excess of \$100 as of June 30, 2004, is hereby
 34 reappropriated for fiscal year 2005: *Provided further*, That expenditures
 35 may be made from the LTC — medicaid assistance — NF account for
 36 the PACE program: *And provided further*, That all people receiving or
 37 applying for services that are funded, either partially or entirely, through
 38 expenditures from this account shall be placed in appropriate services
 39 which are determined to be the most economical services available with
 40 regard to state general fund expenditures: *And provided further*, That the
 41 secretary of aging shall implement a base-year model of reimbursement
 42 for nursing facilities for state fiscal year 2005: *And provided further*, That
 43 information from the 2001 cost reports shall be used to calculate the base

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

11 Nursing facilities regulation \$2,084,764

12 *Provided*, That any unencumbered balance in the nursing facilities reg-
 13 ulation account in excess of \$100 as of June 30, 2004, is hereby reappro-
 14 priated for fiscal year 2005.

15 Nursing facilities regulation — title XIX \$967,622

16 *Provided*, That any unencumbered balance in the nursing facilities reg-
 17 ulation — title XIX account in excess of \$100 as of June 30, 2004, is
 18 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 Older Americans act — federal fund..... No limit

24 Title XIX fund — federal No limit

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

30 Nutrition fund — federal No limit

31 Senior citizen nutrition check-off fund No limit

32 Conferences and workshops attendance and publications
 33 fees fund..... No limit

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

43 General fees fund..... No limit

1 *Provided*, That the secretary of aging is hereby authorized to collect (1)
 2 fees from the sale of surplus property, (2) fees charged for searching,
 3 copying and transmitting copies of public records, (3) fees paid by em-
 4 ployees for personal long distance calls, postage, faxed messages, copies
 5 and other authorized uses of state property, and (4) other miscellaneous
 6 fees: *Provided further*, That such fees shall be deposited in the state
 7 treasury and credited to the general fees fund: *And provided further*, That
 8 expenditures shall be made from this fund to meet the obligations of the
 9 department on aging, or to benefit and meet the mission of the depart-
 10 ment on aging.

11 Gifts and donations fund No limit

12 *Provided*, That the secretary of aging is hereby authorized to receive gifts
 13 and donations of money for services to senior citizens or purposes related
 14 thereto: *Provided further*, That such gifts and donations of money shall
 15 be deposited in the state treasury and credited to the gifts and donations
 16 fund.

17 Medical resources and collection fund..... No limit

18 *Provided*, That all moneys received or collected by the secretary of aging
 19 due to medicaid overpayments shall be deposited in the state treasury
 20 and credited to the medical resources and collection fund and expendi-
 21 tures from such fund shall be made for medicaid program-related ex-
 22 penses and used to reduce state general fund outlays for the medicaid
 23 program: *Provided further*, That all moneys received or collected by the
 24 secretary of aging due to civil monetary penalty assessments against adult
 25 care homes shall be deposited in the state treasury and credited to this
 26 fund and expenditures from such fund shall be made to protect the health
 27 or property of adult care home residents as required by federal law.

28 SHICK fund — grants — federal No limit

29 SHICK fund — state operations — federal..... No limit

30 Senior services fund..... \$1,200,000

31 Long-term care loan and grant fund..... No limit

32 Intergovernmental transfer administration fund..... No limit

33 Non-government grant fund..... No limit

34 Other federal grants and assistance fund..... No limit

35 *Provided*, That the above agency is authorized to make expenditures from
 36 the other federal grants and assistance fund of any moneys credited to
 37 this fund from any individual grant if the grant is: (1) Less than or equal
 38 to \$250,000 in the aggregate, and (2) does not require the matching ex-
 39 penditure of any other moneys in the state treasury during fiscal year
 40 2005 other than moneys appropriated by this or other appropriation act
 41 of the 2004 regular session of the legislature: *Provided, however*, That,
 42 upon application to and authorization by the governor, the above agency
 43 may make expenditures of moneys credited to this fund from any indi-

1 vidual federal grant which is more than \$250,000 in the aggregate or
2 which requires the matching expenditure of moneys in the state treasury
3 during the current or any ensuing fiscal year.

4 Alzheimer’s disease demonstration grant — federal	
5 fund	No limit
6 Health facilities review fund.....	No limit
7 Adult care licensing revolving fund	No limit
8 Medicare fund — federal	No limit

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

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

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

36 Sec. 32.

37 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

40 State operations	\$94,946,260
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41 *Provided*, That any unencumbered balance in the state operations ac-
42 count in excess of \$100 as of June 30, 2004, is hereby reappropriated for
43 fiscal year 2005: *Provided further*, That expenditures may be made from

1 this account for the purchase of professional liability insurance for phy-
2 sicians and dentists at any institution, as defined by K.S.A. 76-12a01 and
3 amendments thereto: *And provided further*, That expenditures from this
4 account for official hospitality by the secretary of social and rehabilitation
5 services shall not exceed \$500.

6 Alcohol and drug abuse services grants..... \$3,495,282
7 *Provided*, That any unencumbered balance in the alcohol and drug abuse
8 services grants account in excess of \$100 as of June 30, 2004, is hereby
9 reappropriated for fiscal year 2005: *Provided, however*, That expenditures
10 from such reappropriated balance shall not exceed \$62,434 except upon
11 approval of the state finance council.

12 Mental health and retardation services aid and
13 assistance \$140,891,877
14 ***Provided, That any unencumbered balance in the mental health and***
15 ***retardation services aid and assistance account in excess of \$100 as***
16 ***of June 30, 2004, is hereby reappropriated for fiscal year 2005.***

17 Kansas neurological institute — operating expenditures... \$11,048,774
18 *Provided*, That any unencumbered balance in the Kansas neurological
19 institute — operating expenditures account in excess of \$100 as of June
20 30, 2004, is hereby reappropriated for fiscal year 2005: *Provided further*,
21 That expenditures from the Kansas neurological institute — operating
22 expenditures account for official hospitality by the superintendent shall
23 not exceed \$150: *And provided further*, That expenditures may be made
24 from this account for educational services contracts which are hereby
25 authorized to be negotiated and entered into by Kansas neurological in-
26 stitute with unified school districts or other public educational services
27 providers: *And provided further*, That such educational services contracts
28 shall not be subject to the competitive bidding requirements of K.S.A.
29 75-3739 and amendments thereto: *And provided further*, That expendi-
30 tures shall be made from this account to assist residents of the institution
31 to take personally-used items, which were constructed for use by such
32 residents and which are hereby authorized to be transferred to such res-
33 idents, from the institution to communities when such residents leave the
34 institution to reside in the communities.

35 Larned state hospital — operating
36 expenditures ~~\$22,350,876~~ **\$22,809,476**

37 *Provided*, That any unencumbered balance in the Larned state hospital
38 — operating expenditures account in excess of \$100 as of June 30, 2004,
39 is hereby reappropriated for fiscal year 2005: *Provided further*, That ex-
40 penditures from the Larned state hospital — operating expenditures ac-
41 count for official hospitality by the superintendent shall not exceed \$150:
42 *And provided further*, That expenditures may be made from this account
43 for educational services contracts which are hereby authorized to be ne-

1 gotiated and entered into by Larned state hospital with unified school
2 districts or other public educational services providers: *And provided fur-*
3 *ther*, That such educational services contracts shall not be subject to the
4 competitive bidding requirements of K.S.A. 75-3739 and amendments
5 thereto.

6 Larned state hospital — sexual predator treatment
7 program \$3,856,439

8 Osawatomie state hospital — operating expenditures \$8,035,978

9 *Provided*, That any unencumbered balance in the Osawatomie state hos-
10 pital — operating expenditures account in excess of \$100 as of June 30,
11 2004, is hereby reappropriated for fiscal year 2005: *Provided further*, That
12 expenditures from the Osawatomie state hospital — operating expendi-
13 tures account for official hospitality by the superintendent shall not ex-
14 ceed \$150: *And provided further*, That expenditures may be made from
15 this account for educational services contracts which are hereby author-
16 ized to be negotiated and entered into by Osawatomie state hospital with
17 unified school districts or other public educational services providers: *And*
18 *provided further*, That such educational services contracts shall not be
19 subject to the competitive bidding requirements of K.S.A. 75-3739 and
20 amendments thereto.

21 Parsons state hospital and training center — operating
22 expenditures \$7,245,227

23 *Provided*, That any unencumbered balance in the Parsons state hospital
24 and training center — operating expenditures account in excess of \$100
25 as of June 30, 2004, is hereby reappropriated for fiscal year 2005: *Provided*
26 *further*, That expenditures from the Parsons state hospital and training
27 center — operating expenditures account for official hospitality by the
28 superintendent shall not exceed \$150: *And 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 Parsons state hospital and training center with unified school districts or
32 other public educational services providers: *And provided further*, That
33 such educational services contracts shall not be subject to the competitive
34 bidding requirements of K.S.A. 75-3739 and amendments thereto: *And*
35 *provided further*, That expenditures shall be made from this account to
36 assist residents of the institution to take personally-used items, which
37 were constructed for use by such residents and which are hereby au-
38 thorized to be transferred to such residents, from the institution to com-
39 munities when such residents leave the institution to reside in the com-
40 munities.

41 Rainbow mental health facility — operating
42 expenditures \$3,841,426

43 *Provided*, That any unencumbered balance in the Rainbow mental health

1 facility — operating expenditures account in excess of \$100 as of June 30,
 2 2004, is hereby reappropriated for fiscal year 2005: *Provided further*, That
 3 expenditures from the Rainbow mental health facility — operating ex-
 4 penditures account for official hospitality by the superintendent shall not
 5 exceed \$150: *And provided further*, That expenditures may be made from
 6 this account for educational services contracts which are hereby author-
 7 ized to be negotiated and entered into by Rainbow mental health facility
 8 with unified school districts or other public educational services providers:
 9 *And provided further*, That such educational services contracts shall not
 10 be subject to the competitive bidding requirements of K.S.A. 75-3739
 11 and amendments thereto.

12 Children’s mental health initiative~~\$1,000,000~~ **\$1,500,000**
 13 *Provided*, That no expenditures shall be made from the children’s mental
 14 health initiative account for inpatient hospital beds for children.

15 Children’s health insurance..... \$14,771,152
 16 *Provided*, That any unencumbered balance in the children’s health in-
 17 surance account in excess of \$100 as of June 30, 2004, is hereby reappro-
 18 priated for fiscal year 2005: *Provided, however*, That expenditures from
 19 such reappropriated balance shall not exceed \$421,140 except upon ap-
 20 proval of the state finance council.

21 Youth services aid and assistance \$70,458,231
 22 *Provided*, That any unencumbered balance in the youth services aid and
 23 assistance account in excess of \$100 as of June 30, 2004, is hereby reap-
 24 propriated for fiscal year 2005.

25 Vocational rehabilitation aid and assistance \$3,966,777
 26 *Provided*, That any unencumbered balance in the vocational rehabilitation
 27 aid and assistance account in excess of \$100 as of June 30, 2004, is hereby
 28 reappropriated for fiscal year 2005: *Provided further*, That expenditures
 29 may be made from this account for the acquisition of durable medical
 30 equipment and assistive technology devices: *Provided, however*, That all
 31 such expenditures for durable equipment or assistive technology devices
 32 shall require a \$1 for \$1 match from non-state sources: *And provided*
 33 *further*, That expenditures may be made from this account by the sec-
 34 retary of social and rehabilitation services for the purchase of worker’s
 35 compensation insurance for consumers of vocational rehabilitation serv-
 36 ices and assessments at work site and job tryout sites throughout the state.

37 Cash assistance \$53,895,402
 38 *Provided*, That any unencumbered balance in the cash assistance account
 39 in excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
 40 year 2005.

41 Community based services..... \$41,102,072
 42 *Provided*, That any unencumbered balance in the community based serv-
 43 ices account in excess of \$100 as of June 30, 2004, is hereby reappro-

1 priated for fiscal year 2005.

2 Other medical assistance \$374,760,855

3 *Provided*, That any unencumbered balance in the other medical assis-

4 tance account in excess of \$100 as of June 30, 2004, is hereby reappro-

5 priated for fiscal year 2005.

6 Sex predator program \$100,481

7 *Provided*, That any unencumbered balance in the sex predator program

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

9 for fiscal year 2005: *Provided further*, That expenditures from such reap-

10 propriated balance shall not exceed \$200,000 except upon approval of the

11 state finance council.

12 (b) 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 shall not exceed the following:

16 Title XIX fund \$45,439,770

17 *Provided*, That all receipts resulting from payments under title XIX of

18 the federal social security act to any of the institutions under mental

19 health and retardation services may be credited to the title XIX fund:

20 *Provided further*, That moneys in the title XIX fund may be used for

21 expenditures for contractual services to provide for collecting additional

22 payments under title XVIII and title XIX of the federal social security act,

23 for expenditures for premiums and surcharges required to be paid for

24 physicians' malpractice insurance, and for transfers to the other federal

25 grants and assistance fund.

26 Nonfederal reimbursements fund No limit

27 *Provided*, That all nonfederal reimbursements received by the depart-

28 ment of social and rehabilitation services shall be deposited in the state

29 treasury and credited to the nonfederal reimbursements fund: *Provided*

30 *further*, That moneys in the nonfederal reimbursements fund may be

31 used for expenditures for contractual services to provide for collecting

32 additional payments under title XVIII and title XIX of the federal social

33 security act, for expenditures for premiums and surcharges required to

34 be paid for physicians' malpractice insurance, and for transfers to the

35 social welfare fund.

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

37 Kansas neurological institute — foster grandparents pro-

38 gram — federal fund No limit

39 Kansas neurological institute — patient benefit fund No limit

40 Kansas neurological institute — work therapy patient ben-

41 efit fund..... No limit

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

43

1	Larned state hospital — elementary and secondary edu-	
2	cation fund — federal	No limit
3	Larned state hospital — vocational education fund —	
4	federal	No limit
5	Larned state hospital — ECIA fund — federal	No limit
6	Larned state hospital — canteen fund	No limit
7	Larned state hospital — patient benefit fund.....	No limit
8	Larned state hospital — motor pool revolving fund.....	No limit
9	Osawatomie state hospital fee fund.....	\$3,973,351
10	<i>Provided</i> , That all moneys received as fees for the use of video telecon-	
11	ferencing equipment at Osawatomie state hospital shall be deposited to	
12	the credit of the video teleconferencing fee account of the Osawatomie	
13	state hospital fee fund: <i>Provided further</i> , That all moneys credited to the	
14	video teleconferencing fee account shall be used solely for the servicing,	
15	technical and program support, maintenance and replacement of associ-	
16	ated equipment at Osawatomie state hospital: <i>And provided further</i> , That	
17	any expenditures from the video teleconferencing fee account shall be in	
18	addition to any expenditure limitation imposed on the Osawatomie state	
19	hospital fee fund.	
20	Osawatomie state hospital — ECIA fund — federal	No limit
21	Osawatomie state hospital — canteen fund	No limit
22	Osawatomie state hospital — patient benefit fund.....	No limit
23	Osawatomie state hospital — work therapy patient benefit	
24	fund	No limit
25	Osawatomie state hospital — motor pool revolving fund ..	No limit
26	Osawatomie state hospital — training fee revolving	
27	fund	No limit
28	<i>Provided</i> , That all moneys received as fees for training activities for Os-	
29	awatomie state hospital shall be deposited to the credit of the Osawatomie	
30	state hospital — training fee revolving fund: <i>Provided further</i> , That the	
31	superintendent of Osawatomie state hospital is hereby authorized to fix,	
32	charge and collect fees for training activities at Osawatomie state hospital:	
33	<i>And provided further</i> , That such fees shall be fixed in order to recover	
34	all or part of the expenses of such training activities for Osawatomie state	
35	hospital.	
36	Parsons state hospital and training center fee fund.....	\$1,254,346
37	<i>Provided</i> , That all moneys received as fees for the use of video telecon-	
38	ferencing equipment at Parsons state hospital and training center shall	
39	be deposited to the credit of the video teleconferencing fee account of	
40	the Parsons state hospital and training center fee fund: <i>Provided further</i> ,	
41	That all moneys credited to the video teleconferencing fee account shall	
42	be used solely for the servicing, maintenance and replacement of video	
43	teleconferencing equipment at Parsons state hospital and training center:	

1 *And provided further*, That any expenditures from the video teleconfer-
 2 encing fee account shall be in addition to any expenditure limitation im-
 3 posed on the Parsons state hospital and training center fee fund.
 4 Parsons state hospital and training center — canteen
 5 fund No limit
 6 Parsons state hospital and training center — patient ben-
 7 efit fund..... No limit
 8 Parsons state hospital and training center — work therapy
 9 patient benefit fund..... No limit
 10 Rainbow mental health facility fee fund..... \$641,166
 11 Rainbow mental health facility — elementary and second-
 12 ary education fund — federal No limit
 13 Rainbow mental health facility — patient benefit fund No limit
 14 Social services clearing fund..... No limit
 15 *Provided*, That the secretary of social and rehabilitation services shall
 16 certify to the director of the budget on June 30, 2005, that expenditures
 17 from the social services clearing fund for state operations did not exceed
 18 \$306,526,585 for fiscal year 2005: *Provided, however*, That expenditures
 19 from the social services clearing fund for transfers or state operations for
 20 institutions under the control of the department of social and rehabili-
 21 tation services shall be in addition to any expenditure limitation on the
 22 social services clearing fund: *Provided further*, That any transfer made
 23 from this fund to another state agency pursuant to a contract with that
 24 agency shall be in addition to any expenditure limitations imposed on this
 25 fund.
 26 Social welfare fund \$58,335,575
 27 *Provided*, That any transfers of funds between the social welfare fund and
 28 state institutions made by the secretary of social and rehabilitation serv-
 29 ices during fiscal year 2005 shall be in addition to any expenditure limi-
 30 tation imposed on this fund.
 31 Health committee insurance fund No limit
 32 Other state fees fund No limit
 33 Alcohol and drug abuse block grant federal fund No limit
 34 *Provided*, That any transfers of moneys from the alcohol and drug abuse
 35 block grant federal fund to any other block grant fund specified in this
 36 subsection during fiscal year 2005 shall be in addition to any expenditure
 37 limitation imposed on this fund.
 38 Ryan White title II federal fund No limit
 39 Child welfare services block grant federal fund..... No limit
 40 Mental health block grant federal fund..... No limit
 41 Social services block grant — federal fund No limit
 42 Child care mandatory federal fund..... No limit
 43 *Provided*, That any transfers from the child care mandatory federal fund

1 to the department of health and environment during fiscal year 2005 shall
2 be in addition to any expenditure limitation imposed on this fund.

3 Children’s cabinet grants federal fund	No limit
4 Temporary assistance to needy families federal fund	No limit
5 Child care matching federal fund.....	No limit
6 Child care discretionary federal fund.....	No limit
7 Disability determination services federal fund	No limit
8 Food stamp assistance federal fund.....	No limit

9 ***[Provided, That no expenditures shall be made for any contract for***
10 ***the customer service program relating to the electronic benefit***
11 ***transfer portion of the food stamp vision card program with any***
12 ***contractor or vendor who performs, or subcontracts or otherwise***
13 ***procures the services or work contracted for, at a location outside***
14 ***of the United States: Provided further, That each contractor or ven-***
15 ***ditor submitting a bid to contract to provide services or work for a***
16 ***state agency shall certify that the services or work covered by the***
17 ***bid or contract will be performed at a location in the United States:***
18 ***And provided further, That no expenditures shall be made under any***
19 ***such contract upon a finding that the contractor or vendor, or any***
20 ***subcontractor thereof, during the term of the contract shifts services***
21 ***or work on any such contract to a location outside of the United***
22 ***States and the contract shall be terminated for noncompliance: And***
23 ***provided further, That any such contract shall contain provision***
24 ***which allows for the employment of qualified TAF recipients to pro-***
25 ***vide services under such contract.]***

26 Foster care assistance federal fund.....	No limit
27 Medical assistance federal fund	No limit
28 Rehabilitation services federal fund.....	No limit
29 Other federal grants and assistance fund.....	No limit
30 SRS enterprise fund	No limit
31 SRS trust fund.....	No limit

32 *Provided, That all contributions from local entities shall be credited to*
33 *the vocational rehabilitation special revenue account of the SRS trust fund*
34 *for the purpose of providing the required state match for receipt of fed-*
35 *eral vocational rehabilitation funds: Provided further, That expenditures*
36 *may be made from the vocational rehabilitation special revenue account*
37 *of this fund for local community-based vocational rehabilitation programs.*

38 SRS AIDS drug reimbursement — federal fund.....	No limit
39 SRS — IGT fund	No limit
40 Child support enforcement administration fund.....	No limit
41 Energy assistance block grant federal fund.....	No limit
42 Children’s health insurance federal fund.....	No limit

43

1 Family and children trust account — family and children
2 investment fund No limit
3 *Provided*, That expenditures from the family and children trust account
4 — family and children investment fund for official hospitality shall not
5 exceed \$1,500.
6 (c) There is appropriated for the above agency from the children’s
7 initiatives fund for the fiscal year ending June 30, 2005, the following:
8 Children’s cabinet accountability fund ~~\$541,802~~ **[\$508,802]**
9 *Provided*, That any unencumbered balance in the children’s cabinet ac-
10 countability fund account in excess of \$100 as of June 30, 2004, is hereby
11 reappropriated for fiscal year 2005.
12 Children’s mental health waiver ~~\$1,800,000~~ **\$3,800,000**
13 *Provided*, That any unencumbered balance in the children’s mental health
14 waiver account in excess of \$100 as of June 30, 2004, is hereby reappro-
15 priated for fiscal year 2005.
16 Family centered system of care \$5,000,000
17 *Provided*, That any unencumbered balance in the family centered system
18 of care account in excess of \$100 as of June 30, 2004, is hereby reappro-
19 priated for fiscal year 2005.
20 Therapeutic preschool..... \$1,000,000
21 *Provided*, That any unencumbered balance in the therapeutic preschool
22 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
23 for fiscal year 2005.
24 Child care \$1,400,000
25 *Provided*, That any unencumbered balance in the child care account in
26 excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
27 year 2005.
28 Community services for child welfare ~~\$3,106,230~~ **\$3,006,230**
29 *Provided*, That any unencumbered balance in the community services for
30 child welfare account in excess of \$100 as of June 30, 2004, is hereby
31 reappropriated for fiscal year 2005.
32 HealthWave ~~\$2,000,000~~ **\$1,900,000**
33 *Provided*, That any unencumbered balance in the HealthWave account
34 in excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
35 year 2005.
36 Children’s cabinet early childhood discretionary grant
37 program ~~\$10,000,000~~ **[\$9,967,000]**
38 *Provided*, That any unencumbered balance in the children’s cabinet early
39 childhood discretionary grant program account in excess of \$100 as of
40 June 30, 2004, is hereby reappropriated for fiscal year 2005: *Provided*
41 *further, That \$250,000 from the children’s cabinet early childhood*
42 *discretionary grant program account shall be expended for smoking*
43 *cessation/avoidance for pregnant women through the Kansas de-*

1 **partment of health and environment smoking cessation program:**
 2 *And provided further, That \$250,000 from the children’s cabinet*
 3 *early childhood discretionary grant program account shall be ex-*
 4 *pended for the Kansas department of health and environment in-*
 5 *fant and toddlers program.*

6 Medicaid\$3,000,000 **\$2,900,000**

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

10 Immunization outreach \$495,491

11 *Provided, That any unencumbered balance in the immunization outreach*
 12 *account in excess of \$100 as of June 30, 2004, is hereby reappropriated*
 13 *for fiscal year 2005.*

14 Family preservation\$2,243,770 **\$2,143,770**

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

18 Grants to community mental health centers for children’s
 19 programs\$2,000,000 **\$0**

20 *Provided, That any unencumbered balance in the grants to community*
 21 *mental health centers for children’s programs account in excess of \$100*
 22 *as of June 30, 2004, is hereby reappropriated for fiscal year 2005.*

23 School violence prevention \$228,000

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

27 **Attendant care for independent living..... \$50,000**

28 (d) There is appropriated for the above agency from the Kansas en-
 29 dowment for youth fund for the fiscal year ending June 30, 2005, the
 30 following:

31 Children’s cabinet administration..... \$252,882

32 (e) During the fiscal year ending June 30, 2005, the secretary of social
 33 and rehabilitation services, with the approval of the director of the budget,
 34 may transfer any part of any item of appropriation for the fiscal year
 35 ending June 30, 2005, from the state general fund for the department of
 36 social and rehabilitation services or any institution or facility under the
 37 general supervision and management of the secretary of social and re-
 38 habilitation services to another item of appropriation for fiscal year 2005
 39 from the state general fund for the department of social and rehabilitation
 40 services or any institution or facility under the general supervision and
 41 management of the secretary of social and rehabilitation services. The
 42 secretary of social and rehabilitation services shall certify each such trans-
 43 fer to the director of accounts and reports and shall transmit a copy of

1 each such certification to the director of the legislative research depart-
2 ment.

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

8 (g) On July 1, 2004, the superintendent of Parsons state hospital and
9 training center, upon the approval of the director of accounts and reports,
10 shall transfer an amount specified by the superintendent from the Parsons
11 state hospital and training center — canteen fund to the Parsons state
12 hospital and training center — patient benefit fund.

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

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

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

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

33 (k) During the fiscal year ending June 30, 2005, to the extent it is
34 determined by the secretary of social and rehabilitation services to be cost
35 effective, the secretary of social and rehabilitation services shall apply for
36 and accept donations from private sources to provide an endowment to
37 provide interest earnings for the purposes for which expenditures may be
38 made from the family and children trust account of the family and chil-
39 dren investment fund. During the fiscal year ending June 30, 2005, upon
40 receipt of one or more donations of moneys from private sources for
41 deposit to the credit of the family and children endowment account of
42 the family and children investment fund, in addition to the other purposes
43 for which expenditures may be made by the department of social and

1 rehabilitation services from any moneys appropriated from the state gen-
2 eral fund or any special revenue fund or funds for the fiscal year 2005,
3 as authorized by this or other appropriation act of the 2004 regular session
4 of the legislature, expenditures shall be made by the department of social
5 and rehabilitation services from any such moneys appropriated for fiscal
6 year 2005 for payments into the family and children endowment account
7 of the family and children investment fund that match the aggregate
8 amount of all such donations and that are equal to the aggregate amount
9 of moneys donated to and credited to the family and children endowment
10 account of the family and children investment fund during fiscal year
11 2005.

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

34 (m) ***During the fiscal year ending June 30, 2005, the director of***
35 ***accounts and reports shall transfer the amounts specified by the***
36 ***director of the budget from the LTC — medicaid assistance — NF***
37 ***account of the state general fund of the department on aging to the***
38 ***LTC — medicaid assistance — HCBS/FE account of the state gen-***
39 ***eral fund of the department on aging or to the community based***
40 ***services account of the department of social and rehabilitation serv-***
41 ***ices: Provided, That such transfers shall be certified by the director***
42 ***of the budget on December 1, 2004, and on June 1, 2005, to reflect***
43 ***the nursing facility rate paid for persons moving from a nursing***

1 *facility to the home and community- based services waiver for the*
 2 *physically disabled or the frail elderly for the six months preceding*
 3 *the date of certification: Provided further, That the aggregate of all*
 4 *such transfers certified during fiscal year 2005 shall not exceed the*
 5 *amount required to support the movement of 75 individuals from*
 6 *nursing facilities to home and community-based services: And pro-*
 7 *vided further, That each of the 75 individuals must meet the require-*
 8 *ments described in a policy jointly developed by the secretary of*
 9 *aging and the secretary of social and rehabilitation services gov-*
 10 *erning the operations of this transfer: And provided further, That the*
 11 *director of the budget shall transmit a copy of each such certifica-*
 12 *tion to the director of the legislative research department.*

13 *(n) During the fiscal year ending June 30, 2005, no expenditures*
 14 *shall be made from the children’s initiatives fund above those ap-*
 15 *proved for fiscal year 2004 without state finance council approval*
 16 *of the children’s cabinet plan to review the programs funded by the*
 17 *children’s initiatives fund.*

18 Sec. 33.

19 KANSAS GUARDIANSHIP PROGRAM

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 Kansas guardianship program~~\$1,027,513~~ **\$1,032,930**
 23 *Provided, That any unencumbered balance in the Kansas guardianship*
 24 *program account in excess of \$100 as of June 30, 2004, is hereby reap-*
 25 *appropriated 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 other than refunds authorized by law
 30 and transfers to other state agencies shall not exceed the following:
 31 Grants and gifts fund No limit

32 Sec. 34.

33 DEPARTMENT OF EDUCATION

34 (a) There is appropriated for the above agency from the state general
 35 fund for the fiscal year ending June 30, 2005, the following:
 36 Operating expenditures (including official hospitality)..... \$9,181,977
 37 *Provided, That any unencumbered balance in the operating expenditures*
 38 *(including official hospitality) account in excess of \$100 as of June 30,*
 39 *2004, is hereby reappropriated for fiscal year 2005.*
 40 Governor’s teaching excellence scholarships and awards... \$222,000
 41 *Provided, That all expenditures from the governor’s teaching excellence*
 42 *scholarships and awards account for teaching excellence scholarships shall*
 43 *be to provide grants of \$1,000 each to Kansas elementary and secondary*

1 public school teachers who are accepted to participate in the national
2 board for professional teaching standards certification program under the
3 governor’s teaching excellence scholarships program which shall be ad-
4 ministered by the state board of education: *Provided further*, That each
5 such grant shall be required to be matched on a \$1 for \$1 basis from
6 nonstate sources: *And provided further*, That award of each such grant
7 shall be conditioned upon the recipient entering into an agreement re-
8 quiring the grant to be repaid if the recipient fails to complete the course
9 of training under the national board for professional teaching standards
10 certification program: *And provided further*, That all moneys received by
11 the department of education for repayment of grants for governor’s teach-
12 ing excellence scholarships shall be deposited in the state treasury and
13 credited to the governor’s teaching excellence scholarships program re-
14 payment fund.
15 General state aid\$1,760,302,000
16 *Provided*, That any unencumbered balance in the general state aid ac-
17 count in excess of \$100 as of June 30, 2004, is hereby reappropriated for
18 fiscal year 2005.
19 Special education services aid..... \$249,791,845
20 *Provided*, That expenditures shall not be made from the special education
21 services aid account for the provision of instruction for any homebound
22 or hospitalized child unless the categorization of such child as exceptional
23 is conjoined with the categorization of the child within one or more of
24 the other categories of exceptionality: *Provided further*, That expendi-
25 tures shall be made from this account for grants to school districts in
26 amounts determined pursuant to and in accordance with the provisions
27 of K.S.A. 72-983 and amendments thereto: *And provided further*, That
28 expenditures shall be made from the amount remaining in this account,
29 after deduction of the expenditures specified in the foregoing proviso, for
30 payments to school districts in amounts determined pursuant to and in
31 accordance with the provisions of K.S.A. 72-978 and amendments
32 thereto: *And provided further*, That for expenditures from the special
33 education services aid account of the above agency, fully-trained reading
34 recovery teacher leaders, selected by the agency in accordance with es-
35 tablished criteria, shall be considered to be special teachers as defined in
36 subsection (j)(1) of K.S.A. 72-962 and amendments thereto for the pur-
37 pose of determining amounts of payments to be made to school districts
38 in accordance with the provisions of K.S.A. 72-978 and amendments
39 thereto from the amount remaining in the special education services aid
40 account after deduction of expenditures made in accordance with the
41 provisions of K.S.A. 72-893 and amendments thereto: *Provided, however*,
42 That expenditures for fully-trained reading recovery teacher leaders con-
43 sidered to be special teachers shall not exceed \$180,000.

1 Supplemental general state aid..... \$163,045,000
 2 *Provided*, That any unencumbered balance in the supplemental general
 3 state aid account in excess of \$100 as of June 30, 2004, is hereby reap-
 4 propriated for fiscal year 2005.
 5 Kansas foundation for agriculture project grant..... \$35,000
 6 *Provided*, That expenditures from the Kansas foundation for agriculture
 7 project grant account shall be used for agriculture in the classroom pro-
 8 grams to supplement existing elementary and secondary curricula with
 9 agricultural information: *Provided further*, That expenditures from this
 10 account shall be made only if private funding sources are available to
 11 match such state grants on a 60% state and 40% private basis.
 12 Discretionary grants..... \$130,000
 13 School food assistance \$2,510,486
 14 School safety hotline \$10,000
 15 KPERS — employer contributions..... \$134,979,253
 16 *Provided*, That any unencumbered balance in the KPERS — employer
 17 contributions account in excess of \$100 as of June 30, 2004, is hereby
 18 reappropriated for fiscal year 2005: *Provided further*, That all expendi-
 19 tures from the KPERS — employer contributions account shall be for
 20 payment of participating employers’ contributions to the Kansas public
 21 employees retirement system as provided in K.S.A. 74-4939 and amend-
 22 ments thereto: *And provided further*, That expenditures from this ac-
 23 count for the payment of participating employers’ contributions to the
 24 Kansas public employees retirement system may be made regardless of
 25 when the liability was incurred.
 26 Parent education program \$4,667,000
 27 *Provided*, That expenditures from the parent education program account
 28 for each such grant shall be matched by the school district in an amount
 29 which is equal to not less than 65% of the grant: *Provided further*, That
 30 expenditures from this account for fiscal year 2005 for establishing and
 31 maintaining a Kansas training model that meets the requirement for the
 32 parents as teachers program shall not exceed \$27,500.
 33 Educable deaf-blind and severely handicapped children’s
 34 programs aid..... \$110,000
 35 School district juvenile detention facilities and Flint Hills
 36 job corps center grants..... \$5,599,393
 37 *Provided*, That expenditures shall be made from the school district ju-
 38 venile detention facilities and Flint Hills job corps center grants account
 39 for grants to school districts in amounts determined pursuant to and in
 40 accordance with the provisions of K.S.A. 72-8187 and amendments
 41 thereto.
 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 and transfers to other state agencies shall not exceed the following:

4 State school district finance fund	No limit
5 School district capital improvements fund.....	No limit
6 <i>Provided</i> , That expenditures from the school district capital improve-	
7 ments fund shall be made only for the payment of general obligation	
8 bonds approved by voters under the authority of K.S.A. 72-6761 and	
9 amendments thereto.	
10 Conversion of materials and equipment fund	No limit
11 State safety fund	No limit
12 School bus safety fund	No limit
13 Goals 2000 federal fund	No limit
14 Motorcycle safety fund.....	No limit
15 Federal indirect cost reimbursement fund	No limit
16 Certificate fee fund	No limit
17 Food assistance — federal fund.....	No limit
18 Food assistance — school breakfast program — federal	
19 fund	No limit
20 Food assistance — national school lunch program — fed-	
21 eral fund	No limit
22 Food assistance — child and adult care food program —	
23 federal fund.....	No limit
24 Elementary and secondary school aid — federal fund.....	No limit
25 Elementary and secondary school aid — educationally de-	
26 prived children — federal fund	No limit
27 Educationally deprived children — state operations — fed-	
28 eral fund	No limit
29 Elementary and secondary school — educationally de-	
30 prived children — LEA’s fund	No limit
31 ESEA chapter II — state operations — federal fund.....	No limit
32 Education of handicapped children fund — federal.....	No limit
33 Education of handicapped children fund — state opera-	
34 tions — federal	No limit
35 Education of handicapped children fund — preschool —	
36 federal fund.....	No limit
37 Education of handicapped children fund — preschool state	
38 operations — federal	No limit
39 Elementary and secondary school aid — federal fund —	
40 migrant education fund	No limit
41 Elementary and secondary school aid — federal fund —	
42 migrant education — state operations	No limit

43

1	Vocational education amendments of 1968 — federal	
2	fund	No limit
3	Vocational education title II — federal fund.....	No limit
4	Vocational education title II — federal fund — state	
5	operations	No limit
6	Educational research grants and projects fund.....	No limit
7	Education for economic security act — federal fund	No limit
8	Drug abuse fund — department of education —	
9	federal	No limit
10	Federal class size reduction fund.....	No limit
11	School renovation grants — federal fund	No limit
12	Drug abuse funds — federal — state operations fund	No limit
13	Inservice education workshop fee fund.....	No limit
14	<i>Provided</i> , That expenditures may be made from the inservice education	
15	workshop fee fund for operating expenditures, including official hospi-	
16	tality, incurred for inservice workshops and conferences: <i>Provided fur-</i>	
17	<i>ther</i> , That the state board of education is hereby authorized to fix, charge	
18	and collect fees for inservice workshops and conferences: <i>And provided</i>	
19	<i>further</i> , That such fees shall be fixed in order to recover all or part of	
20	such operating expenditures incurred for inservice workshops and con-	
21	ferences: <i>And provided further</i> , That all fees received for inservice work-	
22	shops and conferences shall be deposited in the state treasury and cred-	
23	ited to the inservice education workshop fee fund.	
24	Private donations, gifts, grants and bequests fund	No limit
25	Interactive video fee fund.....	No limit
26	<i>Provided</i> , That expenditures may be made from the interactive video fee	
27	fund for operating expenditures incurred in conjunction with the opera-	
28	tion and use of the interactive video conference facility of the department	
29	of education: <i>Provided further</i> , That the state board of education is	
30	hereby authorized to fix, charge and collect fees for the operation and	
31	use of such interactive video conference facility: <i>And provided further</i> ,	
32	That all fees received for the operation and use of such interactive video	
33	conference facility shall be deposited in the state treasury and credited	
34	to the interactive video fee fund.	
35	Reimbursement for services fund	No limit
36	Communities in schools program fund	No limit
37	Governor’s teaching excellence scholarships program re-	
38	payment fund	No limit
39	<i>Provided</i> , That all expenditures from the governor’s teaching excellence	
40	scholarships program repayment fund shall be to provide grants of \$1,000	
41	each to Kansas elementary and secondary public school teachers who are	
42	accepted to participate in the national board for professional teaching	
43	standards certification program under the governor’s teaching excellence	

1 scholarships program which shall be administered by the state board of
 2 education: *Provided further*, That each such grant shall be required to be
 3 matched on a \$1 for \$1 basis from nonstate sources: *And provided further*,
 4 That award of each such grant shall be conditioned upon the recipient
 5 entering into an agreement requiring the grant to be repaid if the recip-
 6 ient fails to complete the course of training under the national board for
 7 professional teaching standards certification program: *And provided fur-*
 8 *ther*, That all moneys received by the department of education for re-
 9 payment of grants made under the governor’s teaching excellence schol-
 10 arships program shall be deposited in the state treasury and credited to
 11 this fund.

12 Elementary and secondary school aid — federal fund —	
13 reading first.....	No limit
14 Elementary and secondary school aid — federal fund —	
15 reading first — state operations.....	No limit
16 State grants for improving teacher quality — federal	
17 fund.....	No limit
18 State grants for improving teacher quality — federal fund	
19 — state operations.....	No limit
20 Community service grants — federal fund.....	No limit
21 21st century community learning centers — federal	
22 fund.....	No limit
23 State assessments — federal fund.....	No limit
24 Rural and low-income schools program — federal fund...	No limit
25 Language assistance state grants — federal fund.....	No limit
26 Service clearing fund.....	No limit

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

29 Grant to the Kansas optometric association for vision
 30 study..... \$300,000

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

34 Parent education program ~~\$2,500,000~~ **[\$2,467,000]**

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

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

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

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

43 *Provided*, That any unencumbered balance in the special education serv-

1 ices aid account in excess of \$100 as of June 30, 2004, is hereby reappro-
2 priated for fiscal year 2005.

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

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

12 Sec. 35.

13 STATE LIBRARY

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

16 Operating expenditures \$1,550,466
17 *Provided*, That any unencumbered balance in the operating expenditures
18 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
19 for fiscal year 2005: *Provided, however*, That expenditures from the op-
20 erating expenditures account for official hospitality shall not exceed
21 \$2,000.

22 Grants to libraries and library systems \$3,404,337
23 *Provided*, That, of the moneys appropriated in the grants to libraries and
24 library systems account, \$2,393,562 shall be distributed as grants-in-aid
25 to libraries in accordance with K.S.A. 75-2555 and amendments thereto,
26 \$624,670 shall be distributed for interlibrary loan development grants and
27 \$386,105 shall be paid according to contracts with the subregional librar-
28 ies of the Kansas talking book services.

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 State library fund No limit
35 Federal library services and technology act — fund..... No limit
36 Grants and gifts fund No limit

37 Sec. 36.

38 KANSAS ARTS COMMISSION

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 Operating expenditures \$343,392
42 *Provided*, That any unencumbered balance in the operating expenditures
43 account in excess of \$100 as of June 30, 2004, is hereby reappropriated

1 for fiscal year 2005: *Provided, however*, That expenditures from the op-
2 erating expenditures account for official hospitality shall not exceed
3 \$4,000: *Provided further*, That expenditures may be made by the above
4 agency from any amount of savings in the operating expenditures account
5 for the purpose of matching an equal or greater amount of federal grant
6 moneys or local grant moneys, or both, for arts programming projects.

7 Arts programming grants and challenge grants..... \$1,138,465
8 *Provided*, That expenditures from the arts programming grants and chal-
9 lenge grants account shall be made only for the purpose of matching an
10 equal or greater amount of federal grant moneys or local grant moneys,
11 or both, for arts programming projects: *Provided further*, That expendi-
12 tures from this account shall be made in a manner to benefit the maxi-
13 mum number of Kansas communities in the development of Kansas talent
14 and art.

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 other than refunds authorized by law
19 shall not exceed the following:

20	Kansas arts commission fee fund	No limit
21	Kansas arts commission gifts, grants and bequests — fed-	
22	eral fund	No limit
23	Kansas arts commission special gifts fund.....	No limit
24	Arts programming grants fund.....	No limit

25 *Provided*, That moneys received by the Kansas arts commission from the
26 remittance of the unexpended balance of arts programming grants to the
27 commission shall be deposited in the state treasury and credited to the
28 arts programming grants fund: *Provided further*, That expenditures from
29 this fund shall be made only for the purpose of matching an equal or
30 greater amount of federal grant moneys or local grant moneys, or both,
31 for arts programming projects.

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

35 ***EDIF — arts programming grants and challenge***
36 ***grants..... \$35,000***

37 ***Provided, That expenditures from the EDIF —arts programming***
38 ***grants and challenge grants account shall be only for the purpose***
39 ***of matching an equal or greater amount of federal grant moneys or***
40 ***local grant moneys, or both, for arts programming projects: Provided***
41 ***further, That expenditures from this account shall be made in a man-***
42 ***ner to benefit the maximum number of Kansas communities in the***
43 ***development of Kansas talent and art.***

1 (⇔) (d) On July 1, 2004, the Kansas arts commission gifts, grants and
2 bequests fund of the Kansas arts commission is hereby redesignated as
3 the Kansas arts commission gifts, grants and bequests — federal fund of
4 the Kansas arts commission.

5 Sec. 37.

6 KANSAS STATE SCHOOL FOR THE BLIND

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

9 Operating expenditures ~~\$4,501,339~~ **\$4,555,339**

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

13 Arts for the handicapped \$145,360

14 Any unencumbered balance in excess of \$100 as of June 30, 2004, in the
15 technology lending library account is hereby reappropriated for fiscal year
16 2005: *Provided, however*, That all expenditures from the technology lend-
17 ing library account shall be made only for the purpose of matching an
18 equal or greater amount of federal or other nonstate governmental grant
19 moneys or private grant or donation moneys, or any combination thereof,
20 received by the Kansas state school for the blind: *Provided further*, That
21 no expenditures shall be made from this account except upon approval
22 of the state finance council acting on this matter which is hereby char-
23 acterized as a matter of legislative delegation and subject to the guidelines
24 prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto,
25 after receiving information that the Kansas state school for the blind has
26 received the required matching funds.

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

32 General fees fund..... No limit

33 Local services reimbursement fund..... No limit

34 *Provided*, That the Kansas state school for the blind is hereby authorized
35 to assess and collect a fee of 20% of the total cost of services provided to
36 local school districts: *Provided further*, That all moneys received from
37 such fees shall be deposited in the state treasury and credited to the local
38 services reimbursement fund.

39 Student activity fees fund No limit

40 Special bequest fund..... No limit

41 Gift fund..... No limit

42 Technology lending library fund No limit

43

1	Food assistance — cash for commodities — federal	
2	fund	No limit
3	Food assistance — breakfast — federal fund.....	No limit
4	Food assistance — lunch — federal fund.....	No limit
5	Chapter I handicapped — federal fund	No limit
6	Education improvement — federal fund.....	No limit
7	Math and science improvement — federal fund	No limit
8	Elementary and secondary — federal fund.....	No limit
9	Supported employment initiative — federal fund.....	No limit
10	Sec. 38.	

11 KANSAS STATE SCHOOL FOR THE DEAF

12 (a) There is appropriated for the above agency from the state general
13 fund for the fiscal year ending June 30, 2005, the following:
14 Operating expenditures \$7,382,250
15 *Provided*, That any unencumbered balance in the operating expenditures
16 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
17 for fiscal year 2005.

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	General fees fund.....	No limit
24	Local services reimbursement fund.....	No limit
25	<i>Provided</i> , That the Kansas state school for the deaf is hereby authorized 26 to assess and collect a fee of 20% of the total cost of services provided to 27 local school districts: <i>Provided further</i> , That all moneys received from 28 such fees shall be deposited in the state treasury and credited to the local 29 services reimbursement fund: <i>And provided further</i> , That all expendi- 30 tures from this fund shall be for capital outlay.	
31	Student activity fees fund	No limit
32	Elementary and secondary education act — federal	
33	fund	No limit
34	Vocational education fund — federal.....	No limit
35	Special bequest fund.....	No limit
36	Special workshop fund	No limit
37	Gift fund.....	No limit

38 Sec. 39.

39 STATE HISTORICAL SOCIETY

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 \$5,478,434
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 the op-
3 erating expenditures account for official hospitality shall not exceed
4 \$2,500.

5 Kansas humanities council \$81,830

6 ***(b) There is appropriated for the above agency from the state***
7 ***economic development initiatives fund for the fiscal year ending***
8 ***June 30, 2005, the following:***

9 ***Operations*** **\$31,353**

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

15 Credit card clearing fund..... No limit

16 Vehicle repair and replacement fund..... No limit

17 General fees fund..... No limit

18 Archeology fee fund..... No limit

19 *Provided*, That expenditures may be made from the archeology fee fund
20 for operating expenses for providing archeological services by contract:
21 *Provided further*, That the state historical society is hereby authorized to
22 fix, charge and collect fees for the sale of such services: *And provided*
23 *further*, That such fees shall be fixed in order to recover all or part of the
24 operating expenses incurred in providing archeological services by con-
25 tract: *And provided further*, That all fees received from such services shall
26 be credited to the archeology fee fund.

27 Archeology federal fund No limit

28 Microfilm fees fund..... No limit

29 *Provided*, That expenditures may be made from the microfilm fees fund
30 for operating expenses for providing microfilming services: *Provided fur-*
31 *ther*, That the state historical society is hereby authorized to fix, charge
32 and collect fees for the sale of such services: *And provided further*, That
33 such fees shall be fixed in order to recover all or part of the operating
34 expenses incurred in providing microfilming services: *And provided fur-*
35 *ther*, That all fees received from such services shall be credited to the
36 microfilm fees fund.

37 Records center fee fund..... No limit

38 *Provided*, That expenditures may by made from the records center fee
39 fund for operating expenses for providing copying and related services:
40 *Provided further*, That the state historical society is hereby authorized to
41 fix, charge and collect fees for the sale of such services: *And provided*
42 *further*, That such fees shall be fixed in order to recover all or part of the
43 operating expenses incurred in providing such services: *And provided*

1 *further*, That all fees received from such services shall be deposited in
2 the state treasury to the credit of the records center fee fund.

3	Historic properties fee fund.....	No limit
4	National historic preservation act fund — state.....	No limit
5	Historic preservation overhead fees fund.....	No limit
6	National historic preservation act fund — local.....	No limit
7	Private gifts, grants and bequests fund.....	No limit
8	Museum and historic sites visitor donation fund.....	No limit
9	Insurance collection replacement/reimbursement fund....	No limit
10	Heritage trust fund.....	No limit

11 *Provided*, That expenditures from the heritage trust fund for state oper-
12 ations shall not exceed \$108,932.

13	Land survey fee fund.....	No limit
14	State historical society facilities fund.....	No limit
15	Historic properties fund.....	No limit
16	Law enforcement memorial fund.....	No limit
17	Other federal grants fund.....	No limit

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

30	Property sale proceeds fund.....	No limit
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31 *Provided*, That proceeds from the sale of property pursuant to K.S.A. 75-
32 2701 and amendments thereto shall be deposited in the state treasury
33 and credited to the property sale proceeds fund.

34 Sec. 40.

35 FORT HAYS STATE UNIVERSITY

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).....	\$31,238,730
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39 *Provided*, That any unencumbered balance in the operating expenditures
40 (including official hospitality) account in excess of \$100 as of June 30,
41 2004, is hereby reappropriated for fiscal year 2005.

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 shall not exceed the following:

3 Parking fees fund No limit
4 *Provided*, That expenditures may be made from the parking fees fund for
5 a capital improvement project for parking lot improvements.

6 General fees fund..... No limit
7 *Provided*, That expenditures may be made from the general fees fund to
8 match federal grant moneys.

9 Restricted fees fund..... No limit
10 *Provided*, That restricted fees shall be limited to receipts for the following
11 accounts: Special events; technology equipment; Gross coliseum services;
12 performing arts center services; farm income; choral music clinic; year-
13 book; off-campus tours; memorial union activities; student activity (un-
14 allocated); Leader (newspaper); conferences, clinics and workshops —
15 noncredit; summer laboratory school; little theater; library services; stu-
16 dent affairs; speech and debate; student government; counseling center
17 services; interest on local funds; student identification cards; nurse edu-
18 cation programs; athletics; placement fees; virtual college classes; speech
19 and hearing; child care services for dependent students; computer serv-
20 ices; interactive television contributions; midwestern student exchange;
21 departmental receipts for all sales, refunds and other collections not spe-
22 cifically enumerated above: *Provided, however*, That the state board of
23 regents, with the approval of the state finance council acting on this mat-
24 ter which is hereby characterized as a matter of legislative delegation and
25 subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c
26 and amendments thereto, may amend or change this list of restricted fees:
27 *Provided further*, That all restricted fees shall be deposited to the credit
28 of the appropriate account of the restricted fees fund and shall be used
29 solely for the specific purpose or purposes for which collected: *And pro-*
30 *vided further*, That expenditures may be made from this fund to purchase
31 insurance for equipment purchased through research and training grants
32 only if such grants include money for and authorize the purchase of such
33 insurance: *And provided further*, That expenditures may be made from
34 this fund to procure a policy of accident, personal liability and excess
35 automobile liability insurance insuring volunteers participating in the sen-
36 ior companion program against loss in accordance with specifications of
37 federal grant guidelines as provided in K.S.A. 75-4101 and amendments
38 thereto: *And provided further*, That all amounts of tuition received from
39 students participating in the midwestern student exchange program shall
40 be deposited to the credit of the midwestern student exchange account
41 of the restricted fees fund.

42 Education opportunity act — federal fund No limit
43 Service clearing fund No limit

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

7 Commencement fees fund..... No limit
 8 Health fees fund No limit

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

13 Student union fees fund..... No limit
 14 Kansas career work study program fund No limit
 15 Economic opportunity act — federal fund No limit
 16 Kansas comprehensive grant fund..... No limit
 17 Scholarship funds fund..... No limit
 18 Faculty of distinction matching fund No limit
 19 Health professions student assistance program fund No limit
 20 Nine month payroll clearing account fund..... No limit
 21 Oil research library gifts and grants fund No limit
 22 Federal Perkins student loan fund No limit
 23 Housing system revenue fund No limit
 24 Institutional overhead fund..... No limit
 25 Oil and gas royalties fund No limit
 26 Housing system suspense fund..... No limit
 27 Housing system operations fund..... No limit
 28 Housing system repairs, equipment and improvement
 29 fund No limit
 30 Sponsored research overhead fund No limit
 31 Wildlife art fund..... No limit
 32 Kansas distinguished scholarship fund No limit
 33 University federal fund..... No limit

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

38 Sec. 41.

39 KANSAS 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)..... \$103,001,927

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 (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 Parking fees fund No limit
- 8 Faculty of distinction matching fund No limit
- 9 General fees fund..... No limit

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

- 12 Interest on endowment fund..... No limit
- 13 Restricted fees fund..... No limit

14 *Provided*, That restricted fees shall be limited to receipts for the following
15 accounts: Technology equipment; human resources management system;
16 computer services; copy centers; standardized test fees; placement center;
17 recreational services; college of technology and aviation; motor pool; mu-
18 sic; professorships; student activities fees; army and aerospace uniforms;
19 aerospace uniform augmentation; biology sales and services; chemistry;
20 field camps; state department of education; physics storeroom; sponsored
21 research, instruction, public service, equipment and facility grants; chem-
22 ical engineering; nuclear engineering; contract-post office; library collec-
23 tions; civil engineering; continuing education; sponsored construction or
24 improvement projects; attorney, educational and personal development,
25 human resources; student financial assistance; application for undergrad-
26 uate programs; speech and hearing fees; gifts; human development and
27 family research and training; college of education — publications and
28 services; guaranteed student loan application processing; student identi-
29 fication card; auditorium receipts; catalog sales; emission spectroscopy
30 fees; interagency consulting; sales and services of educational programs;
31 transcript fees; facility use fees; human ecology storeroom; college of
32 human ecology sales; family resource center fees; human movement per-
33 formance; application for post baccalaureate programs; art exhibit fees;
34 college of education — Kansas careers; foreign student application fee;
35 student union repair and replacement reserve; departmental receipts for
36 all sales, refunds and other collections; institutional support fee; miscel-
37 laneous renovations; speech receipts; art museum; exchange program;
38 flight training lab fees; administrative reimbursements; parking fees; post-
39 age center; printing; short courses and conferences; student government
40 association receipts; regents educational communications center; late reg-
41 istration fee; engineering equipment fee; biotechnology facility; English
42 language program; international programs; Bramlage coliseum; planning
43 and analysis; telecommunications; other specifically designated receipts

1 not available for general operations of the university: *Provided, however,*
 2 That the state board of regents, with the approval of the state finance
 3 council acting on this matter which is hereby characterized as a matter
 4 of legislative delegation and subject to the guidelines prescribed in sub-
 5 section (c) of K.S.A. 75-3711c and amendments thereto, may amend or
 6 change this list of restricted fees: *Provided further,* That all restricted fees
 7 shall be deposited to the credit of the appropriate account of the re-
 8 stricted fees fund and shall be used solely for the specific purpose or
 9 purposes for which collected: *And provided further,* That expenditures
 10 may be made from this fund to purchase insurance for equipment pur-
 11 chased through research and training grants only if such grants include
 12 money for and authorize the purchase of such insurance: *And provided*
 13 *further,* That expenditures from the restricted fees fund may be made
 14 for the purchase of insurance for operation and testing of completed
 15 project aircraft and for operation of aircraft used in professional pilot
 16 training, including coverage for public liability, physical damage, medical
 17 payments and voluntary settlement coverages.

18	Kansas career work study program 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: Supplies stores; telecommunications services; photo-
 22 graphic services; K-State printing services; postage; facilities services; fa-
 23 cilities carpool; public safety services; facility planning services; facilities
 24 storeroom; and such other internal service activities as are authorized by
 25 the state board of regents under K.S.A. 76-755 and amendments thereto.

26	Sponsored research overhead fund	No limit
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27 *Provided,* That the above agency may transfer moneys from the sponsored
 28 research overhead fund of Kansas state university to the sponsored re-
 29 search overhead fund of Kansas state university extension systems and
 30 agriculture research programs.

31	Housing system suspense fund	No limit
32	Housing system operations fund	No limit
33	Housing system repairs, equipment and improvement	
34	fund	No limit
35	Mandatory retirement annuity clearing fund	No limit
36	Student health fees fund	No limit

37 *Provided,* That expenditures from the student health fees fund may be
 38 made for the purchase of medical malpractice liability coverage for in-
 39 dividuals employed on the medical staff, including pharmacists and phys-
 40 ical therapists, at the student health center.

41	Scholarship funds fund.....	No limit
42	Perkins student loan fund.....	No limit
43	Engineering and education gift fund	No limit

1	Board of regents — U.S. department of education awards	
2	fund	No limit
3	State agricultural university fund	No limit
4	Federal extension civil service retirement clearing fund ...	No limit
5	Salina — student union fees fund	No limit
6	Salina — housing system operation fund.....	No limit
7	Kansas distinguished scholarship fund	No limit
8	Kansas comprehensive grant fund.....	No limit
9	Temporary deposit fund.....	No limit
10	Business procurement card clearing fund.....	No limit
11	Suspense fund	No limit
12	Voluntary tax shelter annuity clearing fund.....	No limit
13	Agency payroll deduction clearing fund	No limit
14	Payroll clearing fund.....	No limit
15	Pre-tax parking clearing fund	No limit
16	University federal fund.....	No limit

17 (c) On July 1, 2004, or as soon thereafter as moneys are available, the
 18 director of accounts and reports shall transfer an amount specified by the
 19 president of Kansas state university of not to exceed \$97,924 from the
 20 general fees fund to the Perkins student loan fund.

21 (d) On July 1, 2004, the Salina — dormitory and food service fees fund
 22 of Kansas state university is hereby redesignated as the Salina — housing
 23 system operation fund of Kansas state university.

24 Sec. 42.

25 **KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND**
 26 **AGRICULTURE RESEARCH PROGRAMS**

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

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

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

33 Cooperative extension service (including official
 34 hospitality) \$18,054,253

35 *Provided*, That any unencumbered balance in the cooperative extension
 36 service (including official hospitality) account in excess of \$100 as of June
 37 30, 2004, is hereby reappropriated for fiscal year 2005.

38 Agricultural experiment stations (including official
 39 hospitality) \$28,892,074

40 *Provided*, That any unencumbered balance in the agricultural experiment
 41 stations (including official hospitality) account in excess of \$100 as of June
 42 30, 2004, 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 shall not exceed the following:
4 Restricted fees fund..... No limit
5 *Provided*, That restricted fees shall be limited to receipts for the following
6 accounts: Plant pathology; technology equipment; professorships; agri-
7 cultural experiment station, director’s office; agronomy — Ashland farm;
8 KSU agricultural research center — Hays; KSU southeast agricultural
9 research center; KSU southwest research extension center; agronomy —
10 general; agronomy — experimental field crop sales; entomology sales;
11 grain science and industry — Kansas state university; food and nutrition
12 research; extension services and publication; sponsored construction or
13 improvement projects; gifts; animal resource facility; sales and services of
14 educational programs; animal sciences and industry livestock and product
15 sales; horticulture greenhouse and farm products sales; Konza prairie op-
16 erations; departmental receipts for all sales, refunds and other collections;
17 institutional support fee; KSU northwest research extension center op-
18 erations; sponsored research, public service, equipment and facility
19 grants; statistical laboratory; equipment/pesticide storage building; other
20 specifically designated receipts not available for general operations of the
21 university: *Provided, however*, That the state board of regents, with the
22 approval of the state finance council acting on this matter which is hereby
23 characterized as a matter of legislative delegation and subject to the
24 guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amend-
25 ments thereto, may amend or change this list of restricted fees: *Provided*
26 *further*, That all restricted fees shall be deposited to the credit of the
27 appropriate account of the restricted fees fund and shall be used solely
28 for the specific purpose or purposes for which collected: *And provided*
29 *further*, That expenditures may be made from this fund to purchase in-
30 surance for equipment purchased through research and training grants
31 only if such grants include money for and authorize the purchase of such
32 insurance: *And provided further*, That expenditures may be made from
33 the Kansas agricultural mediation service account of the restricted fees
34 fund during fiscal year 2005.
35 Fertilizer research fund..... No limit
36 Sponsored research overhead fund No limit
37 Federal extension fund..... No limit
38 Federal experimental station fund..... No limit
39 Federal awards — advance payment fund..... No limit
40 Smith-Lever special program grant — federal fund..... No limit
41 Faculty of distinction matching fund No limit
42 Kansas artificial breeding service unit fees fund..... No limit
43 Agricultural land use-value fund No limit

1 University federal fund..... No limit
2 Sec. 43.
3 KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER
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 (including official hospitality)..... \$9,823,702
7 *Provided*, That any unencumbered balance in the operating expenditures
8 (including official hospitality) account in excess of \$100 as of June 30,
9 2004, is hereby reappropriated 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 shall not exceed the following:
14 General fees fund..... No limit
15 *Provided*, That expenditures may be made from the general fees fund to
16 match federal grant moneys.
17 Hospital and diagnostic laboratory revenue fund..... No limit
18 Faculty of distinction matching fund No limit
19 Hospital and diagnostic laboratory improvement fund No limit
20 Restricted fees fund..... No limit
21 *Provided*, That restricted fees shall be limited to receipts for the following
22 accounts: Sponsored research, instruction, public service, equipment and
23 facility grants; sponsored construction or improvement projects; technol-
24 ogy equipment; pathology fees; laboratory test fees; miscellaneous reno-
25 vations; dean of veterinary medicine receipts; gifts; application for post-
26 baccalaureate programs; embryo transfer unit; swine serology; rapid focal
27 fluorescent inhibition test; storerooms; departmental receipts for all sales
28 refunds and other collections; other specifically designated receipts not
29 available for general operation of the Kansas state university veterinary
30 medical center: *Provided, however*, That the state board of regents, with
31 the approval of the state finance council acting on this matter which is
32 hereby characterized as a matter of legislative delegation and subject to
33 the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amend-
34 ments thereto, may amend or change this list of restricted fees: *Provided*
35 *further*, That all restricted fees shall be deposited to the credit of the
36 appropriate account of the restricted fees fund and shall be used solely
37 for the specific purpose or purposes for which collected: *And provided*
38 *further*, That expenditures may be made from this fund to purchase in-
39 surance for equipment purchased through research and training grants
40 only if such grants include money for and authorize the purchase of such
41 insurance.
42 Sponsored research overhead fund No limit
43 Health professions student loan fund No limit

1	H.E.W. veterinary revolving student loan fund	No limit
2	Suspense fund	No limit
3	University federal fund.....	No limit

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

8 Sec. 44.

9 EMPORIA STATE UNIVERSITY

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	Operating expenditures (including official hospitality).....	\$29,740,258
13	<i>Provided</i> , That any unencumbered balance in the operating expenditures	
14	(including official hospitality) account in excess of \$100 as of June 30,	
15	2004, is hereby reappropriated for fiscal year 2005.	

16	Reading recovery program.....	\$242,889
17	Nat'l Board Cert/Future Teacher Academy.....	\$145,766

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 shall not exceed the following:

22	Parking fees fund	No limit
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23 *Provided*, That expenditures may be made from the parking fees fund for
24 a capital improvement project for parking lot improvements.

25	General fees fund.....	No limit
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26 *Provided*, That expenditures may be made from the general fees fund to
27 match federal grant moneys.

28	Interest on state normal school fund fund.....	No limit
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29	Restricted fees fund.....	No limit
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30 *Provided*, That restricted fees shall be limited to receipts for the following
31 accounts: Computer services, student activity; technology equipment; stu-
32 dent union; sponsored research; computer services; extension classes;
33 gifts and grants (for teaching, research and capital improvements); busi-
34 ness school contributions; state department of education (vocational); li-
35 brary services; library collections; interest on local funds; receipts from
36 conferences, clinics, and workshops held on campus for which no college
37 credit is given; physical plant reimbursements from auxiliary enterprises;
38 midwestern exchange; departmental receipts — for all sales, refunds and
39 other collections or receipts not specifically enumerated above: *Provided*,
40 *however*, That the state board of regents, with the approval of the state
41 finance council acting on this matter which is hereby characterized as a
42 matter of legislative delegation and subject to the guidelines prescribed
43 in subsection (c) of K.S.A. 75-3711c and amendments thereto, may

1 amend or change this list of restricted fees: *Provided further*, That all
 2 restricted fees shall be deposited to the credit of the appropriate account
 3 of the restricted fees fund and shall be used solely for the specific purpose
 4 or purposes for which collected: *And provided further*, That expenditures
 5 may be made from this fund to purchase insurance for equipment pur-
 6 chased through research and training grants only if such grants include
 7 money for and authorize the purchase of such insurance: *And provided*
 8 *further*, That all amounts of tuition received from students participating
 9 in the midwestern student exchange program shall be deposited to the
 10 credit of the midwestern student exchange account of the restricted fees
 11 fund.

12 Service clearing fund No limit

13 *Provided*, That the service clearing fund shall be used for the following
 14 service activities: Telecommunications services; office supplies inventory;
 15 state car operation; E.S.U. press including duplicating and reproducing;
 16 postage; physical plant storeroom including motor fuel inventory; data
 17 processing center; and such other internal service activities as are au-
 18 thorized by the state board of regents under K.S.A. 76-755 and amend-
 19 ments thereto.

20 Commencement fees fund..... No limit

21 Kansas career work study program fund No limit

22 Student health fees fund No limit

23 *Provided*, That expenditures from the student health fees fund may be
 24 made for the purchase of medical malpractice liability coverage for in-
 25 dividuals employed on the medical staff, including pharmacists and phys-
 26 ical therapists, at the student health center.

27 Faculty of distinction matching fund No limit

28 Bureau of educational measurements fund..... No limit

29 National direct student loan fund No limit

30 Economic opportunity act — work study — federal
 31 fund No limit

32 Educational opportunity grants — federal fund No limit

33 Basic opportunity grant program — federal fund No limit

34 Research and institutional overhead fund..... No limit

35 Kansas comprehensive grant fund..... No limit

36 Housing system suspense fund No limit

37 Housing system operations fund No limit

38 Housing system repairs, equipment and improvement
 39 fund No limit

40 Kansas distinguished scholarship fund No limit

41 University federal fund..... No limit

42 (c) On July 1, 2004, or as soon thereafter as moneys are available, the
 43 director of accounts and reports shall transfer an amount specified by the

1 president of Emporia state university of not to exceed \$30,000 from the
2 general fees fund to the national direct student loan fund.

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

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

11 Sec. 45.

12 PITTSBURG STATE UNIVERSITY

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)..... \$32,866,166
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 *Provided*, That expenditures may be made from the parking fees fund for
25 capital improvement projects for parking lot improvements.

26 General fees fund..... No limit

27 *Provided*, That all moneys received for tuition received from students
28 participating in the contiguous county program or the midwestern student
29 exchange program shall be deposited in the state treasury to the credit
30 of the general fees fund: *Provided further*, That expenditures may be
31 made from the general fees fund to match federal grant moneys.

32 Restricted fees fund..... No limit

33 *Provided*, That restricted fees shall be limited to receipts for the following
34 accounts: Computer services; instructional technology fee; technology
35 equipment; student activity fee accounts; commencement fees; ROTC
36 activities; continuing education receipts; vocational auto parts and service
37 fees; receipts from camps, conferences and meetings held on campus;
38 library service collections and fines; and grants from other state agencies;
39 *Midwest Quarterly*; chamber music series; contract — post office; gifts
40 and grants; intensive English program; business and technology institute;
41 public sector radio station activities; economic opportunity — state match;
42 Kansas career work study; regents supplemental grants; departmental re-
43 cepts, and other specifically designated receipts not available for general

1 operations of the university: *Provided, however*, That the state board of
 2 regents, with the approval of the state finance council acting on this mat-
 3 ter which is hereby characterized as a matter of legislative delegation and
 4 subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c
 5 and amendments thereto, may amend or change this list of restricted fees:
 6 *Provided further*, That all restricted fees shall be deposited to the credit
 7 of the appropriate account of the restricted fees fund and shall be used
 8 solely for the specific purpose or purposes for which collected: *And pro-*
 9 *vided further*, That expenditures may be made from this fund to purchase
 10 insurance for equipment purchased through research and training grants
 11 only if such grants include money for and authorize the purchase of such
 12 insurance: *And provided further*, That surplus restricted fees moneys gen-
 13 erated by the music department may be transferred to the Pittsburg state
 14 university foundation, inc. for the express purpose of awarding music
 15 scholarships.

16 Service clearing fund No limit

17 *Provided*, That the service clearing fund shall be used for the following
 18 service activities: Duplicating and printing services; instructional media
 19 division; office stationery and supplies; motor carpool; postage services;
 20 photo services; telephone services; and such other internal service activ-
 21 ities as are authorized by the state board of regents under K.S.A. 76-755
 22 and amendments thereto.

23 Hospital and student health fees fund No limit

24 *Provided*, That expenditures from the hospital and student health fees
 25 fund may be made for the purchase of medical malpractice liability cov-
 26 erage for individuals employed on the medical staff, including pharmacists
 27 and physical therapists, at the student health center: *Provided further*,
 28 That expenditures may be made from this fund for capital improvement
 29 projects for hospital and student health center improvements.

30 Suspense fund No limit

31 Faculty of distinction matching fund No limit

32 Perkins student loan fund No limit

33 Sponsored research overhead fund No limit

34 College work study fund No limit

35 Nursing student loan fund No limit

36 Housing system suspense fund No limit

37 Housing system operations fund No limit

38 Housing system repairs, equipment and improvement
 39 fund No limit

40 Kansas comprehensive grant fund No limit

41 Kansas distinguished scholarship program fund No limit

42 University federal fund No limit

43 (c) During the fiscal year ending June 30, 2005, the director of accounts

1 and reports shall transfer amounts specified by the president of Pittsburg
2 state university of not to exceed a total of \$125,000 for all such amounts,
3 from the general fees fund to the following specified funds and accounts
4 of funds: Perkins student loan fund; nursing student loan fund.

5 Sec. 46.

6 UNIVERSITY OF KANSAS

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

9 Operating expenditures (including official hospitality)..... \$128,600,189
10 *Provided*, That any unencumbered balance in the operating expenditures
11 (including official hospitality) account in excess of \$100 as of June 30,
12 2004, is hereby reappropriated for fiscal year 2005.

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

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 shall not exceed the following:

21 Parking facilities revenue fund No limit
22 Faculty of distinction matching fund No limit
23 General fees fund..... No limit

24 *Provided*, That expenditures may be made from the general fees fund to
25 match federal grant moneys: *Provided further*, That all moneys received
26 for tuition for students enrolled in courses offered at the regents center
27 on the Edwards campus shall be deposited in the state treasury and cred-
28 ited to this fund: *And provided further*, That the director of accounts and
29 reports shall transfer on a periodic basis amounts generated from such
30 courses as specified by the chancellor of the university of Kansas, or the
31 chancellor’s designee, from the general fees fund to the regents center
32 development fund.

33 Regents center development fund No limit
34 *Provided*, That expenditures shall be made from the regents center de-
35 velopment fund for program operations and development and for capital
36 improvements at the Edwards campus: *Provided further*, That the fund
37 may be pledged to debt service for capital improvements at the Edwards
38 campus.

39 Interest fund No limit
40 Sponsored research overhead fund No limit
41 Law enforcement training center fund No limit

42 *Provided*, That expenditures may be made from the law enforcement
43 training center fund to cover the costs of tuition for students enrolled in

1 the law enforcement training program in addition to the costs of salaries
2 and wages and other operating expenditures for the program: *Provided*,
3 *however*, That any academic credit granted through this program shall
4 not be included in the university’s budgeted enrollment figures: *Provided*
5 *further*, That expenditures may be made from this fund for the acquisition
6 of tracts of land adjacent to the law enforcement training center.

7 Law enforcement training center fees fund..... No limit
8 *Provided*, That all moneys received for tuition from students enrolling in
9 the basic law enforcement training program for undergraduate or grad-
10 uate credit shall be deposited in the state treasury and credited to the
11 law enforcement training center fees fund.

12 Restricted fees fund..... No limit
13 *Provided*, That restricted fees shall be limited to receipts for the following
14 accounts: Institute for public policy and business research; technology
15 equipment; clinical psychology conference; concert course; residence hall
16 maintenance; speech, language and hearing clinic; perceptual motor
17 clinic; application for admission fees; named professorships; summer in-
18 stitutes and workshops; dramatics; economic opportunity act; executive
19 management; continuing education programs; geology field trips; gifts
20 and grants; extension services; counseling center; investment income
21 from bequests; housing and residence halls; endowment research salaries;
22 engineering research salaries; music and art camp; child development lab
23 preschools; orientation center; educational placement; press publications;
24 Rice estate educational project; sponsored research; student activities;
25 sale of surplus books and art objects; building use charges; Kansas applied
26 remote sensing program; executive master’s degree in business adminis-
27 tration; applied English center; cartographic services; economic educa-
28 tion; study abroad programs; computer services; recreational activities;
29 animal care activities; geological survey; engineering equipment fee; mid-
30 western student exchange; department commercial receipts for all sales,
31 refunds, and all other collections or receipts not specifically enumerated
32 above: *Provided, however*, That the state board of regents, with the ap-
33 proval of the state finance council acting on this matter which is hereby
34 characterized as a matter of legislative delegation and subject to the
35 guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amend-
36 ments thereto, may amend or change this list of restricted fees: *Provided*
37 *further*, That all restricted fees shall be deposited to the credit of the
38 appropriate account of the restricted fees fund and shall be used solely
39 for the specific purpose or purposes for which collected: *And provided*
40 *further*, That expenditures may be made from this fund to purchase in-
41 surance for equipment purchased through research and training grants
42 only if such grants include money for and authorize the purchase of such
43 insurance: *And provided further*, That moneys received for student fees

1 in any account of the restricted fees fund may be transferred to one or
 2 more other accounts of the restricted fees fund.

3 Service clearing fund No limit

4 *Provided*, That the service clearing fund shall be used for the following
 5 service activities: Residence hall food stores; university motor pool; fur-
 6 niture stores; business office stores; university printing service; military
 7 uniforms; telecommunications service; and such other internal service
 8 activities as are authorized by the state board of regents under K.S.A. 76-
 9 755 and amendments thereto.

10 Health service fund No limit

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

15 Kansas career work study program fund No limit

16 Student union fund..... No limit

17 Regents supplemental grant fund No limit

18 Federal Perkins loan fund..... No limit

19 *Provided*, That expenditures from the national direct student loan fund
 20 shall be used for the federal Perkins student loan program, federal sup-
 21 plemental educational opportunity program and federal disadvantaged
 22 student loan program.

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

24 Health professions student loan fund No limit

25 Geological survey fund No limit

26 Research projects grants fund No limit

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

28 Housing system suspense fund..... No limit

29 Housing system revenue fund No limit

30 Scientific research and development project — special rev-
 31 enue fund..... No limit

32 Housing system operations fund..... No limit

33 Housing system repairs, equipment and improvement
 34 fund No limit

35 Educational opportunity act — federal fund..... No limit

36 Loans for disadvantaged students fund No limit

37 Prepaid tuition fees clearing fund No limit

38 Kansas comprehensive grant fund..... No limit

39 Fire service training fund No limit

40 University federal fund..... No limit

41 (c) On July 1, 2004, or as soon thereafter as moneys are available, the
 42 director of accounts and reports shall transfer amounts specified by the
 43 chancellor of the university of Kansas of not to exceed a total of \$285,000

1 for all such amounts, from the general fees fund to the following specified
2 funds and accounts of funds: Federal Perkins student loan program ac-
3 count of the national direct student loan fund; federal supplemental ed-
4 ucational opportunity program account of the national direct student loan
5 fund; federal disadvantaged student loan program account of the national
6 direct student loan fund; health professions student loan fund.

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

10 Geological survey \$40,000
11 *Provided*, That any unencumbered balance in excess of \$100 as of June
12 30, 2004, in the geological survey account is hereby reappropriated for
13 fiscal year 2005.

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

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

22 Sec. 47.

23 UNIVERSITY OF KANSAS MEDICAL CENTER

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)..... \$99,671,788
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: *Provided further*, That
30 expenditures may be made from this account for the purchase of mal-
31 practice insurance for students in training at the university of Kansas
32 school of medicine, nursing and allied health: *And provided further*, That
33 such malpractice insurance shall be approved by the commissioner of
34 insurance of the state of Kansas: *And provided further*, That expenditures
35 from this account may be used to reimburse medical residents in resi-
36 dency programs located in Kansas City at the university of Kansas medical
37 center for the purchase of health insurance for residents' dependents.
38 Medical scholarships and loans \$2,416,764

39 (b) 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 shall not exceed the following:

43 General fees fund..... No limit

1 *Provided*, That expenditures may be made from the general fees fund to
 2 match federal grant moneys.
 3 Faculty of distinction matching fund No limit
 4 Restricted fees fund..... No limit
 5 *Provided*, That restricted fees shall be limited to the following accounts:
 6 Technology equipment; computer services; salaries reimbursed by the
 7 Kansas university endowment association; postgraduate fees; pathology
 8 fees; student health insurance premiums; gift receipts; designated re-
 9 search collaboration; facilities use; photography; continuing education;
 10 student activity fees; student application fees; department duplicating;
 11 student health services; student identification badges; student transcript
 12 fees; loan administration fees; fitness center fees; occupational health
 13 fees; computer remote access; employee health; telekid care fees; area
 14 outreach fees; police fees; endowment payroll reimbursement; rental
 15 property; school of allied health e-learning fees; school of nursing e-learn-
 16 ing fee; surplus property sales; student union fees; outreach air travel;
 17 student loan legal fees; hospital authority salary reimbursements; gradu-
 18 ate medical education contracts; housestaff activity fees; anatomy cadav-
 19 ers; biotechnology services; energy center funded depreciation; fungal
 20 sales; biostatistics; electron microscope services; Wichita faculty contracts;
 21 physical therapy services; legal fee reimbursements; sponsored research;
 22 departmental commercial receipts for all sales, refunds and all other col-
 23 lections of receipts not specifically enumerated above; department of so-
 24 cial and rehabilitation services cost-sharing; *Provided, however*, That the
 25 state board of regents, with the approval of the state finance council acting
 26 on this matter which is hereby characterized as a matter of legislative
 27 delegation and subject to the guidelines prescribed in subsection (c) of
 28 K.S.A. 75-3711c and amendments thereto, may amend or change this list
 29 of restricted fees: *And provided further*, That all restricted fees shall be
 30 deposited to the credit of the appropriate account of the restricted fees
 31 fund and shall be used solely for the specific purpose or purposes for
 32 which collected: *And provided further*, That expenditures may be made
 33 from this fund to purchase insurance for equipment purchased through
 34 research and training grants only if such grants include money for and
 35 authorize the purchase of such insurance: *And provided further*, That
 36 expenditures may be made from this fund to purchase health insurance
 37 coverage for all students enrolled in the school of allied health, school of
 38 nursing and school of medicine.
 39 Scientific research and development — special revenue
 40 fund No limit
 41 Sponsored research overhead fund No limit
 42 Parking fees fund No limit
 43 Services to hospital authority fund No limit

- 1 Direct medical education reimbursement fund No limit
- 2 Service clearing fund No limit
- 3 *Provided*, That the service clearing fund shall be used for the following
- 4 service activities: Printing services; purchasing storeroom; university mo-
- 5 tor pool; clothing (uniforms); physical plant storeroom; photo services;
- 6 telecommunications services; facilities operations discretionary repairs;
- 7 animal care; graphic services; instructional services; biomedical engineer-
- 8 ing; audiovisual services; computing services; and such other internal serv-
- 9 ice activities as are authorized by the state board of regents under K.S.A.
- 10 76-755 and amendments thereto.
- 11 Educational nurse faculty loan program fund..... No limit
- 12 Federal college work study fund..... No limit
- 13 AMA education and research grant fund..... No limit
- 14 Federal health professions/primary care student loan
- 15 fund No limit
- 16 Federal nursing student loan fund No limit
- 17 Suspense fund No limit
- 18 Federal student educational opportunity grant fund No limit
- 19 Federal Pell grant fund No limit
- 20 Federal Perkins student loan fund No limit
- 21 Medical loan repayment fund..... No limit
- 22 *Provided*, That expenditures from the medical loan repayment fund for
- 23 attorney fees and litigation costs associated with the administration of the
- 24 medical scholarship and loan program shall be in addition to any expend-
- 25 iture limitation imposed on the operating expenditures account of the
- 26 medical loan repayment fund or on the total expenditures from the med-
- 27 ical loan repayment fund.
- 28 Graduate medical education administration reserve
- 29 fund No limit
- 30 University of Kansas medical center private practice foun-
- 31 dation reserve fund..... No limit
- 32 Robert Wood Johnson award fund..... No limit
- 33 Federal scholarship for disadvantaged students fund No limit
- 34 University federal fund..... No limit
- 35 (c) On July 1, 2004, or as soon thereafter as moneys are available, the
- 36 director of accounts and reports shall transfer amounts specified by the
- 37 chancellor of the university of Kansas of not to exceed a total of \$125,000
- 38 for all such amounts, from the general fees fund to the following funds:
- 39 Federal Perkins student loan fund; federal nursing student loan fund;
- 40 federal health professions/primary care student loan fund.
- 41 (d) During the fiscal year ending June 30, 2005, medical students en-
- 42 rolled at the university of Kansas medical center are hereby self-insured
- 43 by the state of Kansas while in clinical training at the university of Kansas

1 medical center or at other health care institutions. Such individuals shall
 2 be considered employees for purposes of the Kansas tort claims act and
 3 shall be provided defense and indemnification for claims arising out of
 4 their clinical training at the university of Kansas medical center or at other
 5 health care institutions in accordance with the provisions of the Kansas
 6 tort claims act. Within the limits of appropriations therefor, the university
 7 of Kansas medical center may enter into contracts to purchase additional
 8 malpractice insurance for such medical students. Any such malpractice
 9 insurance purchase shall be approved by the commissioner of insurance
 10 of the state of Kansas.

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

15 (f) There is appropriated for the above agency from the children’s ini-
 16 tiatives fund for the fiscal year ending June 30, 2005, the following:

17 Telekid health care link..... \$250,000

18 *Provided*, That any unencumbered balance in excess of \$100 as of June
 19 30, 2004, in the telekid health care link account is hereby reappropriated
 20 for fiscal year 2005.

21 ***Life sciences research \$400,000***

22 (g) ***There is appropriated for the above agency from the state***
 23 ***economic development initiatives fund for the fiscal year ending***
 24 ***June 30, 2005, the following:***

25 ***Life sciences research \$100,000***

26 Sec. 48.

27 WICHITA STATE UNIVERSITY

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 (including official hospitality)..... \$64,535,032

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

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 General fees fund..... No limit

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

42 Restricted fees fund..... No limit

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

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

26 Service clearing fund	No limit
27 <i>Provided</i> , That the service clearing fund shall be used for the following	
28 service activities: Central service duplicating and reproducing bureau; au-	
29 tomobiles; furniture stores; postal clearing; telecommunication; computer	
30 service; and such other internal service activities as are authorized by the	
31 state board of regents under K.S.A. 76-755 and amendments thereto.	
32 Faculty of distinction matching fund	No limit
33 Kansas career work study program fund	No limit
34 Scholarship funds fund.....	No limit
35 Sponsored research fund	No limit
36 Sponsored research overhead fund	No limit
37 Economic opportunity act — federal fund	No limit
38 Education opportunity grant — federal fund.....	No limit
39 Matching education opportunity grant fund	No limit
40 Work-study program fund.....	No limit
41 Health professions student assistance program — loans	
42 fund	No limit
43 Nine month payroll clearing account fund.....	No limit

1	Pell grants fund.....	No limit
2	Housing system suspense fund.....	No limit
3	Housing system operations fund.....	No limit
4	Housing system renovation principal and interest fund	No limit
5	Housing system renovation and bond reserve fund.....	No limit
6	WSU housing system depreciation and replacement	
7	fund.....	No limit
8	Perkins loan fund.....	No limit
9	Kansas distinguished scholarship fund.....	No limit
10	Kansas comprehensive grant fund.....	No limit
11	WSU housing systems revenue fund.....	No limit
12	1976 dormitory maintenance reserve 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 \$94,551 from the WSU
16 housing systems revenue fund of Wichita state university to the state
17 general fund.

18 ***(d) There is appropriated for the above agency from the state***
19 ***economic development initiatives fund for the fiscal year ending***
20 ***June 30, 2005, the following:***

21 ***Aviation research initiative \$2,000,000***
22 ***Provided, That any unencumbered balance in the aviation research***
23 ***initiative account in excess of \$100 as of June 30, 2004, is hereby***
24 ***reappropriated for fiscal year 2005.***

25 Sec. 49.

26 STATE BOARD OF REGENTS

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

29 Operating expenditures (including official hospitality)..... \$3,132,222
30 ***Provided, That any unencumbered balance in the operating expenditures***
31 ***(including official hospitality) account in excess of \$100 as of June 30,***
32 ***2004, is hereby reappropriated for fiscal year 2005.***

33 State scholarship program..... \$1,193,199
34 ***Provided, That any unencumbered balance in the state scholarship pro-***
35 ***gram account in excess of \$100 as of June 30, 2004, is hereby reappro-***
36 ***priated for fiscal year 2005: Provided further, That expenditures may be***
37 ***made from the state scholarship program account for the state scholarship***
38 ***program under K.S.A. 72-6816 and amendments thereto and for the Kan-***
39 ***sas distinguished scholarship program under K.S.A. 74-3278 through 74-***
40 ***3283 and amendments thereto: And provided further, That of the total***
41 ***amount appropriated in the state scholarship program account the***
42 ***amount dedicated for the Kansas distinguished scholarship program shall***
43 ***not exceed \$25,000.***

1 Comprehensive grant program \$12,129,878
2 *Provided*, That any unencumbered balance in the comprehensive grant
3 program account in excess of \$100 as of June 30, 2004, is hereby reap-
4 propriated for fiscal year 2005[: *Provided further, That, in addition to*
5 *other expenditures authorized to be made from the comprehensive*
6 *grant program account for the awards of Kansas comprehensive*
7 *grants in accordance with the provisions of K.S.A. 74-32,120*
8 *through 74-32,125, and amendments thereto, and policies and rules*
9 *and regulations adopted by the state board of regents for the ad-*
10 *ministration of the Kansas comprehensive grant program, expendi-*
11 *tures shall be made from the comprehensive grant program account*
12 *for fiscal year 2005 for awards of Kansas comprehensive grants to*
13 *eligible Kansas students who are enrolling or enrolled at an insti-*
14 *tution of higher education which is accredited by the American As-*
15 *sociation of Bible Colleges and which has its main campus or prin-*
16 *cipal place of operation located in Kansas, and otherwise in*
17 *accordance with and subject to the provisions of K.S.A. 74-32,120*
18 *through 74-32,125, and amendments thereto, and policies and rules*
19 *and regulations adopted by the state board of regents for the ad-*
20 *ministration of the Kansas comprehensive grant program].*
21 Ethnic minority scholarship program..... \$315,213
22 *Provided*, That any unencumbered balance in the ethnic minority schol-
23 arship program account in excess of \$100 as of June 30, 2004, is hereby
24 reappropriated for fiscal year 2005.
25 Kansas work-study program \$528,172
26 *Provided*, That any unencumbered balance in the Kansas work-study pro-
27 gram account in excess of \$100 as of June 30, 2004, is hereby reappro-
28 priated for fiscal year 2005: *Provided further*, That the state board of
29 regents is hereby authorized to transfer moneys from the Kansas work-
30 study program account to the Kansas career work study program fund of
31 any institution under its jurisdiction participating in the Kansas work-
32 study program established by K.S.A. 74-3274 *et seq.*, and amendments
33 thereto: *And provided further*, That all moneys transferred from this ac-
34 count to the Kansas career work study program fund of any such insti-
35 tution shall be expended for and in accordance with the Kansas work-
36 study program.
37 ROTC scholarship reimbursement..... \$186,401
38 *Provided*, That any unencumbered balance in the ROTC scholarship re-
39 imbursement account in excess of \$100 as of June 30, 2004, is hereby
40 reappropriated for fiscal year 2005.
41 Teachers scholarship program \$326,744
42 *Provided*, That any unencumbered balance in the teachers scholarship
43 program account in excess of \$100 as of June 30, 2004, is hereby reap-

1 appropriated for fiscal year 2005.

2 National guard educational assistance \$725,028

3 *Provided*, That any unencumbered balance in the national guard educa-

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

5 reappropriated for fiscal year 2005.

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

7 *Provided*, That any unencumbered balance in the vocational scholarships

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

9 for fiscal year 2005.

10 Nursing student scholarship program \$243,592

11 *Provided*, That any unencumbered balance in the nursing student schol-

12 arship program account in excess of \$100 as of June 30, 2004, is hereby

13 reappropriated for fiscal year 2005.

14 Optometry education program \$113,850

15 *Provided*, That any unencumbered balance in the optometry education

16 program account in excess of \$100 as of June 30, 2004, is hereby reap-

17 propriated for fiscal year 2005.

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

19 Postsecondary aid for vocational education..... \$19,673,603

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

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

22 Technology equipment at community colleges and Wash-

23 burn university..... \$424,077

24 *Provided*, That the state board of regents is hereby authorized to make

25 expenditures from the technology equipment at community colleges and

26 Washburn university account for grants to community colleges and Wash-

27 burn university pursuant to grant applications for the purchase of tech-

28 nology equipment, in accordance with guidelines established by the state

29 board of education.

30 Faculty salary enhancement \$3,333,426

31 *Provided*, That the state board of regents is hereby authorized to transfer

32 moneys from the faculty salary enhancement account to the appropriate

33 account or accounts of the state general fund of any state educational

34 institution under the control and supervision of the state board of regents.

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

36 *Provided*, That the state board of regents is hereby authorized to transfer

37 moneys from the operating grant account to the appropriate account or

38 accounts of the state general fund of any state educational institution

39 under the control and supervision of the state board of regents.

40 Payment to KPERs \$1,756,004

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

42 *Provided*, That any unencumbered balance in the southwest Kansas ac-

43 cess project account in excess of \$100 as of June 30, 2004, is hereby

1 reappropriated for fiscal year 2005: *Provided further*, That the state board
2 of regents is hereby authorized to transfer moneys from this account to
3 the appropriate account or accounts of the state general fund of any state
4 educational institution under the control and supervision of the state
5 board of regents.

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

7 ***Provided, That the state board of regents is hereby authorized to***
8 ***transfer moneys from the alternative teacher certification account***
9 ***to the appropriate account or accounts of the state general fund of***
10 ***any state educational institution under the control and supervision***
11 ***of the state board of regents.***

12 (b) 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 shall not exceed the following:

16 Osteopathic medical service scholarship repayment

17 fund No limit

18 Vocational education scholarship discontinued attendance

19 fund No limit

20 Leveraging educational assistance program fund —

21 federal No limit

22 Regents' scholarship gift fund No limit

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

39 KAN-ED fund No limit

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

42 KAN-ED federal fund No limit

43 Earned indirect costs fund — federal..... No limit

1	Faculty of distinction program fund	No limit
2	Paul Douglas teacher scholarship fund — federal	No limit
3	GED credentials processing fees fund.....	No limit
4	Proprietary school fee fund.....	No limit
5	Tuition waiver gifts, grants and reimbursements fund.....	No limit
6	Adult basic education — federal fund	No limit
7	Truck driver training fund	No limit
8	No child left behind federal fund.....	No limit
9	Comprehensive grant program discontinued attendance	
10	fund	No limit
11	<i>[Provided, That, in addition to other expenditures authorized to be</i>	
12	<i>made from the comprehensive grant program discontinued attend-</i>	
13	<i>ance fund for the awards of Kansas comprehensive grants in ac-</i>	
14	<i>cordance with the provisions of K.S.A. 74-32,120 through 74-</i>	
15	<i>32,125, and amendments thereto, and policies and rules and</i>	
16	<i>regulations adopted by the state board of regents for the adminis-</i>	
17	<i>tration of the Kansas comprehensive grant program, expenditures</i>	
18	<i>shall be made from the comprehensive grant program discontinued</i>	
19	<i>attendance fund for fiscal year 2005 for awards of Kansas compre-</i>	
20	<i>hensive grants to eligible Kansas students who are enrolling or en-</i>	
21	<i>rolled at an institution of higher education which is accredited by</i>	
22	<i>the American Association of Bible Colleges and which has its main</i>	
23	<i>campus or principal place of operation located in Kansas, and oth-</i>	
24	<i>erwise in accordance with and subject to the provisions of K.S.A.</i>	
25	<i>74-32,120 through 74-32,125, and amendments thereto, and poli-</i>	
26	<i>cies and rules and regulations adopted by the state board of regents</i>	
27	<i>for the administration of the Kansas comprehensive grant program.]</i>	
28	State scholarship discontinued attendance fund	No limit
29	Kansas ethnic minority fellowship program fund.....	No limit
30	Private postsecondary educational institution degree au-	
31	thorization expense reimbursement fee fund	No limit
32	Voluntary tax sheltered annuity clearing fund	No limit
33	Substance abuse education fund — federal	No limit
34	Mandatory retirement annuity clearing fund	No limit
35	Nursing service scholarship program fund.....	No limit
36	Kansas ethnic minority discontinued attendance fund.....	No limit
37	Clearing fund.....	No limit
38	Conversion of materials and equipment fund	No limit
39	Teacher scholarship program fund.....	No limit
40	Financial aid services fee fund.....	No limit
41	<i>Provided, That expenditures may be made from the financial aid services</i>	
42	<i>fee fund for operating expenditures directly or indirectly related to the</i>	
43	<i>operating costs associated with student financial assistance programs ad-</i>	

1 ministered by the state board of regents: *Provided further*, That the ex-
 2 ecutive director of the state board of regents is hereby authorized to fix,
 3 charge and collect fees for the processing of applications for student fi-
 4 nancial assistance under programs administered by the state board of
 5 regents: *And provided further*, That such fees shall be fixed in order to
 6 recover all or a part of the direct and indirect operating expenses incurred
 7 for administering such programs: *And provided further*, That all moneys
 8 received for such fees shall be deposited in the state treasury and credited
 9 to this fund.

10	Inservice education workshop fee fund.....	No limit
11	Optometry education repayment fund.....	No limit
12	Teacher scholarship repayment fund.....	No limit
13	Advanced registered nurse practitioner service scholarship	
14	program fund.....	No limit
15	Nursing service scholarship repayment fund.....	No limit
16	ROTC service scholarship program fund.....	No limit
17	ROTC service scholarship repayment fund.....	No limit
18	Carl D. Perkins vocational and technical education — fed-	
19	eral fund.....	No limit
20	Carl D. Perkins vocational and technical education — fed-	
21	eral fund — state operations.....	No limit
22	Other federal grants fund.....	No limit
23	<i>Provided</i> , That the above agency is authorized to make expenditures from	
24	the other federal grants fund of any moneys credited to this fund from	
25	any individual grant if the grant is: (1) Less than or equal to \$750,000 in	
26	the aggregate, and (2) does not require the matching expenditure of any	
27	other moneys in the state treasury during fiscal year 2005 other than	
28	moneys appropriated by this or other appropriation act of the 2004 reg-	
29	ular session of the legislature: <i>Provided, however</i> , That, upon application	
30	to and authorization by the governor, the above agency may make ex-	
31	penditures of moneys credited to this fund from any individual federal	
32	grant which is more than \$750,000 in the aggregate or which requires the	
33	matching expenditure of moneys in the state treasury during fiscal year	
34	2005, other than moneys appropriated by this or other appropriation act	
35	of the 2004 regular session of the legislature.	
36	Kansas national guard educational assistance program re-	
37	payment fund.....	No limit
38	Carl D. Perkins technical preparation — federal fund.....	No limit
39	Grants fund.....	No limit
40	Workforce development loan fund.....	No limit
41	FICA recovery fund.....	No limit
42	<i>Provided</i> , That any moneys received by any state educational institution	
43	from the federal government for repayment of payroll or other taxes im-	

1 properly paid to the federal government to the credit of the FICA re-
 2 recovery fund: *Provided further*, That all moneys in the FICA recovery fund
 3 shall be used by the state board of regents to reimburse the department
 4 of education, department of administration and state board of regents for
 5 direct costs and time incurred in obtaining repayment of payroll or other
 6 taxes improperly paid: *And provided further*, That all such reimburse-
 7 ments shall be in addition to any expenditure limitation imposed on this
 8 fund: *And provided further*, That after such reimbursements, the state
 9 board of regents may transfer amounts from the FICA recovery fund,
 10 which in the aggregate do not exceed \$5,000,000, to the appropriate fund
 11 or funds of any state educational institution for the purpose of providing
 12 additional funding for operating expenditures.

13 Regents clearing fund No limit

14 (c) During the fiscal year ending June 30, 2005, the chief executive
 15 officer of the state board of regents, with the approval of the director of
 16 the budget, may transfer any part of any item in an account of the state
 17 general fund for the fiscal year ending June 30, 2005, to another item of
 18 appropriation in an account of the state general fund for the fiscal year
 19 ending June 30, 2005. The chief executive officer of the state board of
 20 regents shall certify each such transfer to the director of accounts and
 21 reports and shall transmit a copy of each such certification to the legis-
 22 lative research department. As used in this subsection, “account” means
 23 the operating expenditures (including official hospitality) account of the
 24 state board of regents, the university of Kansas, the university of Kansas
 25 medical center, Kansas state university, Kansas state university veterinary
 26 medical center, Kansas state university extension systems and agriculture
 27 research programs, Wichita state university, Emporia state university,
 28 Pittsburg state university and Fort Hays state university and the municipal
 29 university operating grant account of the state board of regents, the pos-
 30 tsecondary aid for vocational education account of the state board of re-
 31 gents and the community college operating grant account of the state
 32 board of regents.

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

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

37 *Provided*, That expenditures from the vocational education capital outlay
 38 aid account for each grant of vocational educational capital outlay aid shall
 39 be matched by the area vocational school, the area vocational-technical
 40 school or the technical college in an amount which is equal to 50% of the
 41 grant: *Provided further*, That any unencumbered balance in excess of
 42 \$100 as of June 30, 2004, in the vocational education capital outlay aid
 43 account is hereby reappropriated for fiscal year 2005.

1 Postsecondary aid for vocational education..... \$6,957,162
 2 *Provided*, That any unencumbered balance in excess of \$100 as of June
 3 30, 2004, in the postsecondary aid for vocational education account is
 4 hereby reappropriated for fiscal year 2005.
 5 Technology innovation and internship program..... \$180,500
 6 *Provided*, That any unencumbered balance in excess of \$100 as of June
 7 30, 2004, in the technical innovation and internship program account is
 8 hereby reappropriated for fiscal year 2005.
 9 (e) (1) In addition to the other purposes for which expenditures may
 10 be made by any state educational institution from the moneys appropri-
 11 ated from the state general fund or from any special revenue fund for
 12 fiscal year 2005 for such state educational institution as authorized by this
 13 or other appropriation act of the 2004 regular session of the legislature,
 14 expenditures may be made by such state educational institution from
 15 moneys appropriated from the state general fund or from any special
 16 revenue fund for fiscal year 2005 for the purposes of capital improvement
 17 projects making energy and other conservation improvements: *Provided*,
 18 That such capital improvement projects are hereby approved for such
 19 state educational institution for the purposes of subsection (b) of K.S.A.
 20 74-8905 and amendments thereto and the authorization of issuance of
 21 one or more series of bonds by the Kansas development finance authority
 22 in accordance with that statute from time to time during fiscal year 2005:
 23 *Provided, however*, That no such bonds shall be issued until the state
 24 board of regents has first advised and consulted on any such project with
 25 the joint committee on state building construction: *Provided, further*,
 26 That the amount of the bond proceeds that may be utilized for any such
 27 capital improvement project shall be subject to approval by the state fi-
 28 nance council acting on this matter which is hereby characterized as a
 29 matter of legislative delegation and subject to the guidelines prescribed
 30 in subsection (c) of K.S.A. 75-3711c and amendments thereto, except that
 31 such approval also may be given while the legislature is in session: *And*
 32 *provided further*, That, in addition to such project costs, any such amount
 33 of bond proceeds may include costs of issuance, capitalized interest and
 34 any required reserves for the payment of principal and interest on such
 35 bonds: *And provided further*, That all moneys received from the issuance
 36 of any such bonds shall be deposited and accounted for as prescribed by
 37 applicable bond covenants: *And provided further*, That payments relating
 38 to principal and interest on such bonds shall be subject to and dependent
 39 upon annual appropriations therefor to the state educational institution
 40 for which the bonds are issued: *And provided further*, That each energy
 41 conservation capital improvement project for which bonds are issued for
 42 financing under this subsection shall be designed and completed in order
 43 to have cost savings sufficient to be equal or greater than the cost of debt

1 service on such bonds: *And provided further*, That the state board of
2 regents shall prepare and submit a report to the committee on appropri-
3 ations of the house of representatives and the committee on ways and
4 means of the senate on the savings attributable to energy conservation
5 capital improvements for which bonds are issued for financing under this
6 subsection at the beginning of the 2005 regular session of the legislature.

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

10 Sec. 50.

11 DEPARTMENT OF CORRECTIONS

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

14 Central administration operations and parole and post-
15 release supervision operations \$13,963,028

16 *Provided*, That any unencumbered balance in the central administration
17 operations and parole and postrelease supervision operations account in
18 excess of \$100 as of June 30, 2004, is hereby reappropriated for fiscal
19 year 2005: *Provided, however*, That expenditures from such reappro-
20 priated balance shall not exceed \$21,465 except upon approval of the state
21 finance council.

22 Community corrections \$15,493,910

23 *Provided*, That any unencumbered balance in the community corrections
24 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
25 for fiscal year 2005: *Provided, however*, That expenditures from such
26 reappropriated balance shall not exceed \$55,002, except upon approval
27 of the state finance council: *Provided further*, That no expenditures may
28 be made by any county from any grant made to such county from the
29 community corrections account for either half of state fiscal year 2005
30 which supplant any amount of local public or private funding of existing
31 programs as determined in accordance with rules and regulations adopted
32 by the secretary of corrections.

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

34 *Provided*, That any unencumbered balance in the day reporting center
35 state match account in excess of \$100 as of June 30, 2004, is hereby
36 reappropriated for fiscal year 2005: *Provided, however*, That expenditures
37 from such reappropriated balance shall not exceed \$12,000, except upon
38 approval of the state finance council acting on this matter which is hereby
39 characterized as a matter of legislation delegation and subject to the
40 guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amend-
41 ments thereto: *Provided further*, That all expenditures from the day
42 reporting center state match account shall be made for the purpose of
43 providing the required state match for receipt of federal funds for day

1 reporting centers: *And provided further*, That all expenditures from the
 2 day reporting center state match account shall be made pursuant to a
 3 contract which is hereby authorized to be entered into by the secretary
 4 of corrections with a private entity for operation of such day reporting
 5 centers: *And provided further*, That such contract shall be designed to
 6 use day reporting centers to divert offenders who would otherwise occupy
 7 prison space making additional prison space available for violent offend-
 8 ers.

9 Local jail payments \$1,961,000

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

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

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

17 *Provided*, That any unencumbered balance in the conservation camp for
 18 female offenders account in excess of \$100 as of June 30, 2004, is hereby
 19 reappropriated for fiscal year 2005: *Provided, however*, That expenditures
 20 from such reappropriated balance shall not exceed \$72,500 except upon
 21 approval of the state finance council.

22 Treatment and programs ~~\$30,113,364~~ **\$30,863,364**

23 *Provided*, That expenditures from the treatment and programs account
 24 for malpractice insurance shall not be greater than the amount obtained
 25 by multiplying \$5,000 by the approved number of positions equated to
 26 full-time for individuals employed as physician specialists, physician as-
 27 sistants and dentists: *Provided further*, That expenditures may be made
 28 from this account for payments to Innerchange Freedom Initiative for
 29 operation of a values-based pre-release program regardless of when serv-
 30 ices were rendered.

31 Topeka correctional facility — facilities operations \$10,235,053

32 *Provided*, That any unencumbered balance in the Topeka correctional
 33 facility — facilities operations account in excess of \$100 as of June 30,
 34 2004, is hereby reappropriated for fiscal year 2005: *Provided, however*,
 35 That expenditures from such reappropriated balance shall not exceed
 36 \$53,794 except upon approval of the state finance council.

37 Hutchinson correctional facility — facilities operations \$24,983,324

38 *Provided*, That any unencumbered balance in the Hutchinson correc-
 39 tional facility — facilities operations account in excess of \$100 as of June
 40 30, 2004, is hereby reappropriated for fiscal year 2005: *Provided, how-*
 41 *ever*, That expenditures from such reappropriated balance shall not ex-
 42 ceed \$1,516 except upon approval of the state finance council.

43 Lansing correctional facility — facilities operations \$32,910,090

1 *Provided*, That any unencumbered balance in the Lansing correctional
2 facility — facilities operations account in excess of \$100 as of June 30,
3 2004, is hereby reappropriated for fiscal year 2005: *Provided, however*,
4 That expenditures from such reappropriated balance shall not exceed
5 \$2,587 except upon approval of the state finance council.
6 Ellsworth correctional facility — facilities operations \$10,782,413
7 *Provided*, That any unencumbered balance in the Ellsworth correctional
8 facility — facilities operations account in excess of \$100 as of June 30,
9 2004, is hereby reappropriated for fiscal year 2005: *Provided, however*,
10 That expenditures from such reappropriated balance shall not exceed
11 \$3,926 except upon approval of the state finance council.
12 Winfield correctional facility — facilities operations \$10,067,178
13 *Provided*, That any unencumbered balance in the Winfield 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 \$4,963 except upon approval of the state finance council.
18 Norton correctional facility — facilities operations \$12,448,462
19 *Provided*, That any unencumbered balance in the Norton correctional
20 facility — facilities operations account in excess of \$100 as of June 30,
21 2004, is hereby reappropriated for fiscal year 2005: *Provided, however*,
22 That expenditures from such reappropriated balance shall not exceed
23 \$64,663 except upon approval of the state finance council.
24 El Dorado correctional facility — facilities operations..... \$21,163,802
25 *Provided*, That any unencumbered balance in the El Dorado 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 be made only
29 upon approval of the state finance council.
30 Larned correctional mental health facility — facilities
31 operations \$8,302,379
32 *Provided*, That any unencumbered balance in the Larned correctional
33 mental health facility — facilities operations account in excess of \$100 as
34 of June 30, 2004, is hereby reappropriated for fiscal year 2005: *Provided,*
35 *however*, That expenditures from such reappropriated balance shall not
36 exceed \$6,449 except upon approval of the state finance council.
37 Facilities operations \$10,262,017
38 *Provided*, That any unencumbered balance in the facilities operations
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 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 \$1,000,000
 7 in the aggregate, and (2) does not require the matching expenditure of
 8 any 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 \$1,000,000 in the aggregate or which requires
 14 the matching expenditure of moneys in the state treasury during the cur-
 15 rent or any ensuing fiscal year.

16 Supervision fees fund..... No limit
 17 Asset forfeiture — federal fund..... No limit
 18 Residential substance abuse treatment — federal fund No limit
 19 Justice assistance — federal fund..... No limit
 20 Department of corrections state asset forfeiture fund No limit
 21 Carl Perkins act — federal fund No limit
 22 Violent offender incarceration and truth in sentencing in-
 23 centive grants — federal fund No limit
 24 Chapter I — federal fund..... No limit
 25 Correctional industries fund..... No limit
 26 *Provided*, That expenditures may be made from the correctional indus-
 27 tries fund for official hospitality.

28 Alcohol and drug abuse treatment fund..... No limit
 29 State of Kansas — department of corrections inmate ben-
 30 efit fund..... No limit
 31 ***Provided, That expenditures of \$200,000 shall be made by the de-***
 32 ***partment of corrections during fiscal year 2005 from the inmate***
 33 ***benefit fund for the operation of the visitor centers.***

34 Department of corrections — alien incarceration grant
 35 fund — federal No limit
 36 Department of corrections — general fees fund No limit
 37 *Provided*, That expenditures may be made from the department of cor-
 38 rections — general fees fund for operating expenditures for training pro-
 39 grams for correctional personnel, including official hospitality: *Provided*
 40 *further*, That the secretary of corrections is hereby authorized to fix,
 41 charge and collect fees for such programs: *And provided further*, That
 42 such fees shall be fixed in order to recover all or part of the operating
 43 expenses incurred for such training programs, including official hospital-

1	ity: <i>And provided further</i> , That all fees received for such programs shall	
2	be credited to this fund.	
3	Victims of crime act — federal fund.....	No limit
4	Topeka correctional facility — community development	
5	block grant — federal fund.....	No limit
6	Topeka correctional facility — bureau of prisons contract	
7	— federal fund	No limit
8	Topeka correctional facility — general fees fund.....	No limit
9	Topeka correctional facility — inmate canteen fund	No limit
10	Topeka correctional facility —inmate benefit fund	No limit
11	Topeka correctional facility — institutional library services	
12	grant fund — federal	No limit
13	Topeka correctional facility — alien incarceration grant	
14	fund — federal	No limit
15	Hutchinson correctional facility — general fees fund.....	No limit
16	Hutchinson correctional facility — inmate canteen fund ..	No limit
17	Hutchinson correctional facility — inmate benefit fund ...	No limit
18	Hutchinson correctional facility — drug free demonstra-	
19	tion project — federal fund	No limit
20	Hutchinson correctional facility—institutional library serv-	
21	ices grant fund — federal	No limit
22	Lansing correctional facility — general fees fund.....	No limit
23	Lansing correctional facility — inmate canteen fund	No limit
24	Lansing correctional facility — inmate benefit fund	No limit
25	Lansing correctional facility — institutional library services	
26	grant fund — federal	No limit
27	Ellsworth correctional facility — general fees fund.....	No limit
28	Ellsworth correctional facility — inmate canteen fund.....	No limit
29	Ellsworth correctional facility — inmate benefit fund	No limit
30	Ellsworth correctional facility — institutional library serv-	
31	ices grant fund — federal	No limit
32	Winfield correctional facility — general fees fund.....	No limit
33	Winfield correctional facility — inmate canteen fund	No limit
34	Winfield correctional facility — inmate benefit fund	No limit
35	Winfield correctional facility — institutional library serv-	
36	ices grant fund — federal	No limit
37	Norton correctional facility — general fees fund.....	No limit
38	Norton correctional facility — inmate canteen fund	No limit
39	Norton correctional facility — inmate benefit fund	No limit
40	Norton correctional facility — institutional library services	
41	grant fund — federal	No limit
42	El Dorado correctional facility — general fees fund	No limit
43		

1	El Dorado correctional facility — gifts and donations	
2	fund	No limit
3	El Dorado correctional facility — inmate canteen fund....	No limit
4	El Dorado correctional facility — community transition	
5	program federal fund.....	No limit
6	El Dorado correctional facility — inmate benefit fund.....	No limit
7	El Dorado correctional facility—institutional library serv-	
8	ices grant fund — federal	No limit
9	Larned correctional mental health facility — general fees	
10	fund	No limit
11	Larned correctional mental health facility — inmate can-	
12	teen fund	No limit
13	Larned correctional mental health facility — inmate ben-	
14	efit fund.....	No limit
15	Larned correctional mental health facility — institutional	
16	library services grant fund — federal.....	No limit
17	Larned correctional mental health facility — justice assis-	
18	tance — federal fund.....	No limit

19 (c) During the fiscal year ending June 30, 2005, the secretary of cor-
 20 rections, with the approval of the director of the budget, may transfer any
 21 part of any item of appropriation for the fiscal year ending June 30, 2005,
 22 from the state general fund for the department of corrections or any
 23 correctional institution or facility under the general supervision and man-
 24 agement of the secretary of corrections to another item of appropriation
 25 for fiscal year 2005 from the state general fund for the department of
 26 corrections or any correctional institution or facility under the general
 27 supervision and management of the secretary of corrections. The secre-
 28 tary of corrections shall certify each such transfer to the director of ac-
 29 counts and reports and shall transmit a copy of each such certification to
 30 the director of the legislative research department.

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

40 (e) On July 1, 2004, and on October 1, 2004, or as soon thereafter as
 41 moneys are available, the director of accounts and reports shall transfer
 42 \$390,500 from the correctional industries fund to the department of cor-
 43 rections — general fees fund.

1 Sec. 51.

2 JUVENILE JUSTICE AUTHORITY

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

6 Operating expenditures \$27,534,760

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: *Provided, however*, That expenditures from the op-
10 erating expenditures account for official hospitality shall not exceed
11 \$2,000.

12 Management information systems..... \$1,093,751

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

16 Topeka juvenile correctional facility operations..... \$12,504,735

17 *Provided*, That any unencumbered balance in the Topeka juvenile cor-
18 rectional facility operations account in excess of \$100 as of June 30, 2004,
19 is hereby reappropriated for fiscal year 2005: *Provided, however*, That
20 expenditures from such reappropriated balance shall not exceed \$1,727
21 except upon approval of the state finance council: *Provided further*, That
22 expenditures may be made from this account for educational services
23 contracts which are hereby authorized to be negotiated and entered into
24 by the above agency with unified school districts or other public educa-
25 tional services providers: *And provided further*, That such educational
26 services contracts shall not be subject to the competitive bid requirements
27 of K.S.A. 75-3739 and amendments thereto.

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

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

38 Beloit juvenile correctional facility operations..... \$4,688,537

39 *Provided*, That any unencumbered balance in the Beloit juvenile correc-
40 tional facility operations account in excess of \$100 as of June 30, 2004, is
41 hereby reappropriated for fiscal year 2005: *Provided further*, That ex-
42 penditures may be made from this account for educational services con-
43 tracts which are hereby authorized to be negotiated and entered into by

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

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

6 *Provided*, That any unencumbered balance in the Larned 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 further*, That ex-
9 penditures may be made from this account for educational services con-
10 tracts which are hereby authorized to be negotiated and entered into by
11 the above agency with unified school districts or other public educational
12 services providers: *And provided further*, That such educational services
13 contracts shall not be subject to the competitive bidding requirements of
14 K.S.A. 75-3739 and amendments thereto.

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

16 (b) 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 Prevention program grant..... \$5,414,487

19 *Provided*, That any unencumbered balance in the prevention program
20 grant account in excess of \$100 as of June 30, 2004, is hereby reappro-
21 priated for fiscal year 2005: *Provided, however*, That all expenditures by
22 the above agency from the prevention program grant account shall be for
23 prevention program grants and evaluation of prevention programs for
24 fiscal year 2005: *Provided further*, That money awarded as grants from
25 this account shall be distributed during fiscal year 2005 on the basis of
26 the average amount of prevention grant awards received for the judicial
27 district during fiscal year 2003 and fiscal year 2004: *And provided further*,
28 That money awarded as grants from this account is not an entitlement to
29 communities, but a grant that must meet conditions prescribed by the
30 above agency for appropriate outcomes.

31 Intervention and graduated sanctions community grants .. \$3,585,513

32 *Provided*, That any unencumbered balance in the intervention and grad-
33 uated sanctions community grants account in excess of \$100 as of June
34 30, 2004, is hereby reappropriated for fiscal year 2005.

35 (c) 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 Title XIX fund No limit

41 Title IV-E fund..... No limit

42 Juvenile accountability incentive block grant — federal
43 fund No limit

1	Juvenile justice delinquency prevention — federal fund...	No limit
2	Juvenile detention facilities fund.....	\$3,602,740
3	Juvenile justice fee fund — central office.....	No limit
4	Juvenile justice federal fund — Topeka juvenile correc-	
5	tional facility.....	No limit
6	Juvenile justice federal fund — Atchison juvenile correc-	
7	tional facility.....	No limit
8	Juvenile justice federal fund — Beloit juvenile correctional	
9	facility.....	No limit
10	Juvenile justice federal fund — Larned juvenile correc-	
11	tional facility.....	No limit
12	Juvenile justice federal fund — Kansas juvenile correc-	
13	tional complex.....	No limit
14	Juvenile justice federal fund.....	No limit
15	Kansas juvenile delinquency prevention trust fund.....	No limit
16	Going home — federal fund.....	No limit
17	Byrne grant — federal fund.....	No limit
18	Construction of juvenile correctional facilities fund —	
19	VOI/TIS.....	No limit
20	Topeka juvenile correctional facility fee fund.....	No limit
21	Topeka juvenile correctional facility improvement fund ...	No limit
22	Topeka juvenile correctional facility — elementary and	
23	secondary education fund — federal	No limit
24	Topeka juvenile correctional facility — canteen fund.....	No limit
25	Topeka juvenile correctional facility — patient benefit	
26	fund	No limit
27	Atchison juvenile correctional facility fee fund.....	No limit
28	Atchison juvenile correctional facility — elementary and	
29	secondary education fund — federal	No limit
30	Atchison juvenile correctional facility — canteen fund.....	No limit
31	Atchison juvenile correctional facility — patient benefit	
32	fund	No limit
33	Beloit juvenile correctional facility fee fund.....	No limit
34	Beloit juvenile correctional facility — elementary and sec-	
35	ondary education fund — federal.....	No limit
36	Beloit juvenile correctional facility — canteen fund.....	No limit
37	Beloit juvenile correctional facility — patient benefit	
38	fund	No limit
39	Larned juvenile correctional facility fee fund.....	No limit
40	Larned juvenile correctional facility — canteen fund.....	No limit
41	Larned juvenile correctional facility — patient benefit	
42	fund	No limit
43	Kansas juvenile correctional complex fee fund.....	No limit

1	Kansas juvenile correctional complex — elementary and	
2	secondary education fund — federal	No limit
3	Kansas juvenile correctional complex — canteen fund	No limit
4	Kansas juvenile correctional complex — patient benefit	
5	fund	No limit

6 (d) On July 1, 2004, or as soon thereafter as moneys are available, the
7 director of accounts and reports shall transfer \$90,000 from the alcohol
8 and drug abuse block grant federal fund of the department of social and
9 rehabilitation services to the juvenile justice federal fund of the juvenile
10 justice authority.

11 (e) On July 1, 2004, or as soon thereafter as moneys are available, the
12 director of accounts and reports shall transfer \$47,135 from the alcohol
13 and drug abuse block grant federal fund of the department of social and
14 rehabilitation services to the juvenile justice federal fund — Beloit ju-
15 venile correctional facility of the juvenile justice authority.

16 (f) During the fiscal year ending June 30, 2005, the commissioner of
17 juvenile justice, with the approval of the director of the budget, may
18 transfer any part of any item of appropriation for the fiscal year ending
19 June 30, 2005, from the state general fund for the juvenile justice au-
20 thority or any juvenile correctional facility or institution under the general
21 supervision and management of the commissioner of juvenile justice to
22 another item of appropriation for fiscal year 2005 from the state general
23 fund for the juvenile justice authority or any juvenile correctional facility
24 or institution under the general supervision and management of the com-
25 missioner of juvenile justice. The commissioner of juvenile justice shall
26 certify each such transfer to the director of accounts and reports and shall
27 transmit a copy of each such certification to the director of the legislative
28 research department.

29 (g) In addition to the other purposes for which expenditures may be
30 made by the juvenile justice authority from the juvenile detention facili-
31 ties fund for fiscal year 2005, notwithstanding the provisions of K.S.A. 79-
32 4803 and amendments thereto, the juvenile justice authority is hereby
33 authorized and directed to make expenditures from the juvenile detention
34 facilities fund for fiscal year 2005 for purchase of services.

35 (h) On July 1, 2004, or as soon thereafter as moneys are available,
36 notwithstanding the provisions of K.S.A. 2003 Supp. 79-4803 and amend-
37 ments thereto or any other statute, the director of accounts and reports
38 shall transfer \$300,000 from the juvenile detention facilities fund to the
39 state general fund: *Provided*, That the amount transferred from the ju-
40 venile detention facilities fund to the state general fund pursuant to this
41 subsection is to reimburse the state general fund for accounting, auditing,
42 budgeting, legal, payroll, personnel and purchasing services and any other
43 governmental services which are performed on behalf of the juvenile

1 justice authority by other state agencies which receive appropriations
2 from the state general fund to provide such services.
3 Sec. 52.

4 ADJUTANT GENERAL

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

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

12 Civil air patrol — operating expenditures..... \$26,278
13 2002 ice storm disaster relief..... \$53,470

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

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 Conversion of materials and equipment fund — military
23 division No limit

24 Training and support of title III — federal fund No limit

25 Emergency management — federal fund matching —
26 equipment fund No limit

27 Emergency management — federal fund matching — ad-
28 ministration fund..... No limit

29 Emergency management — RADEF instrument — main-
30 tenance — federal fund..... No limit

31 State disaster coordination — federal fund..... No limit

32 Emergency management — nuclear civil protection —
33 federal fund..... No limit

34 Payment of death, disability, and medical benefit claims
35 fund No limit

36 Expenses under national guard mutual assistance compact
37 fund No limit

38 Nuclear safety emergency management fee fund No limit

39 Military fees fund — federal No limit

40 *Provided*, That all moneys received by the adjutant general from the fed-
41 eral government for reimbursement for expenditures made under agree-
42 ments with the federal government shall be deposited in the state treasury
43 and credited to the military fees fund.

1	Homeland security federal fund	No limit
2	State emergency fund allocation — flood relief fund	No limit
3	Emergency management — fee fund	No limit
4	Armories and units general fees fund	No limit
5	Emergency management — disaster fund — federal	
6	fund	No limit
7	Civil air patrol — grants and contributions — federal	
8	fund	No limit
9	Emergency management performance grant (EMPG) —	
10	federal fund.....	No limit
11	EMPG terrorism consequence management preparedness	
12	grant (TCMPA) — federal fund	No limit
13	NG — federal forfeiture fund	No limit
14	Inaugural expense fund	No limit
15	Emergency management indirect cost fee fund	No limit
16	Sec. 53.	

STATE FIRE MARSHAL

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

24 Fire marshal fee fund \$3,147,865

25 *Provided*, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$500.

27 Other federal grants fund No limit

28 *Provided*, That the above agency is authorized to make expenditures from the other federal grants fund of any moneys credited to this fund from any individual grant if the grant is: (1) Less than or equal to \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2005 other than moneys appropriated by this or other appropriation act of the 2004 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$250,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year.

40 Gifts, grants and donations fund No limit

41 Hazardous material program fund..... \$408,331

42 Hazardous materials emergency fund..... \$250,000

43 *Provided*, That expenditures may be made by the state fire marshal from

1 the hazardous materials emergency fund for fiscal year 2005 for the pur-
2 poses of responding to specific incidences of emergencies related to haz-
3 ardous materials without prior approval of the state finance council: *Pro-*
4 *vided, however,* That expenditures from the hazardous materials
5 emergency fund during fiscal year 2005 for the purposes of responding
6 to any specific incidence of an emergency related to hazardous materials
7 without prior approval by the state finance council shall not exceed
8 \$25,000, except upon approval by the state finance council acting on this
9 matter which is hereby characterized as a matter of legislative delegation
10 and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-
11 3711c and amendments thereto, except that such approval also may be
12 given while the legislature is in session.

13 (b) On July 1, 2004, and January 1, 2005, or as soon after each such
14 date as moneys are available, the director of accounts and reports shall
15 transfer \$171,891 from the fire marshal fee fund to the hazardous ma-
16 terials program fund of the state fire marshal.

17 (c) During the fiscal year ending June 30, 2005, the director of the
18 budget and the director of the legislative research department shall con-
19 sult periodically and review the balance credited to and the estimated
20 receipts to be credited to the fire marshal fee fund during fiscal year
21 2005, and, upon a finding by the director of the budget in consultation
22 with the director of the legislative research department that the total of
23 the unencumbered balance and estimated receipts to be credited to the
24 fire marshal fee fund during fiscal year 2005 are insufficient to fund the
25 budgeted expenditures and transfers from the fire marshal fee fund for
26 fiscal year 2005 in accordance with the provisions of appropriation acts,
27 the director of the budget shall certify such finding to the director of
28 accounts and reports. Upon receipt of any such certification, the director
29 of accounts and reports shall transfer the amount of moneys from the
30 hazardous materials emergency fund to the fire marshal fee fund that is
31 required, in accordance with the certification by the director of the
32 budget under this subsection, to fund the budgeted expenditures and
33 transfers from the fire marshal fee fund for the remainder of fiscal year
34 2005 in accordance with the provisions of appropriation acts, as specified
35 by the director of the budget pursuant to such certification.

36 (d) On June 1, 2005, or as soon after each such date as moneys are
37 available, notwithstanding the provisions of K.S.A. 2003 Supp. 75-1514
38 and amendments thereto or of any other statute, the director of accounts
39 and reports shall transfer \$500,000 from the fire marshal fee fund of the
40 state fire marshal to the state general fund: *Provided,* That the transfer
41 of each such amount shall be in addition to any other transfer from the
42 fire marshal fee fund to the state general fund as prescribed by law:
43 *Provided further,* That the amount transferred from the fire marshal fee

1 fund of the state fire marshal to the state general fund pursuant to this
2 subsection is to reimburse the state general fund for accounting, auditing,
3 budgeting, legal, payroll, personnel and purchasing services and any other
4 governmental services which are performed on behalf of the state agency
5 involved by other state agencies which receive appropriations from the
6 state general fund to provide such services.

7 Sec. 54.

8 KANSAS PAROLE BOARD

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 Parole from adult correctional institutions..... \$433,043

12 *Provided*, That any unencumbered balance in the parole from adult cor-
13 rectional institutions account in excess of \$100 as of June 30, 2004, is
14 hereby reappropriated for fiscal year 2005.

15 Sec. 55.

16 KANSAS HIGHWAY PATROL

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

19 ***Operating expenditures \$30,688,004***

20 ***Provided, That any unencumbered balance in the operating expend-***
21 ***itures account in excess of \$100 as of June 30, 2004, is hereby reap-***
22 ***propriated for fiscal year 2005: Provided, however, That expendi-***
23 ***tures from such reappropriated balance shall be made only upon***
24 ***approval of the state finance council: Provided further, That expend-***
25 ***itures from this account for official hospitality shall not exceed***
26 ***\$3,000.***

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

32 General fees fund..... No limit

33 *Provided*, That all moneys received from the sale of used equipment,
34 recovery of and reimbursements for expenditures and any other source
35 of revenue shall be deposited in the state treasury and credited to the
36 general fees fund, except as otherwise provided by law: *Provided further*,
37 That the Kansas highway patrol shall deposit the proceeds from the sale
38 of personal sidearms to retiring troopers and other retiring sworn officers
39 of the Kansas highway patrol, which sales upon retirement are hereby
40 authorized, in the state treasury to the credit of this fund: *Provided, how-*
41 *ever*, That each such sale of a retiring sworn officer's personal sidearm
42 upon retirement shall be for an amount of not less than the replacement
43 cost of the sidearm: *And provided further*, That the Kansas highway patrol

1 is hereby authorized to sell and a trooper or other sworn officer of the
 2 Kansas highway patrol who resigns from the Kansas highway patrol to
 3 accept employment with a local, state or federal law enforcement agency
 4 is hereby authorized to purchase such trooper or other sworn officer's
 5 personal sidearm with a trigger lock upon resignation in the same manner
 6 as prescribed in this subsection for retiring troopers and sworn officers
 7 of the Kansas highway patrol for the amount equal to the total of the
 8 replacement cost of the sidearm plus the cost of the trigger lock: *And*
 9 *provided further*, That no sale of a personal sidearm shall be made to any
 10 trooper or sworn officer of the Kansas highway patrol upon resignation
 11 unless the superintendent of the Kansas highway patrol determines that
 12 the employment record and performance evaluations of each such
 13 trooper or sworn officer of the Kansas highway patrol is satisfactory: *And*
 14 *provided further*, That the Kansas highway patrol shall deposit the pro-
 15 ceeds from the sale of personal sidearms and trigger locks to such re-
 16 signing troopers and other sworn officers in the state treasury to the credit
 17 of this fund.

18 Homeland security — federal fund No limit
 19 For patrol of Kansas turnpike fund No limit

20 *Provided*, That expenditures shall be made from the for patrol of Kansas
 21 turnpike fund for necessary moving expenses in accordance with K.S.A.
 22 75-3225 and amendments thereto.

23 Highway patrol motor vehicle fund No limit
 24 Highway patrol — federal fund No limit
 25 Kansas highway patrol state forfeiture fund No limit
 26 Gifts and donations fund No limit
 27 Federal forfeiture fund No limit
 28 Motor carrier safety assistance program state fund No limit

29 *Provided*, That expenditures shall be made from the motor carrier safety
 30 assistance program state fund for necessary moving expenses in accord-
 31 ance with K.S.A. 75-3225 and amendments thereto.

32 Motor carrier safety assistance program — federal fund... No limit
 33 *Provided*, That expenditures shall be made from the motor carrier safety
 34 assistance program — federal fund for necessary moving expenses in ac-
 35 cordance with K.S.A. 75-3225 and amendments thereto.

36 COPS grant — federal fund..... No limit
 37 Highway patrol training center clearing fund..... No limit

38 *Provided*, That expenditures may be made from the highway patrol train-
 39 ing center clearing fund for use of the highway patrol training center by
 40 other state or local government agencies and not for profit organizations:

41 *Provided further*, That the superintendent of the Kansas highway patrol
 42 is hereby authorized to fix, charge and collect fees for recovery of costs
 43 associated with use of the highway patrol training center by other state

1 or local government agencies: *And provided further*, That such fees shall
 2 be fixed in order to recover all or part of the expenses incurred in pro-
 3 viding for the use of the highway patrol training center by other state or
 4 local government agencies: *And provided further*, That all fees received
 5 for use of the highway patrol training center by other state or local gov-
 6 ernment agencies shall be deposited in the state treasury and credited to
 7 this fund.

8 Highway safety fund No limit
 9 Capitol area security fund..... No limit

10 *Provided*, That the Kansas highway patrol and any state agency which is
 11 responsible for the operation of buildings in the capitol area are hereby
 12 authorized to negotiate contracts for building security services: *Provided*
 13 *further*, That any such contract shall provide for reimbursement of the
 14 Kansas highway patrol for services rendered pursuant to such contract
 15 and such reimbursement shall be credited to the capitol area security
 16 fund.

17 Vehicle identification number fee fund..... No limit
 18 Interagency motor vehicle fuel sales fund No limit

19 *Provided*, That expenditures may be made from the interagency motor
 20 vehicle fuel sales fund to provide and sell motor vehicle fuel to local
 21 governments and other state agencies: *Provided further*, That the super-
 22 intendent of the Kansas highway patrol is hereby authorized to fix, charge
 23 and collect fees for motor vehicle fuel sold to local governments and other
 24 state agencies: *And provided further*, That such fees shall be fixed in order
 25 to recover all or part of the expenses incurred in providing motor vehicle
 26 fuel sold to local governments and other state agencies: *And provided*
 27 *further*, That all fees received for such sales of motor vehicle fuel shall
 28 be credited to this fund.

29 Kansas highway patrol operations fund ~~\$44,390,515~~ **\$13,702,511**

30 *Provided*, That expenditures may be may be made from the Kansas high-
 31 way patrol operations fund for the purchase of civilian clothing for mem-
 32 bers of the Kansas highway patrol assigned to duties pursuant to K.S.A.
 33 74-2105 and amendments thereto: *Provided further*, That expenditures
 34 from this fund for official hospitality shall not exceed \$3,000: *And pro-*
 35 *vided further*, That the superintendent shall make expenditures from the
 36 Kansas highway patrol operations fund for necessary moving expenses in
 37 accordance with K.S.A. 75-3225 and amendments thereto.

38 Motor carrier inspection fund \$529,641

39 Highway patrol training center fund..... No limit

40 Executive aircraft fund..... No limit

41 *Provided*, That expenditures may be made from the executive aircraft
 42 fund to provide aircraft services to other state agencies and to purchase
 43 liability and property damage insurance for state aircraft: *Provided fur-*

1 *ther*, That the superintendent of the highway patrol is hereby authorized
 2 to fix, charge and collect fees for such aircraft services to other state
 3 agencies: *And provided further*, That such fees shall be fixed in order to
 4 recover all or part of the operating expenses incurred in providing such
 5 services: *And provided further*, That all fees received for such services
 6 shall be credited to this fund.

7 1122 program clearing fund..... No limit
 8 Special services fund..... \$266,516

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

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

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

23 ~~(e)~~ (f) On July 1, 2004, October 1, 2004, January 1, 2005, and April 1,
 24 2005, the director of accounts and reports shall transfer ~~\$11,097,628.75~~
 25 **\$3,425,627.75** from the state highway fund of the department of trans-
 26 portation to the Kansas highway patrol operations fund of the Kansas
 27 highway patrol for the purpose of financing the Kansas highway patrol
 28 operations.

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

34 ~~(g)~~ (h) On July 1, 2004, the director of accounts and reports shall
 35 transfer \$260,000 from the state highway fund of the department of trans-
 36 portation to the general fees fund of the Kansas highway patrol for the
 37 purpose of financing operating expenditures of the Kansas highway patrol.

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

42 ~~(i)~~ (j) On March 1, 2005, or as soon thereafter as moneys are available,
 43 notwithstanding the provisions of K.S.A. 74-2136 and amendments

1 thereto or any other statute, the director of accounts and reports shall
 2 transfer \$1,000,000 from the Kansas highway patrol motor vehicle fund
 3 to the state general fund: *Provided*, That the transfer of such amount shall
 4 be in addition to any other transfer from the Kansas state highway patrol
 5 vehicle fund to the state general fund as prescribed by law: *Provided*
 6 *further*, That the amount transferred from the Kansas highway patrol
 7 motor vehicle fund to the state general fund pursuant to this subsection
 8 is to reimburse the state general fund for accounting, auditing, budgeting,
 9 legal, payroll, personnel and purchasing service and other governmental
 10 services which are performed on behalf of the Kansas highway patrol by
 11 other agencies which receive appropriations from the state general fund
 12 to provide such services.

13 ***(k) On July 1, 2004, October 1, 2004, January 1, 2005, and April***
 14 ***1, 2005, the director of accounts and reports shall transfer***
 15 ***\$7,672,001 from the state highway fund of the department of trans-***
 16 ***portation to the state general fund. In addition to other purposes***
 17 ***for which expenditures may be made from the state highway fund***
 18 ***during fiscal year 2005 and notwithstanding the provisions of K.S.A.***
 19 ***68-416 and amendments thereto or any other statute transfers and***
 20 ***expenditures may be made from the state highway fund during fiscal***
 21 ***year 2005 for the support and maintenance of the Kansas highway***
 22 ***patrol.***

23 Sec. 56.

24 ATTORNEY GENERAL — KANSAS BUREAU OF
 25 INVESTIGATION

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	\$12,158,153
29 Operating expenditures — salaries and wages	\$10,468,373
30 Other operating expenditures	\$1,339,780

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 such
 34 reappropriated balance shall be made only upon approval of the state
 35 finance council: *Provided further*, That expenditures from this account
 36 for official hospitality shall not exceed \$750.

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 Kansas bureau of investigation state forfeiture fund.....	No limit
43 Kansas bureau of investigation federal forfeiture fund	No limit

1 Kansas bureau of investigation federal grants fund No limit
 2 *Provided*, That the above agency is authorized to make expenditures from
 3 the Kansas bureau of investigation federal grants fund of any moneys
 4 credited to this fund from any individual federal grant if the grant is less
 5 than or equal to \$500,000 in the aggregate and the grant does not require
 6 the matching expenditure of any moneys in the state treasury during the
 7 current or any ensuing fiscal year, other than moneys appropriated by
 8 this or other appropriation act of the 2004 regular session of the legisla-
 9 ture: *Provided, however*, That, upon application to and authorization by
 10 the governor, the above agency may make expenditures of moneys cred-
 11 ited to this fund from any individual federal grant which is more than
 12 \$500,000 in the aggregate or which requires the matching expenditure of
 13 moneys in the state treasury during the current or any ensuing fiscal year
 14 not appropriated by this or other appropriation act of the 2004 regular
 15 session of the legislature.

16 High intensity drug trafficking area — federal fund..... No limit
 17 Private detective fee fund..... \$52,624
 18 ***Kansas bureau of investigation motor vehicle fund.... \$350,000***
 19 Forensic laboratory and materials fee fund..... No limit
 20 *Provided*, That expenditures may be made from the forensic laboratory
 21 and materials fee fund for the acquisition of laboratory equipment and
 22 materials and for other direct or indirect operating expenditures for the
 23 forensic laboratory of the Kansas bureau of investigation incurred for
 24 laboratory tests conducted for noncriminal justice entities, including gov-
 25 ernmental agencies and private organizations, which testing activity is
 26 hereby authorized: *Provided, however*, That all expenditures from this
 27 fund of moneys received as Kansas bureau of investigation laboratory
 28 analysis fees pursuant to subsection (a) of K.S.A. 28-176 and amendments
 29 thereto shall be for the purposes authorized by subsection (c) of K.S.A.
 30 28-176 and amendments thereto: *Provided further*, That the director of
 31 the Kansas bureau of investigation is hereby authorized to fix, charge and
 32 collect fees for laboratory tests conducted for such noncriminal justice
 33 entities: *And provided further*, That such fees shall be fixed in order to
 34 recover all or part of the direct and indirect operating expenses incurred
 35 for conducting laboratory tests for such noncriminal justice entities: *And*
 36 *provided further*, That all fees received for such laboratory tests, including
 37 all moneys received pursuant to subsection (a) of K.S.A. 28-176 and
 38 amendments thereto shall be deposited in the state treasury and credited
 39 to this fund.

40 KBI general fees fund..... No limit
 41 *Provided*, That expenditures may be made from the KBI general fees
 42 fund for direct or indirect operating expenditures incurred for the follow-
 43 ing activities: (1) Conducting education and training classes for special

1 agents and other personnel, including official hospitality; (2) purchasing
2 illegal drugs, making contacts and acquiring information leading to illegal
3 drug outlets, contraband and stolen property, and conducting other ac-
4 tivities for similar investigatory purposes; (3) conducting investigations
5 and related activities for the Kansas lottery or the Kansas racing and
6 gaming commission; (4) conducting DNA forensic laboratory tests and
7 related activities; (5) preparing, publishing and distributing crime pre-
8 vention materials: *Provided, however,* That the director of the Kansas
9 bureau of investigation is hereby authorized to fix, charge and collect fees
10 in order to recover all or part of the direct and indirect operating expenses
11 incurred, except as otherwise hereinafter provided, for the following: (1)
12 Education and training services made available to local law enforcement
13 personnel in classes conducted for special agents and other personnel of
14 the Kansas bureau of investigation; (2) investigations and related activities
15 conducted for the Kansas lottery or the Kansas racing and gaming com-
16 mission, except that the fees fixed for these activities shall be fixed in
17 order to recover all of the direct and indirect expenses incurred for such
18 investigations and related activities; (3) DNA forensic laboratory tests and
19 related activities; (4) sale and distribution of crime prevention materials:
20 *Provided further,* That all fees received for such activities shall be de-
21 posited in the state treasury and credited to this fund: *And provided*
22 *further,* That all moneys which are expended for any such evidence pur-
23 chase, information acquisition or similar investigatory purpose or activity
24 from whatever funding source and which are recovered shall be deposited
25 in the state treasury and credited to this fund: *And provided further,* That
26 all moneys received as gifts, grants or donations for the preparation, pub-
27 lication or distribution of crime prevention materials shall be deposited
28 in the state treasury to the credit of this fund: *And provided further,* That
29 expenditures from any moneys received from the division of alcoholic
30 beverage control and credited to the KBI general fees fund may be made
31 by the Kansas bureau of investigation for all purposes for which expend-
32 itures may be made for operating expenditures.

33 Record check fee fund..... No limit

34 *Provided,* That the director of the Kansas bureau of investigation is au-
35 thorized to fix, charge and collect fees in order to recover all or part of
36 the direct and indirect operating expenses for criminal history record
37 checks conducted for noncriminal justice entities including government
38 agencies and private organizations: *Provided, however,* That all moneys
39 received for such fees shall be deposited in the state treasury and credited
40 to the record check fee fund: *Provided further,* That expenditures from
41 the record check fee fund may be made only for the expenses of con-
42 ducting criminal history record checks.

43 **(c) On July 1, 2004, the director of accounts and reports shall**

1 **transfer \$350,000 from the state general fund to the Kansas bureau**
2 **of investigation motor vehicle fund for the purpose of acquiring and**
3 **selling motor vehicles for the Kansas bureau of investigation.**

4 Sec. 57.

5 EMERGENCY MEDICAL SERVICES BOARD

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

11 Rural health options grant fund.....	No limit
12 Rural access to emergency devices grant — federal	
13 fund	No limit
14 Emergency medical services operating fund	\$959,301 \$1,034,301

15 *Provided*, That the emergency medical services board is hereby author-
16 ized to fix, charge and collect fees in order to recover costs incurred for
17 distributing educational videos, replacing lost educational materials and
18 mailing labels of those licensed by the board: *Provided further*, That such
19 fees may be fixed in order to recover all or part of such costs: *And pro-*
20 *vided further*, That all moneys received from such fees shall be deposited
21 in the state treasury and credited to the emergency medical services op-
22 erating fund: *And provided further*, That expenditures from the emer-
23 gency medical services operating fund for the operating costs of the emer-
24 gency medical services board shall not exceed \$843,051: *And provided*
25 *further*, That expenditures from the emergency medical services oper-
26 ating fund shall not exceed \$116,250 to provide additional funding to the
27 regional councils: *And provided further*, That, notwithstanding any pro-
28 visions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of
29 any other statute to the contrary, all moneys received by the emergency
30 medical services board for fees authorized by law for licensure or the
31 issuance of permits, or for any other regulatory duties and functions pre-
32 scribed by law in the field of emergency medical services, shall be de-
33 posited in the state treasury to the credit of the emergency medical serv-
34 ices operating fund of the emergency medical services board: *And*
35 *provided further*, That expenditures from the emergency medical services
36 operating fund for official hospitality shall not exceed \$1,000.

37 (b) On July 1, 2004, or as soon thereafter as moneys are available,
38 notwithstanding the provisions of K.S.A. 2003 Supp. 75-1514 and amend-
39 ments thereto or of any other statute, the director of accounts and reports
40 shall transfer ~~\$500,000~~ **[\$425,000]** from the emergency medical services
41 operating fund to the state general fund: *Provided*, That the transfer of
42 such amount shall be in addition to any other transfer from the emergency
43 medical services operating fund to the state general fund as prescribed

1 by law: *Provided further*, That the amount transferred from the emer-
 2 gency medical services operating fund to the state general fund pursuant
 3 to this subsection is to reimburse the state general fund for accounting,
 4 auditing, budgeting, legal, payroll, personnel and purchasing services and
 5 any other governmental services which are performed on behalf of the
 6 emergency medical services board by other state agencies which receive
 7 appropriations from the state general fund to provide such services.

8 (c) On December 1, 2004, and June 1, 2005, or as soon thereafter as
 9 moneys are available, notwithstanding the provisions of K.S.A. 2003 Supp.
 10 75-1514 and amendments thereto or of any other statute, the director of
 11 accounts and reports shall transfer \$250,000 from the emergency medical
 12 services operating fund to the state general fund: *Provided*, That the
 13 transfer of such amount shall be in addition to any other transfer from
 14 the emergency medical services operating fund to the state general fund
 15 as prescribed by law: *Provided further*: That the amount transferred from
 16 the emergency medical services operating fund to the state general fund
 17 pursuant to this subsection is to reimburse the state general fund for
 18 accounting, auditing, budgeting, legal, payroll, personnel and purchasing
 19 services and any other governmental services which are performed on
 20 behalf of the emergency medical services board by other state agencies
 21 which receive appropriations from the state general fund to provide such
 22 services.

23 Sec. 58.

24 KANSAS SENTENCING COMMISSION

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 \$543,098

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.

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

32 *Provided*, That any unencumbered balance in the substance abuse treat-
 33 ment programs account in excess of \$100 as of June 30, 2004, is hereby
 34 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 other than refunds authorized by law
 39 shall not exceed the following:

40 General fees fund..... No limit

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

42

43

1 Sec. 59.

2 KANSAS DEPARTMENT OF AGRICULTURE

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 \$9,563,094

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 such
9 reappropriated balance shall be made only upon approval of the state
10 finance council: *Provided further*, That expenditures may be made from
11 this account for expenses incurred in holding the annual meeting: *And*
12 *provided further*, That expenditures from this account for official hospi-
13 tality shall not exceed \$5,000: *And provided further*, That the above
14 agency may negotiate and enter into contracts to carry out its functions
15 at the annual meeting: *And provided further*, That such contracts shall
16 not be subject to the competitive bid requirements of K.S.A. 75-3739 and
17 amendments thereto.

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 Dairy fee fund	No limit
24 Meat and poultry inspection fee fund.....	No limit
25 Wheat quality survey fund	No limit
26 Entomology fee fund	No limit
27 Laboratory equipment fund	No limit
28 Water structures — state highway fund	\$93,856
29 Soil amendment fee fund	No limit
30 Agricultural liming materials fee fund.....	No limit
31 Weights and measures fee fund.....	No limit
32 Water appropriation certification fund.....	\$551,684
33 Water resources cost fund	No limit

34 *Provided*, That all moneys received by the secretary of agriculture from
35 any governmental or nongovernmental source to implement the provi-
36 sions of the Kansas water banking act, K.S.A. 2003 Supp. 82a-761 through
37 82a-773 and amendments thereto, which are hereby authorized to be
38 applied for and received, shall be deposited in the state treasury to the
39 credit of the water resources cost fund.

40 Agriculture seed fee fund	No limit
41 Chemigation fee fund	No limit
42 Agriculture statistics fund	No limit
43 Petroleum inspection fee fund	No limit

1	Water transfer hearing fund.....	No limit
2	Grain commodity commission services fund	No limit
3	Kansas agricultural remediation board fund.....	No limit
4	Kansas agricultural remediation fund.....	No limit
5	Warehouse fee fund.....	No limit
6	U.S. geological survey cooperative gauge agreement grants	
7	fund	No limit
8	<i>Provided</i> , That the secretary of agriculture is hereby authorized to enter	
9	into a cooperative gauge agreement with the United States geological	
10	survey: <i>Provided further</i> , That all moneys collected for the construction	
11	or operation of river water intake gauges shall be deposited in the state	
12	treasury and credited to the U.S. geological survey cooperative gauge	
13	agreement grants fund: <i>And provided further</i> , That expenditures may be	
14	made from this fund to pay the costs incurred in the construction or	
15	operation of river water intake gauges.	
16	Computer services fund	No limit
17	Agricultural chemical fee fund.....	No limit
18	Feeding stuffs fee fund	No limit
19	Fertilizer fee fund	No limit
20	Plant pest emergency response fund	No limit
21	Pesticide use fee fund.....	No limit
22	Geographic information system fee fund.....	No limit
23	Egg fee fund	No limit
24	Water structures fund	\$209,402
25	Meat and poultry inspection fund — federal	No limit
26	EPA pesticide performance partnership grant fund	No limit
27	FEMA dam safety fund.....	No limit
28	FEMA stream mapping fund	No limit
29	Pest detection and survey — federal fund.....	No limit
30	USDA NASS postage fund	No limit
31	FDA tissue residue fund — federal	No limit
32	Conversion of materials and equipment fund	No limit
33	Publications fee fund	No limit
34	<i>Provided</i> , That expenditures may be made from the publications fee fund	
35	for operating expenditures related to preparation and publication of “In-	
36	sects in Kansas”: <i>Provided further</i> , That, notwithstanding the provisions	
37	of K.S.A. 75-1005 and amendments thereto to the contrary, the secretary	
38	of agriculture is hereby authorized to enter into a contract with a com-	
39	mercial publisher for the printing, distribution and sale of the publication	
40	“Insects in Kansas”: <i>And provided further</i> , That the secretary of agricul-	
41	ture is hereby authorized to collect fees from such commercial publisher	
42	pursuant to contract with the publisher for the sale of the publication:	
43	<i>And provided further</i> , That the secretary of agriculture is hereby author-	

1 ized to receive and accept grants, gifts, donations or funds from any non-
2 federal source for the printing, publication and distribution of “Insects in
3 Kansas”: *And provided further*, That all moneys received from such fees
4 or for such grants, gifts, donations or other funds received for such pur-
5 pose, shall be deposited in the state treasury and credited to this fund.
6 Other federal grants fund No limit
7 *Provided*, That, the above agency is authorized to make expenditures from
8 the other federal grants fund of any moneys credited to this fund from
9 any individual grant if the grant is: (1) Less than or equal to \$250,000 in
10 the aggregate, and (2) does not require the matching expenditure of any
11 moneys in the state treasury during fiscal year 2005 other than moneys
12 appropriated by this or other appropriation act of the 2004 regular session
13 of the legislature: *Provided, however*, That, upon application to and au-
14 thorization by the governor, the above agency may make expenditures of
15 moneys credited to this fund from any individual federal grant which is
16 more than \$250,000 in the aggregate or which requires the matching
17 expenditure of moneys in the state treasury during fiscal year 2005, other
18 than moneys appropriated by this or other appropriation act of the 2004
19 regular session of the legislature: *Provided further*, That no grant for the
20 farmers’ assistance, counseling and training program shall be deposited
21 to the credit of this fund.
22 Civil litigation fee fund..... No limit
23 *Provided*, That the above agency is authorized to make expenditures from
24 the civil litigation fee fund for costs or other expenses associated with
25 investigation and litigation regarding fraudulent meat sales: *Provided fur-*
26 *ther*, That a portion of the moneys received by the state from fines and
27 other moneys collected as a result of the settlement of fraudulent meat
28 sales cases, as determined by the secretary of agriculture and the attorney
29 general, shall be deposited in the state treasury to the credit of this fund
30 by the attorney general.
31 Information technology fund..... No limit
32 (c) There is appropriated for the above agency from the state water
33 plan fund for the fiscal year ending June 30, 2005, for the water plan
34 project or projects specified, the following:
35 Floodplain management \$66,852
36 Interstate water issues..... \$248,859
37 Subbasin water resources management..... \$477,826
38 Water appropriation subprogram \$71,302
39 *Provided*, That, notwithstanding the provisions of K.S.A. 82a-951 and
40 amendments thereto, all moneys in the water appropriation subprogram
41 account of the state water plan fund shall be expended for salaries and
42 wages, including associated employer contributions.
43 Water use..... \$60,018

1 (d) During the fiscal year ending June 30, 2005, the secretary of agri-
2 culture, with the approval of the director of the budget, may transfer any
3 part of any item of appropriation for fiscal year 2005 from the state water
4 plan fund for the Kansas department of agriculture to another item of
5 appropriation for fiscal year 2005 from the state water plan fund for the
6 Kansas department of agriculture: *Provided*, That the secretary of agri-
7 culture shall certify each such transfer to the director of accounts and
8 reports and shall transmit a copy of each such certification to the director
9 of the legislative research department.

10 (e) On July 1, 2004, the director of accounts and reports shall transfer
11 \$88,259 from the state highway fund of the department of transportation
12 to the water structures — state highway fund of the Kansas department
13 of agriculture.

14 ***(f) There is appropriated for the Kansas department of agricul-***
15 ***ture from the state water plan fund for the fiscal year ending June***
16 ***30, 2005, from amounts first released from amounts encumbered by***
17 ***the Kansas department of agriculture, the department of health and***
18 ***environment, the state conservation commission, the Kansas water***
19 ***office, or any other state agency from the state water plan fund, or***
20 ***any account thereof, the amount of \$110,447 for the water appro-***
21 ***priation subprogram of the state water plan fund of the Kansas de-***
22 ***partment of agriculture.***

23 Sec. 60. (a) In addition to the other purposes for which expenditures
24 may be made by the Kansas department of agriculture from moneys ap-
25 propriated from the state general fund or any special revenue funds for
26 fiscal year 2005 for the Kansas department of agriculture as authorized
27 by this or other appropriation act of the 2004 regular session of the leg-
28 islatre, expenditures shall be made by the Kansas department of agri-
29 culture from moneys appropriated from the state general fund or any
30 special revenue funds for fiscal year 2005, in addition to other statutory
31 implementation requirements of the meat and poultry inspection sub-
32 program of the Kansas department of agriculture, to: (1) Continue pro-
33 cedures to provide for annual or updated training for authorized repre-
34 sentatives and inspectors of the meat and poultry inspection subprogram
35 and to allow the owners of facilities regulated under the meat and poultry
36 inspection subprogram to attend and participate at the annual training
37 workshop for the meat and poultry inspection subprogram; and (2) make
38 available to such owners and other interested persons an inspection hand-
39 book describing the duties and responsibilities of such authorized rep-
40 resentatives and inspectors of the meat and poultry inspection subpro-
41 gram.

42 (b) In addition to the other purposes for which expenditures may be
43 made by the Kansas department of agriculture and Kansas state university

1 from moneys appropriated from the state general fund or any special
 2 revenue funds for fiscal year 2005 for the Kansas department of agricul-
 3 ture and Kansas state university as authorized by this or other appropri-
 4 ation act of the 2004 regular session of the legislature, expenditures shall
 5 be made by the Kansas department of agriculture and Kansas state uni-
 6 versity from moneys appropriated from the state general fund or any
 7 special revenue funds for fiscal year 2005 to provide technical assistance
 8 to the department of commerce to update a marketing handbook that
 9 shall include, in addition to other information and strategies, (1) methods
 10 to facilitate the development and marketing of Kansas-grown meat prod-
 11 ucts with meat products producers and with owners of facilities selling or
 12 providing value-added services to meat products, (2) methods to promote
 13 sales of Kansas meat products, and (3) a listing of resource contact infor-
 14 mation.

15 (c) In addition to the other purposes for which expenditures may be
 16 made by the department of commerce from moneys appropriated from
 17 the state general fund or any special revenue funds for fiscal year 2005
 18 for the department of commerce as authorized by this or other appropri-
 19 ation act of the 2004 regular session of the legislature, expenditures
 20 shall be made by the department of commerce from moneys appropriated
 21 from the state general fund or any special revenue funds for fiscal year
 22 2005 to conduct a survey of other state or regional programs that offer
 23 marketing ideas and strategies to assist small meat locker owners in Kan-
 24 sas and shall make the information derived from the survey available to
 25 such meat locker owners.

26 Sec. 61.

27 KANSAS ANIMAL HEALTH DEPARTMENT

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 \$572,345

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 such
 34 reappropriated balance shall be made only upon approval of the state
 35 finance council.

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

41 Animal disease control fund..... No limit

42 *Provided*, That expenditures from the animal disease control fund for
 43 official hospitality shall not exceed \$450.

1 Animal dealers fee fund No limit
 2 *Provided*, That expenditures from the animal dealers fee fund for official
 3 hospitality shall not exceed \$300.
 4 Veterinary inspection fee fund..... No limit
 5 Livestock market brand inspection fee fund No limit
 6 Livestock brand fee fund..... No limit
 7 *Provided*, That expenditures from the livestock brand fee fund for official
 8 hospitality shall not exceed \$250.
 9 Livestock brand emergency revolving fund..... No limit
 10 County option brand fee fund No limit
 11 Livestock and pseudorabies indemnity fund No limit
 12 Legal services fund..... No limit
 13 *Provided*, That all moneys received by the animal health department from
 14 other state agencies pursuant to one or more interagency agreements for
 15 the provision of legal services, which agreements are hereby authorized
 16 and directed to be entered into, shall be credited to the legal services
 17 fund: *Provided further*, That all expenditures from the legal services fund
 18 shall be for contractual legal services to be provided to the animal health
 19 department and such other state agencies pursuant to such interagency
 20 agreements.

21 Sec. 62.

22 STATE FAIR BOARD

23 (a) There is appropriated for the above agency from the following special
 24 revenue fund or funds for the fiscal year ending June 30, 2005, all
 25 moneys now or hereafter lawfully credited to and available in such fund
 26 or funds, except that expenditures, other than refunds authorized by law
 27 and remittances of sales tax to the department of revenue, shall not exceed
 28 the following:

29 State fair fee fund No limit
 30 *Provided*, That expenditures from the state fair fee fund for official hos-
 31 pitality shall not exceed \$10,000.
 32 State fair federal transfer fund No limit
 33 State fair special cash fund No limit
 34 State fair debt service special revenue fund..... No limit

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

37 State fair debt service \$655,133

38 Sec. 63.

39 STATE CONSERVATION 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 \$592,127

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.

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 other than refunds authorized by law
7 shall not exceed the following:

8 Land reclamation fee fund.....	No limit
9 Riparian & wetland areas project — federal fund.....	No limit
10 Watershed protect approach/WTR RSRCE MGT fund....	No limit
11 Conversion of materials and equipment fund	No limit
12 Buffer participation incentive fund.....	No limit
13 Riparian participation incentive fund.....	No limit
14 Environmental improvement incentives fund.....	No limit
15 Kansas natural resource legacy alliance fund.....	No limit

16 *Provided*, That all moneys received by the state conservation commission
17 pursuant to agreements entered into with the other state agencies having
18 powers, duties and functions relating to the goals and priorities which
19 may be developed and included in the vision to be developed by the
20 Kansas natural resource legacy alliance pursuant to K.S.A. 2003 Supp. 2-
21 1922 and amendments thereto for utilizing the state’s natural resources,
22 which agreements are hereby authorized to be entered into by the state
23 conservation commission and such other state agencies, shall be deposited
24 in the state treasury to the credit of the Kansas natural resource legacy
25 alliance fund: *Provided further*, That all moneys received by the state
26 conservation commission for gifts, grants or donations for the Kansas nat-
27 ural resource legacy alliance, which are hereby authorized to be received
28 on behalf of the Kansas natural resource legacy alliance, shall be deposited
29 in the state treasury to the credit of this fund.

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 following water
32 plan project or projects specified, the following:

33 Land treatment cost share	\$3,495,218
------------------------------------	-------------

34 *Provided*, That any unencumbered balance in the land treatment cost
35 share account in excess of \$100 as of June 30, 2004, is hereby reappro-
36 priated for fiscal year 2005: *Provided further*, That expenditures from the
37 land treatment cost share account shall be for cost-sharing grants for
38 construction of enduring water conservation structures on privately and
39 publicly owned land in conservation districts which are needed for de-
40 velopment and improvement of the quality and quantity of Kansas water
41 resources: *And provided further*, That an amount of not to exceed
42 \$2,720,000 of the initial allocation among conservation districts for such
43 grants for fiscal year 2005 shall be on the basis of allocating 60% of the

1 amount equally among all conservation districts and allocating 40% of the
 2 amount to be initially allocated proportionally among all conservation dis-
 3 tricts on the basis of an index composed of the measurement of nonfed-
 4 eral rural acreage, erosion potential and rainfall in all conservation dis-
 5 tricts, as determined by the state conservation commission: *And provided*
 6 *further*, That the balance of the initial allocation for such grants for fiscal
 7 year 2005 shall be allocated to conservation districts on a priority basis,
 8 as determined by the state conservation commission and the provisions
 9 of the state water plan: *And provided further*, That expenditures from
 10 this account for contractual technical expertise shall not exceed the
 11 amount equal to 6% of the approved budget amount for fiscal year 2005
 12 for the land treatment cost share programs account.

13 Nonpoint source pollution assistance..... \$2,799,520

14 *Provided*, That any unencumbered balance in the nonpoint source pol-
 15 lution assistance account in excess of \$100 as of June 30, 2004, is hereby
 16 reappropriated for fiscal year 2005.

17 Conservation district aid..... \$1,043,000

18 *Provided*, That any unencumbered balance in the conservation district
 19 aid account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 20 for fiscal year 2005.

21 Watershed dam construction..... \$352,499

22 *Provided*, That any unencumbered balance in the watershed dam con-
 23 struction account in excess of \$100 as of June 30, 2004, is hereby reap-
 24 propriated for fiscal year 2005: *Provided further*, That expenditures from
 25 the watershed dam construction account are hereby authorized for en-
 26 gineering contracts for watershed planning as determined by the state
 27 conservation commission: *Provided, however*, That expenditures from
 28 this account for such engineering contracts for watershed planning shall
 29 not exceed \$50,000.

30 Kansas water quality buffer initiatives..... \$307,157

31 *Provided*, That any unencumbered balance in the Kansas water quality
 32 buffer initiatives account in excess of \$100 as of June 30, 2004, is hereby
 33 reappropriated for fiscal year 2005: *Provided further*, That all expendi-
 34 tures from the Kansas water quality buffer initiatives account shall be for
 35 grants or incentives to install water quality best management practices
 36 under the governor’s water quality initiative: *And provided further*, That
 37 such expenditures may be made from this account from the approved
 38 budget amount for fiscal year 2005 in accordance with contracts, which
 39 are hereby authorized to be entered into by the executive director of the
 40 state conservation commission on behalf of the commission, for such
 41 grants or incentives: *Provided, however*, That expenditures from this ac-
 42 count for contractual educational and technical assistance for fiscal year
 43 2005 shall not exceed \$40,000.

1 Riparian and wetland program \$249,782
 2 *Provided*, That any unencumbered balance in the riparian and wetland
 3 program account in excess of \$100 as of June 30, 2004, is hereby reap-
 4 propriated for fiscal year 2005.

5 (d) During the fiscal year ending June 30, 2005, the executive director
 6 of the state conservation commission, with the approval of the director
 7 of the budget, may transfer any part of any item of appropriation for fiscal
 8 year 2005 from the state water plan fund for the state conservation com-
 9 mission to another item of appropriation for fiscal year 2005 from the
 10 state water plan fund for the state conservation commission: *Provided*,
 11 That the executive director of the state conservation commission shall
 12 certify each such transfer to the director of accounts and reports and shall
 13 transmit a copy of each such certification to the director of the legislative
 14 research department.

15 (e) On July 1, 2004, or as soon thereafter as moneys are available there-
 16 for, the director of accounts and reports shall transfer \$150,000 from the
 17 wildlife fee fund of the department of wildlife and parks to the buffer
 18 participation incentive fund of the state conservation commission.

19 ***(f) During the fiscal year ending June 30, 2005, the state conser-***
 20 ***vation commission is hereby authorized and directed to receive and***
 21 ***expend moneys from the federal government, or any other public or***
 22 ***private source, for the purpose of implementing a pilot program for***
 23 ***irrigation transition grants, subject to the provisions prescribed in***
 24 ***K.S.A. 2-1915 and 2-1919 and amendments thereto, with the con-***
 25 ***dition that there shall be no cost-share requirement for the state or***
 26 ***any local entity: Provided, That, in addition to the other purposes***
 27 ***for which expenditures may be made by the state conservation com-***
 28 ***mission from moneys appropriated from the state general fund or***
 29 ***any special revenue fund of the state conservation commission by***
 30 ***this or other appropriation act of the 2004 regular session of the***
 31 ***legislature, the state conservation commission shall make expendi-***
 32 ***tures from moneys appropriated from the state general fund or any***
 33 ***special revenue fund of the state conservation commission by this***
 34 ***or other appropriation act of the 2004 regular session of the legis-***
 35 ***lature to develop and adopt rules and regulations not later than***
 36 ***March 1, 2005, to implement such pilot program for irrigation tran-***
 37 ***sition grants: Provided further, That all water rights returned to the***
 38 ***state under the provisions of K.S.A. 2-1915 and amendments thereto***
 39 ***and such pilot program for irrigation transition grants shall be per-***
 40 ***manently dismissed by the chief engineer of the division of water***
 41 ***resources of the Kansas department of agriculture.***

42
 43

1 Sec. 64.

2 KANSAS WATER OFFICE

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 Water resources operating expenditures \$1,270,794

6 *Provided*, That any unencumbered balance in the water resources oper-
7 ating expenditures account in excess of \$100 as of June 30, 2004, is hereby
8 reappropriated for fiscal year 2005: *Provided, however*, That expenditures
9 from such reappropriated balance shall not exceed \$27,060 except upon
10 approval of the state finance council: *Provided further*, That expenditures
11 from this account for official hospitality shall not exceed \$250.

12 (b) 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 shall not exceed the following:

16 Conversion of materials and equipment fund No limit

17 Local water project match fund..... No limit

18 *Provided*, That all moneys received from local government entities and
19 instrumentalities to be used to match funds for water projects shall be
20 deposited in the state treasury to the credit of the local water project
21 match fund: *Provided further*, That all moneys credited to this fund shall
22 be used to match state funds for water projects using federal cost-share
23 funds.

24 Water supply storage assurance fund..... No limit

25 *Provided*, That any moneys deposited to the credit of the water supply
26 storage assurance fund which are received from a water assurance district
27 shall be credited to a separate subaccount: *Provided further*, That moneys
28 in such subaccounts may be transferred to the water marketing fund for
29 (1) payment to the federal government of annual capital costs of water
30 supply storage in federal reservoirs under the water assurance program
31 act, (2) payment and reimbursement to the water marketing fund for
32 water supply storage space previously paid for with revenue from the
33 water marketing fund, if such storage space has been transferred to the
34 water assurance program, (3) payment to the federal government of an-
35 nual operation, maintenance and repair costs associated with the water
36 supply storage space dedicated for the use of water assurance districts,
37 and (4) payment and reimbursement to the water marketing fund and
38 the state general fund for costs incurred by the state for the administration
39 and enforcement of applicable state laws governing the operations and
40 management of the water assurance program as provided in contracts
41 with water assurance districts: *And provided further*, That no additional
42 water supply storage space shall be purchased in Milford, Perry or Tuttle
43 Creek reservoirs during fiscal year 2005.

1	State conservation storage water supply fund.....	\$0
2	Water marketing fund.....	No limit
3	Federal grants and receipts fund	No limit
4	General fees fund.....	No limit
5	<i>Provided</i> , That expenditures may be made from the general fees fund for	
6	operating expenditures for the Kansas water office, including training and	
7	informational programs and official hospitality: <i>Provided further</i> , That the	
8	director of the Kansas water office is hereby authorized to fix, charge and	
9	collect fees for such programs: <i>And provided further</i> , That fees for such	
10	programs shall be fixed in order to recover all or part of the operating	
11	expenses incurred for such programs, including official hospitality: <i>And</i>	
12	<i>provided further</i> , That all fees received for such programs and all fees	
13	received for providing access to or for furnishing copies of public records	
14	shall be deposited in the state treasury and credited to this fund.	
15	Water conservation projects fund.....	\$0
16	Water plan projects fund.....	No limit
17	(c) There is appropriated for the above agency from the state water	
18	plan fund for the fiscal year ending June 30, 2005, for the state water	
19	plan project or projects specified, the following:	
20	Assessment and evaluation.....	\$108,511
21	<i>Provided, That any unencumbered balance in the assessment and</i>	
22	<i>evaluation account in excess of \$100 as of June 30, 2004, is hereby</i>	
23	<i>reappropriated for fiscal year 2005.</i>	
24	GIS data base development	\$247,405
25	<i>Provided</i> , That any unencumbered balance in the GIS data base devel-	
26	opment account in excess of \$100 as of June 30, 2004, is hereby reap-	
27	propriated for fiscal year 2005.	
28	MOU — storage operations and maintenance	\$450,151
29	<i>Provided</i> , That any unencumbered balance in the MOU — storage op-	
30	erations and maintenance account in excess of \$100 as of June 30, 2004,	
31	is hereby reappropriated for fiscal year 2005.	
32	PMIB loan payment for storage.....	\$240,036
33	Stream gauging program	\$378,878
34	Technical assistance to water users	\$180,131
35	Water planning process	\$313,205
36	Water resource education	\$29,690 \$39,690
37	Kansas water authority	\$37,384
38	<i>Any unencumbered balance in the federal cost-share programs ac-</i>	
39	<i>count in excess of \$100 as of June 30, 2004, is hereby reappropriated</i>	
40	<i>for fiscal year 2005.</i>	
41	(d) During the fiscal year ending June 30, 2005, the director of the	
42	Kansas water office, with approval of the director of the budget, may	
43	transfer any part of any item of appropriation for fiscal year 2005 from	

1 the state water plan fund for the Kansas water office to another item of
2 appropriation for fiscal year 2005 from the state water plan fund for the
3 Kansas water office: *Provided, however*, That the director of the Kansas
4 water office shall certify each such transfer to the director of accounts
5 and reports and shall transmit a copy of each such certification to the
6 director of the legislative research department.

7 (e) During the fiscal year ending June 30, 2005, the director of accounts
8 and reports shall transfer an amount or amounts specified by the director
9 of the Kansas water office from the state water plan fund to the water
10 plan projects fund of the Kansas water office, except that such transfers
11 shall only be made upon the approval of the director of the budget. The
12 director of the Kansas water office shall certify each such transfer to the
13 director of accounts and reports and shall transmit a copy of each such
14 certification to the director of legislative research department.

15 (f) During the fiscal year ending June 30, 2005, if it appears that the
16 resources are insufficient to meet in full the estimated expenditures as
17 they become due to meet the financial obligations imposed by law on the
18 water marketing fund of the Kansas water office as a result of a cash flow
19 shortfall, the pooled money investment board is authorized and directed
20 to loan to the director of the Kansas water office a sufficient amount or
21 amounts of moneys to maintain the cash flow of the water marketing fund
22 upon approval of each such loan by the state finance council acting on
23 this matter which is hereby characterized as a matter of legislative dele-
24 gation and subject to the guidelines prescribed in subsection (c) of K.S.A.
25 75-3711c and amendments thereto. No such loan shall be made unless
26 the terms thereof have been approved by the director of the budget. A
27 copy of the terms of each such loan shall be submitted to the director of
28 the legislative research department. The pooled money investment board
29 is authorized and directed to use any moneys in the operating accounts,
30 investment accounts or other investments of the state of Kansas to provide
31 the funds for each such loan. Each such loan shall be repaid without
32 interest within one year from the date of the loan.

33 (g) During the fiscal year ending June 30, 2005, if it appears that the
34 resources are insufficient to meet in full the estimated expenditures as
35 they become due to meet the financial obligations imposed by law on the
36 water marketing fund of the Kansas water office as a result of increases
37 in water rates, fees or charges imposed by the federal government, the
38 pooled money investment board is authorized and directed to loan to the
39 director of the Kansas water office a sufficient amount or amounts of
40 moneys to reimburse the water marketing fund for increases in water
41 rates, fees or charges imposed by the federal government and to allow
42 the Kansas water office to spread such increases to consumers over a
43 longer period, except that no such loan shall be made unless the terms

1 thereof have been approved by the state finance council acting on this
 2 matter which is hereby characterized as a matter of legislative delegation
 3 and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-
 4 3711c and amendments thereto. The pooled money investment board is
 5 authorized and directed to use any moneys in the operating accounts,
 6 investment accounts or other investments of the state of Kansas to provide
 7 the funds for each such loan. Each such loan shall bear interest at a rate
 8 equal to the net earnings rate for the pooled money investment portfolio
 9 at the time of the making of such loan. Such loan shall not be deemed to
 10 be an indebtedness or debt of the state of Kansas within the meaning of
 11 section 6 of article 11 of the constitution of the state of Kansas. Upon
 12 certification by the pooled money investment board by the director of the
 13 Kansas water office of the amount of each loan authorized pursuant to
 14 this subsection, the pooled money investment board shall transfer each
 15 such amount certified by the director of the Kansas water office from the
 16 state bank account or accounts to the water marketing fund of the Kansas
 17 water office. The principal and interest of each loan authorized pursuant
 18 to this subsection shall be repaid in payments payable at least annually
 19 for a period of not more than five years.

20 (h) During the fiscal year ending June 30, 2005, the director of accounts
 21 and reports shall transfer an amount or amounts specified by the director
 22 of the Kansas water office prior to April 1, 2005, from the water marketing
 23 fund to the state general fund, in accordance with the provisions of the
 24 state water plan storage act and amendments thereto and rules and reg-
 25 ulations adopted thereunder, for the purposes of making repayments to
 26 the state general fund for moneys advanced for annual capital cost pay-
 27 ments for water supply storage space in reservoirs and for administration
 28 and enforcement costs of the state associated with the state water plan
 29 storage act, and amendments thereto.

30 ***(i) There is appropriated for the above agency from the state ec-***
 31 ***onomic development initiatives fund for the fiscal year ending June***
 32 ***30, 2005, the following:***

33 ***Water resource education \$10,000***
 34 ***Sec. 65.***

35 DEPARTMENT OF WILDLIFE AND PARKS

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 \$2,732,319

39 *Provided*, That any unencumbered balance in the operating expenditures
 40 account in excess of \$100 as of June 30, 2004, is hereby reappropriated
 41 for fiscal year 2005: *Provided, however*, That expenditures from such
 42 reappropriated balance shall be made only upon approval of the state
 43 finance council: *Provided further*, That expenditures from this account

1 for official hospitality shall not exceed \$1,000.

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

7 Wildlife fee fund \$16,477,049
8 *Provided*, That additional expenditures may be made from the wildlife
9 fee fund for fiscal year 2005 for the purposes of compensating federal aid
10 program expenditures if necessary in order to comply with requirements
11 established by the United States fish and wildlife service for the utilization
12 of federal aid funds: *Provided further*, That all such expenditures shall be
13 in addition to any expenditure limitation imposed upon the wildlife fee
14 fund for fiscal year 2005: *And provided further*, That the secretary of
15 wildlife and parks shall report all such expenditures to the governor and
16 the legislature as appropriate: *And provided further*, That expenditures
17 from this fund for official hospitality shall not exceed \$1,000.

18 Parks fee fund \$6,726,465
19 *Provided*, That additional expenditures may be made from the parks fee
20 fund for fiscal year 2005 for the purposes of compensating federal aid
21 program expenditures if necessary in order to comply with requirements
22 established by the United States fish and wildlife service for the utilization
23 of federal aid funds: *Provided further*, That all such expenditures shall be
24 in addition to any expenditure limitation imposed upon the parks fee fund
25 for fiscal year 2005: *And provided further*, That the secretary of wildlife
26 and parks shall report all such expenditures to the governor and the leg-
27 islature as appropriate.

28 Boating fee fund \$736,406
29 *Provided*, That additional expenditures may be made from the boating
30 fee fund for fiscal year 2005 for the purposes of compensating federal aid
31 program expenditures if necessary in order to comply with requirements
32 established by the United States fish and wildlife service for the utilization
33 of federal aid funds: *Provided further*, That all such expenditures shall be
34 in addition to any expenditure limitation imposed upon the boating fee
35 fund for fiscal year 2005: *And provided further*, That the secretary of
36 wildlife and parks shall report all such expenditures to the governor and
37 the legislature as appropriate: *And provided further*, That expenditures
38 from this fund for official hospitality shall not exceed \$1,000.

39 Central aircraft fund No limit
40 *Provided*, That expenditures may be made by the above agency from the
41 central aircraft fund for aircraft operating expenditures, for aircraft main-
42 tenance and repair, to provide aircraft services to other state agencies,
43 and for the purchase of state aircraft insurance: *Provided further*, That

1 the secretary of wildlife and parks is hereby authorized to fix, charge and
 2 collect fees for the provision of aircraft services to other state agencies:
 3 *And provided further*, That such fees shall be fixed to recover all or part
 4 of the operating expenditures incurred in providing such services: *And*
 5 *provided further*, That all fees received for such services shall be credited
 6 to this fund.

7 Wildlife and parks nonrestricted fund.....	No limit
--	----------

8 *Provided*, That all moneys received under K.S.A. 32-990, 32-991, 32-992,
 9 32-993, 32-994 and 32-1173 and amendments thereto, other than moneys
 10 restricted by K.S.A. 32-990, 32-991, 32-992, 32-993, 32-994 and 32-1173
 11 and amendments thereto, shall be deposited in the state treasury and
 12 credited to the wildlife and parks nonrestricted fund: *Provided further*,
 13 That expenditures from this fund may be made for federal aid eligible
 14 expenditures at the discretion of the secretary of wildlife and parks.

15 Prairie spirit rails-to-trails fee fund.....	No limit
16 Nongame wildlife improvement fund	No limit
17 Wildlife conservation fund.....	No limit
18 Federally licensed wildlife areas fund.....	No limit
19 State agricultural production fund.....	No limit
20 Land and water conservation fund — state	No limit
21 Land and water conservation fund — local	No limit
22 Development and promotions fund.....	No limit
23 Department of wildlife and parks private gifts and dona-	
24 tions fund.....	No limit
25 Fish and wildlife restitution fund.....	No limit
26 Parks restitution fund.....	No limit
27 Nonfederal grants fund	No limit
28 Other federal grants fund	No limit

29 *Provided*, That the above agency is authorized to make expenditures from
 30 the other federal grants fund of any moneys credited to this fund from
 31 any individual grant if the grant is: (1) Less than or equal to \$750,000 in
 32 the aggregate, and (2) does not require the matching expenditure of any
 33 other moneys in the state treasury during fiscal year 2005 other than
 34 moneys appropriated by this or other appropriation act of the 2004 reg-
 35 ular session of the legislature: *Provided, however*, That, upon application
 36 to and authorization by the governor, the above agency may make ex-
 37 penditures of moneys credited to this fund from any individual federal
 38 grant which is more than \$750,000 in the aggregate or which requires the
 39 matching expenditure of moneys in the state treasury during the current
 40 or any ensuing fiscal year: *Provided further*, That, subject to the provisions
 41 of the other provisos prescribing guidelines for authority to make ex-
 42 penditures from the other federal grants fund, expenditures may be made
 43 from the other federal grants fund for capital improvements.

1	Suspense fund	No limit
2	Employee maintenance deduction clearing fund	No limit
3	Cabin revenue fund.....	No limit
4	Wildlife conservation fund — federal	No limit
5	Boating fund — federal.....	No limit
6	Wildlife fund — federal	No limit

7 (c) In addition to the other purposes for which expenditures may be
8 made by the department of wildlife and parks from the moneys appro-
9 priated in the parks fee fund for fiscal year 2005 as authorized by this or
10 other appropriation act of the 2004 regular session of the legislature,
11 expenditures may be made from the parks fee fund for fiscal year 2005
12 for operating expenditures and capital improvement projects for the pur-
13 poses of maintaining and repairing the Prairie Spirit rail trail in Allen,
14 Anderson and Franklin counties, including, but not limited to, the ex-
15 penses of operating of park equipment by employees of the department
16 of wildlife and parks that are assigned to the state park system.

17 Sec. 66.

18 DEPARTMENT OF TRANSPORTATION

19 (a) 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	State highway fund.....	No limit
24	<i>Provided</i> , That no expenditures may be made from the state highway fund	
25	other than for the purposes specifically authorized by this or other ap-	
26	propriation act.	
27	Special city and county highway fund.....	No limit
28	County equalization and adjustment fund	\$2,500,000
29	Highway special permits fund	No limit
30	Highway bond debt service fund	No limit
31	Rail service improvement fund.....	No limit
32	Transportation revolving fund	No limit
33	Rail service assistance program loan guarantee fund.....	No limit
34	Railroad rehabilitation loan guarantee fund	No limit

35 *Provided*, That expenditures from the railroad rehabilitation loan guar-
36 antee fund shall not exceed the amount which the secretary of transpor-
37 tation is obligated to pay during the fiscal year ending June 30, 2004, in
38 satisfaction of liabilities arising from the unconditional guarantee of pay-
39 ment which was entered into by the secretary of transportation in con-
40 nection with the mid-states port authority federally taxable revenue re-
41 funding bonds, series 1994, dated May 1, 1994, authorized by K.S.A.
42 12-3420 and amendments thereto and guaranteed pursuant to K.S.A. 75-
43 5031 and amendments thereto.

1 Interagency motor vehicle fuel sales fund No limit
 2 *Provided*, That expenditures may be made from the interagency motor
 3 vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas
 4 highway patrol: *Provided further*, That the secretary of transportation is
 5 hereby authorized to fix, charge and collect fees for motor vehicle fuel
 6 sold to the Kansas highway patrol: *And provided further*, That such fees
 7 shall be fixed in order to recover all or part of the expenses incurred in
 8 providing motor vehicle fuel to the Kansas highway patrol: *And provided*
 9 *further*, That all fees received for such sales of motor vehicle fuel shall
 10 be credited to this fund.
 11 Coordinated public transportation assistance fund..... No limit
 12 Public use general aviation airport development fund..... No limit
 13 Highway bond proceeds fund..... No limit
 14 (b) Expenditures may be made by the above agency for the fiscal year
 15 ending June 30, 2005, from the state highway fund for the following
 16 specified purposes: *Provided*, That expenditures from the state highway
 17 fund for fiscal year 2005 other than refunds authorized by law for the
 18 following specified purposes shall not exceed the limitations prescribed
 19 therefor as follows:
 20 Agency operations \$238,895,934
 21 *Provided*, That expenditures from the agency operations account of the
 22 state highway fund for official hospitality by the secretary of transporta-
 23 tion shall not exceed \$1,000: *Provided, however*, That expenditures may
 24 be made from this account for state aircraft insurance: *Provided further*,
 25 That expenditures may be made from this account for engineering serv-
 26 ices furnished to counties for road and bridge projects under K.S.A. 68-
 27 402e and amendments thereto.
 28 Conference fees No limit
 29 *Provided*, That the secretary of transportation is hereby authorized to fix,
 30 charge and collect conference, training and workshop attendance and
 31 registration fees for conferences, training seminars and workshops spon-
 32 sored or cosponsored by the department: *Provided further*, That such
 33 fees shall be deposited in the state treasury and credited to the conference
 34 fees account of the state highway fund: *And provided further*, That ex-
 35 penditures may be made from this account to defray all or part of the
 36 costs of the conferences, training seminars and workshops.
 37 Substantial maintenance No limit
 38 Claims No limit
 39 Payments for city connecting links \$3,360,000
 40 Federal local aid programs..... No limit
 41 Pre-1992 bond services fees..... No limit
 42 Construction, remodeling and special maintenance pro-
 43 jects for buildings \$4,635,671

1 *Provided*, That expenditures may be made from the construction, re-
 2 modeling and special maintenance projects for buildings account of the
 3 state highway fund of amounts in unexpended balances as of June 30,
 4 2004, in capital improvement project accounts of projects approved for
 5 prior fiscal years: *Provided further*, That expenditures from this account
 6 of amounts in such unexpended balances shall be in addition to any ex-
 7 penditure limitation imposed on this account for fiscal year 2005.

8 Other capital improvements..... No limit
 9 *Provided*, That the secretary of transportation is authorized to undertake
 10 a program to assist cities and counties with railroad crossings of roads not
 11 on the state highway system.

12 (c) On April 1, 2005, the director of accounts and reports shall transfer
 13 from the motor pool service fund of the department of administration to
 14 the state highway fund of the department of transportation an amount
 15 determined to be equal to the sum of the annual vehicle registration fees
 16 for each vehicle owned or leased by the state or any state agencies in
 17 accordance with K.S.A. 75-4611 and amendments thereto.

18 (d) During the fiscal year ending June 30, 2005, upon notification from
 19 the secretary of transportation that an amount is due and payable from
 20 the railroad rehabilitation loan guarantee fund, the director of accounts
 21 and reports shall transfer from the state highway fund to the railroad
 22 rehabilitation loan guarantee fund the amount certified by the secretary
 23 as due and payable.

24 (e) Any transfer of money or payment for services during the fiscal year
 25 ending June 30, 2005, from the state highway fund to other state agencies
 26 shall be in addition to any expenditure limitation imposed on the state
 27 highway fund for the fiscal year ending June 30, 2005.

28 (f) For the fiscal year ending June 30, 2005, the department of trans-
 29 portation shall prepare and submit along with the documents required
 30 under K.S.A. 75-3717 and amendments thereto additional documents
 31 that present the revenues, transfers, and expenditures that are considered
 32 to be in support of the comprehensive transportation program authorized
 33 by K.S.A. 68-2314a *et seq.*, and amendments thereto: *Provided*, That doc-
 34 uments shall include both reportable as well as nonreportable and off-
 35 budget items that reflect the revenues, transfers and expenditures asso-
 36 ciated with the comprehensive transportation program.

37 (g) *Kansas savings incentive program.* (1) In addition to other expend-
 38 itures authorized by law, expenditures may be made from the agency
 39 operations account of the state highway fund appropriated by this act for
 40 the fiscal year ending June 30, 2005, by the department of transportation
 41 for the following purposes: (A) Salary bonus payments and the cost of
 42 non-monetary awards in accordance with the provisions of K.S.A. 2003
 43 Supp. 75-37,105 and amendments thereto, (B) purchase or other acqui-

1 sition of technology equipment which was included in the budget esti-
2 mates for fiscal year 2005 submitted by the state agency pursuant to
3 K.S.A. 75-3717 and amendments thereto, and (C) professional develop-
4 ment training including official hospitality: *Provided*, That all such ex-
5 penditures from such fund for fiscal year 2005 shall be in addition to any
6 expenditure limitation imposed on the agency operations account of the
7 state highway fund for fiscal year 2005: *Provided, however*, That the total
8 amount of such expenditures from the agency operations account of the
9 state highway fund for fiscal year 2005 shall not exceed the amount equal
10 to 50% of the unexpended portion of the amount authorized to be ex-
11 pended from the agency operations account of the state highway fund for
12 fiscal year 2004 for agency operations, as determined by the director of
13 accounts and reports: *Provided further*, That the total cost of all such
14 non-monetary awards to any individual employee during fiscal year 2005
15 under this subsection shall not exceed \$3,500: *And provided further*, That
16 the total amount of any salary bonus payments to any individual employee
17 during fiscal year 2005 pursuant to subsection (g)(1)(A) of K.S.A. 2003
18 Supp. 75-37,105 and amendments thereto shall not exceed \$3,500: *And*
19 *provided further*, That the provisions of this subsection (g)(1) shall apply
20 only to: (A) That portion of the moneys in the agency operations account
21 of the state highway fund from which expenditures may be made for
22 agency operations, and (B) shall not include that portion of moneys which
23 may be expended for other operating expenses in the regular maintenance
24 subprogram.

25 (2) Any unencumbered balance in excess of \$100 as of June 30, 2004,
26 in any account of any special revenue fund of the department of trans-
27 portation, which was appropriated by subsection (h)(2) of section 84 of
28 chapter 138 of the 2003 Session Laws of Kansas and which is not other-
29 wise specifically appropriated or limited by this or other appropriation act
30 of the 2004 regular session of the legislature, is hereby appropriated for
31 the fiscal year ending June 30, 2005, for the purposes authorized in sub-
32 section (g)(1) of this section. All expenditures from any such account of
33 any such special revenue fund shall be in addition to any expenditure
34 limitation imposed on such special revenue fund for the fiscal year ending
35 June 30, 2005.

36 (3) No salary bonus payment paid pursuant to this subsection (g) during
37 fiscal year 2005 shall be compensation, within the meaning of K.S.A. 74-
38 4901 *et seq.*, and amendments thereto, for any purpose under the Kansas
39 public employees retirement system and shall not be subject to deduc-
40 tions for employee contributions thereunder. Each salary bonus payment
41 paid under this section shall be a bonus, as defined by 29 C.F.R. 778, and
42 shall be in addition to the regular earnings which that employee may be
43 entitled or for which the employee may become eligible.

1 Sec. 67. *Position limitations.* (a) The number of full-time and regular
2 part-time positions equated to full-time, excluding seasonal and tempo-
3 rary positions, paid from appropriations for the fiscal year ending June
4 30, 2005, made in this or other appropriation act of the 2004 regular
5 session of the legislature for the following agencies shall not exceed the
6 following, except upon approval of the state finance council or pursuant
7 to subsection (b):

8 Attorney General.....	94.5
9 Secretary of State	54.0
10 State Treasurer	55.5
11 Insurance Department.....	146.7
12 <i>Provided</i> , That any attorney positions established in the insurance de- 13 partment for the purpose of defense of the workers compensation fund 14 shall be in addition to any limitation imposed on the full-time and regular 15 part-time equivalent number of positions, excluding seasonal and tem- 16 porary positions, paid from appropriations made for fiscal year 2005 for 17 the department of insurance.	
18 Department of Commerce.....	108.5
19 Health Care Stabilization Fund Board of Governors.....	16.0
20 Judicial Council.....	4.0
21 Kansas Human Rights Commission.....	36.0
22 State Corporation Commission.....	212.0
23 Citizens' Utility Ratepayer Board.....	5.0
24 Department of Administration	808.0
25 State Board of Tax Appeals.....	26.0
26 Department of Revenue.....	1,196.0
27 Kansas Lottery.....	87.0
28 Kansas Racing and Gaming Commission — state racing 29 operations	43.0
30 Kansas Racing and Gaming Commission — state gaming 31 agency	24.0
32 Department of Human Resources	938.4 940.4
33 Kansas Commission on Veterans Affairs.....	557.8
34 Department of Health and Environment — Division of 35 Health	409.0
36 Department of Health and Environment — Division of 37 Environment	485.0
38 Department on Aging	213.0
39 Department of Social and Rehabilitation Services	3,981.5
40 Kansas Neurological Institute.....	588.2
41 Larned State Hospital	707.2 726.2
42 Osawatomie State Hospital	398.6
43 Parsons State Hospital and Training Center	467.2

1	Rainbow Mental Health Facility	115.2
2	Kansas, Inc.	4.0
3	Kansas Guardianship Program.....	12.0
4	State Library.....	27.0
5	Kansas Arts Commission	8.0
6	Kansas State School for the Blind	93.5
7	Kansas State School for the Deaf.....	173.5
8	State Historical Society	136.5
9	State Board of Regents	55.0
10	Department of Corrections.....	3,126.0
11	Juvenile Justice Authority	636.0
12	Adjutant General.....	215.0
13	State Fire Marshal.....	49.0
14	Kansas Parole Board.....	3.0
15	Kansas Highway Patrol.....	823.8
16	Attorney General — Kansas Bureau of Investigation	200.0
17	Emergency Medical Services Board	13.0
18	Kansas Sentencing Commission.....	7.0
19	Kansas Department of Agriculture.....	296.5
20	Kansas Animal Health Department.....	31.0
21	State Fair Board.....	23.0
22	State Conservation Commission.....	15.5
23	Kansas Water Office	22.5
24	Department of Wildlife and Parks	406.5
25	Department of Transportation.....	3,247.5

26 (b) During the fiscal year ending June 30, 2005, the secretary of social
 27 and rehabilitation services may increase the position limitation for the
 28 department of social and rehabilitation services or for any institution or
 29 facility under the general supervision and management of the secretary
 30 of social and rehabilitation services by making a corresponding decrease
 31 in the position limitation for either the department of social and rehabil-
 32 itation services or any institution or facility under the general supervision
 33 and management of the secretary of social and rehabilitation services.
 34 The secretary of social and rehabilitation services shall certify each such
 35 increase and corresponding decrease to the director of personnel services
 36 of the department of administration and shall transmit a copy of each
 37 such certification to the legislative research department and the division
 38 of the budget.

39 (c) During the fiscal year ending June 30, 2005, any full-time and reg-
 40 ular part-time positions of the Kansas highway patrol that are for capitol
 41 area police officers and capitol area security guards, that are assigned to
 42 security for state-owned and controlled properties located in Shawnee
 43 county under contracts with other state agencies shall be in addition to

1 any limitation on the number of full-time and regular part-time positions
2 equated to full-time, excluding seasonal and temporary positions, paid
3 from appropriations for the Kansas highway patrol for fiscal year 2005,
4 made in this or other appropriation act of the 2004 regular session of the
5 legislature: *Provided*, That the Kansas highway patrol shall prepare and
6 submit a report on all such positions assigned to provide security under
7 such contracts to the legislative budget committee prior to the 2005 reg-
8 ular session of the legislature.

9 (d) During the fiscal year ending June 30, 2005, the secretary of social
10 and rehabilitation services may authorize the total number of full-time
11 and regular part-time positions equated to full-time, excluding seasonal
12 and temporary positions, for the department of social and rehabilitation
13 services that are paid from appropriations for department of social and
14 rehabilitation services for fiscal year 2005 made in this or other approp-
15 riation act of the 2004 regular session of the legislature, to temporarily
16 exceed the limitation on the number of full-time and regular part-time
17 positions equated to full-time, excluding seasonal and temporary posi-
18 tions, established for fiscal year 2005 for the department of social and
19 rehabilitation services so long as the total number of full-time and regular
20 part-time positions equated to full-time, excluding seasonal and tempo-
21 rary positions, for the department of social and rehabilitation services does
22 not exceed such limitation as of June 30, 2004. The secretary of social
23 and rehabilitation services shall certify each such authorization to the
24 director of personnel services of the department of administration and
25 shall transmit a copy of each such certification to the legislative research
26 department and the division of the budget.

27 (e) During the fiscal year ending June 30, 2005, the attorney general
28 may authorize full-time non-FTE unclassified permanent positions and
29 regular part-time non-FTE unclassified permanent positions, for the Kan-
30 sas bureau of investigation that are paid from appropriations for the at-
31 torney general — Kansas bureau of investigation for fiscal year 2005 made
32 in this or other appropriation act of the 2004 regular session of the leg-
33 isature, which shall be in addition to the number of full-time and regular
34 part-time positions equated to full-time, excluding seasonal and tempo-
35 rary positions, authorized for fiscal year 2005 for the attorney general —
36 Kansas bureau of investigation. The attorney general shall certify each
37 such authorization for non-FTE unclassified permanent positions for the
38 Kansas bureau of investigation to the director of personnel services of the
39 department of administration and shall transmit a copy of each such cer-
40 tification to the legislative research department and the division of the
41 budget.

42 Sec. 68. *Kansas savings incentive program.* (a) In addition to other
43 expenditures authorized by law, expenditures may be made from any

1 account of the state general fund reappropriated by this act for the fiscal
2 year ending June 30, 2005, for any state agency named in this act for the
3 following purposes: (1) Salary bonus payments and the cost of non-mon-
4 etary awards in accordance with the provisions of K.S.A. 2003 Supp. 75-
5 37,105 and amendments thereto, (2) purchase or other acquisition of
6 technology equipment which was included in the budget estimates for
7 fiscal year 2005 submitted by the state agency pursuant to K.S.A. 75-3717
8 and amendments thereto, and (3) professional development training in-
9 cluding official hospitality: *Provided, however*, That the total of all such
10 expenditures from such account of the state general fund for fiscal year
11 2005 shall not exceed the amount equal to 50% of the amount of the
12 unencumbered balance as of June 30, 2004, in such account of the state
13 general fund that is reappropriated for fiscal year 2005 and that is in
14 excess of the amount authorized to be expended for fiscal year 2005 from
15 such reappropriated balance, as determined by the director of accounts
16 and reports: *Provided further*, That the total cost of all such non-monetary
17 awards to any individual employee during fiscal year 2005 that are paid
18 under this subsection plus any amount paid for such awards under sub-
19 section (b) shall not exceed \$3,500: *And provided further*, That the total
20 amount of any salary bonus payments to any individual employee pursuant
21 to subsection (g)(1)(A) of K.S.A. 2003 Supp. 75-37,105 and amendments
22 thereto during fiscal year 2005 that are paid under subsection (b) or this
23 subsection shall not exceed \$3,500: *And provided further*, That the pro-
24 visions of this subsection shall apply only to that portion of any such
25 account from which expenditures may be made for state operations: *And*
26 *provided further*, That all such expenditures from the reappropriated bal-
27 ance in any such account for the fiscal year 2005 shall be in addition to
28 any expenditure limitation imposed on expenditures from the reapprop-
29 riated balance in any such account for fiscal year 2005.

30 (b) In addition to other expenditures authorized by law, expenditures
31 may be made from any special revenue fund appropriated by this act for
32 the fiscal year ending June 30, 2005, for a state agency named in this act
33 for the following purposes: (1) Salary bonus payments and the cost of
34 non-monetary awards in accordance with the provisions of K.S.A. 2003
35 Supp. 75-37,105 and amendments thereto, (2) purchase or other acqui-
36 sition of technology equipment which was included in the budget esti-
37 mates for fiscal year 2005 submitted by the state agency pursuant to
38 K.S.A. 75-3717 and amendments thereto, and (3) professional develop-
39 ment training including official hospitality: *Provided*, That all such ex-
40 penditures from such fund for fiscal year 2005 shall be in addition to any
41 expenditure limitation imposed on such fund or any account thereof for
42 fiscal year 2005: *Provided, however*, That the total amount of such ex-
43 penditures from such fund for fiscal year 2005 shall not exceed the

1 amount equal to 50% of the unexpended portion of the amount author-
2 ized to be expended from such fund for fiscal year 2004 for state opera-
3 tions, as determined by the director of accounts and reports, or, in the
4 case of no limit appropriations, as determined by the director of the
5 budget: *Provided further*, That the total cost of all such non-monetary
6 awards to any individual employee during fiscal year 2005 that are paid
7 under this subsection plus any amount paid for such awards under sub-
8 section (a) shall not exceed \$3,500: *And provided further*, That the total
9 amount of any such salary bonus payments to any individual employee
10 pursuant to subsection (g)(1)(A) of K.S.A. 2003 Supp. 75-37,105 and
11 amendments thereto during fiscal year 2005 that are paid under subsec-
12 tion (a) or this subsection shall not exceed \$3,500: *And provided further*,
13 That the provisions of this subsection shall apply only to: (1) That portion
14 of the moneys in each account of a special revenue fund from which
15 portion expenditures may be made for state operations, and (2) that por-
16 tion of the moneys in a special revenue fund, that does not have any such
17 accounts specified in this or other appropriation act, from which portion
18 expenditures may be made for state operations.

19 (c) (1) Any unencumbered balance in excess of \$100 as of June 30,
20 2004, in any account of the state general fund of any state agency named
21 in this act, which was reappropriated by subsection (c)(1) of section 86
22 of chapter 138 of the 2003 Session Laws of Kansas and which is not
23 otherwise specifically appropriated or limited by this or other appropri-
24 ation act of the 2004 regular session of the legislature, is hereby reappro-
25 priated for the fiscal year ending June 30, 2005, and may be expended
26 for the purposes authorized in subsections (a) and (b).

27 (2) Any unencumbered balance in excess of \$100 as of June 30, 2004,
28 in any account of any special revenue fund of any state agency named in
29 this act, which was appropriated by subsection (c)(2) of section 86 of
30 chapter 138 of the 2003 Session Laws of Kansas and which is not other-
31 wise specifically appropriated or limited by this or other appropriation act
32 of the 2004 regular session of the legislature, is hereby appropriated for
33 the fiscal year ending June 30, 2005, and may be expended for the pur-
34 poses authorized or specified in subsections (a) and (b). All expenditures
35 from any such account of any such special revenue fund shall be in ad-
36 dition to any expenditure limitation imposed on such special revenue fund
37 for fiscal year 2005.

38 (d) No salary bonus payment paid pursuant to this section during fiscal
39 year 2005 shall be compensation, within the meaning of K.S.A. 74-4901
40 *et seq.*, and amendments thereto, for any purpose under the Kansas public
41 employees retirement system and shall not be subject to deductions for
42 employee contributions thereunder. Each salary bonus payment paid un-
43 der this section shall be a bonus, as defined by 29 C.F.R. 778, and shall

1 be in addition to the regular earnings which that employee may be enti-
2 tled or for which the employee may become eligible.

3 (e) The provisions of this section shall not apply to any state agency
4 named in section 22 of chapter 138 of the 2003 Session Laws of Kansas
5 or to the department of transportation.

6 Sec. 69. (a) In addition to the other purposes for which expenditures
7 may be made by the governor's department from the governor's depart-
8 ment account of the state general fund for the fiscal year ending June 30,
9 2005, expenditures shall be made by the governor's department from the
10 governor's department account of the state general fund for fiscal year
11 2005 for an additional amount of biweekly compensation for the governor
12 equal to the amount required to provide, along with the amount of bi-
13 weekly compensation otherwise payable, an aggregate amount of com-
14 pensation of \$3,895.42 per biweekly pay period for each biweekly pay
15 period commencing on or after June 6, 2004, which is chargeable to fiscal
16 year 2005: *Provided*, That all expenditures under this subsection (a) for
17 such purposes shall be made in the same manner and at the same times
18 that biweekly compensation is payable to the governor for the biweekly
19 pay periods which commence on or after June 6, 2004, and which are
20 chargeable to fiscal year 2005.

21 (b) In addition to the other purposes for which expenditures may be
22 made by the lieutenant governor from the operations account of the state
23 general fund for the fiscal year ending June 30, 2005, expenditures shall
24 be made by the lieutenant governor from the operations account of the
25 state general fund for fiscal year 2005 for an additional amount of bi-
26 weekly compensation for the lieutenant governor equal to the amount
27 required to provide, along with the amount of biweekly compensation
28 otherwise payable, an aggregate amount of compensation of \$1,101.81
29 per biweekly pay period for each biweekly pay period commencing on or
30 after June 6, 2004, which is chargeable to fiscal year 2005: *Provided*, That
31 all expenditures under this subsection (b) for such purposes shall be made
32 in the same manner and at the same times that biweekly compensation
33 is payable to the lieutenant governor for the biweekly pay periods which
34 commence on or after June 6, 2004, and which are chargeable to fiscal
35 year 2005.

36 (c) In addition to the other purposes for which expenditures may be
37 made by the secretary of state from the operating expenditures account
38 of the state general fund and one or more special revenue funds for the
39 fiscal year ending June 30, 2005, expenditures shall be made by the sec-
40 retary of state from the operating expenditures account of the state gen-
41 eral fund and one or more special revenue funds for fiscal year 2005 for
42 an additional amount of biweekly compensation for the secretary of state
43 equal to the amount required to provide, along with the amount of bi-

1 weekly compensation otherwise payable, an aggregate amount of com-
2 pensation of \$3,026.16 per biweekly pay period for each biweekly pay
3 period commencing on or after June 6, 2004, which is chargeable to fiscal
4 year 2005: *Provided*, That all expenditures under this subsection (c) for
5 such purposes shall be made in the same manner and at the same times
6 that biweekly compensation is payable to the secretary of state for the
7 biweekly pay periods which commence on or after June 6, 2004, and
8 which are chargeable to fiscal year 2005.

9 (d) In addition to the other purposes for which expenditures may be
10 made by the attorney general from the operating expenditures account
11 of the state general fund for the fiscal year ending June 30, 2005, ex-
12 penditures shall be made by the attorney general from the operating
13 expenditures account of the state general fund for fiscal year 2005 for an
14 additional amount of biweekly compensation for the attorney general
15 equal to the amount required to provide, along with the amount of bi-
16 weekly compensation otherwise payable, an aggregate amount of com-
17 pensation of \$3,480.00 per biweekly pay period for each biweekly pay
18 period commencing on or after June 6, 2004, which is chargeable to fiscal
19 year 2005: *Provided*, That all expenditures under this subsection (d) for
20 such purposes shall be made in the same manner and at the same times
21 that biweekly compensation is payable to the attorney general for the
22 biweekly pay periods which commence on or after June 6, 2004, and
23 which are chargeable to fiscal year 2005.

24 (e) In addition to the other purposes for which expenditures may be
25 made by the state treasurer from one or more special revenue funds for
26 the fiscal year ending June 30, 2005, expenditures shall be made by the
27 state treasurer from one or more special revenue funds for fiscal year
28 2005 for an additional amount of biweekly compensation for the state
29 treasurer equal to the amount required to provide, along with the amount
30 of biweekly compensation otherwise payable, an aggregate amount of
31 compensation of \$3,026.16 per biweekly pay period for each biweekly pay
32 period commencing on or after June 6, 2004, which is chargeable to fiscal
33 year 2005: *Provided*, That all expenditures under this subsection (e) for
34 such purposes shall be made in the same manner and at the same times
35 that biweekly compensation is payable to the state treasurer for the bi-
36 weekly pay periods which commence on or after June 6, 2004, and which
37 are chargeable to fiscal year 2005.

38 (f) In addition to the other purposes for which expenditures may be
39 made by the insurance department from the insurance department serv-
40 ice regulation fund for the fiscal year ending June 30, 2005, expenditures
41 shall be made by the insurance department from the insurance depart-
42 ment service regulation fund for fiscal year 2005 for an additional amount
43 of biweekly compensation for the commissioner of insurance equal to the

1 amount required to provide, along with the amount of biweekly compen-
2 sation otherwise payable, an aggregate amount of compensation of
3 \$3,026.16 per biweekly pay period for each biweekly pay period com-
4 mencing on or after June 6, 2004, which is chargeable to fiscal year 2005:
5 *Provided*, That all expenditures under this subsection (f) for such pur-
6 poses shall be made in the same manner and at the same times that
7 biweekly compensation is payable to the commissioner of insurance for
8 the biweekly pay periods which commence on or after June 6, 2004, and
9 which are chargeable to fiscal year 2005.

10 (g) (1) In addition to the other purposes for which expenditures may
11 be made by each state agency from appropriations made for the fiscal
12 year ending June 30, 2005, expenditures shall be made by each state
13 agency from the appropriations made for fiscal year 2005 for an additional
14 amount of per diem compensation equal to the amount required to pro-
15 vide, along with the amount of per diem compensation otherwise payable,
16 an aggregate amount of compensation of \$81.11 per calendar day for each
17 member of a board for any calendar day occurring on or after June 6,
18 2004, for which per diem compensation is payable to such member of a
19 board under K.S.A. 75-3212 or 75-3223 and amendments thereto at the
20 rate prescribed by subsection (a) of K.S.A. 46-137a and amendments
21 thereto and is chargeable to fiscal year 2005: *Provided*, That all expend-
22 itures under this subsection (g) for such purposes shall be made in the
23 same manner and at the same times that per diem compensation is pay-
24 able to such member of a board for the biweekly pay periods for which
25 such per diem compensation for calendar days occurring on or after June
26 6, 2004, is payable and which are chargeable to fiscal year 2005.

27 (2) As used in this subsection (g), (A) “state agency” means any state
28 agency of the executive branch of state government (i) which has appro-
29 priations made for the fiscal year ending June 30, 2005, by this act or any
30 other appropriation act of the 2004 regular session of the legislature, and
31 (ii) which is, or which makes expenditures for, any board; and

32 (B) “board” means any board, commission, committee, task force,
33 panel or other body in the executive branch of state government, includ-
34 ing any advisory body, having one or more members who are entitled to
35 receive per diem compensation for attendance at meetings of such body,
36 or attendance at meetings authorized by such body of a subcommittee or
37 other subsidiary group of such body, as provided in K.S.A. 75-3212 or
38 75-3223 and amendments thereto at the rate prescribed by subsection (a)
39 of K.S.A. 46-137a and amendments thereto.

40 (h) In addition to the other purposes for which expenditures may be
41 made by the Kansas turnpike authority for the period commencing June
42 6, 2004, and ending June 30, 2005, expenditures shall be made by the
43 Kansas turnpike authority for such period for an additional amount of per

1 diem compensation equal to the amount required to provide, along with
2 the amount of per diem compensation otherwise payable, an aggregate
3 amount of compensation of \$81.11 per calendar day for each member of
4 the Kansas turnpike authority for any calendar day occurring on or after
5 June 6, 2004, for which per diem compensation is payable to such mem-
6 ber of the Kansas turnpike authority under K.S.A. 68-2004 and amend-
7 ments thereto who is entitled, in accordance with K.S.A. 75-3223 and
8 amendments thereto, to receive such per diem compensation as provided
9 in K.S.A. 75-3212 and amendments thereto at the rate prescribed by
10 subsection (a) of K.S.A. 46-137a and amendments thereto and is charge-
11 able to fiscal year 2005: *Provided*, That all expenditures under this sub-
12 section (h) for such purposes shall be made in the same manner and at
13 the same times that per diem compensation is payable to such member
14 of the Kansas turnpike authority for the appropriate pay periods for which
15 such per diem compensation for calendar days occurring on or after June
16 6, 2004, and prior to July 1, 2005, is payable by the Kansas turnpike
17 authority.

18 (i) In addition to the other purposes for which expenditures may be
19 made by the legislature from the operations (including official hospitality)
20 account of the state general fund for the fiscal year ending June 30, 2005,
21 expenditures shall be made by the legislature from the operations (in-
22 cluding official hospitality) account of the state general fund for fiscal year
23 2005:

24 (1) For an additional amount of per diem compensation equal to the
25 amount required to provide, along with the amount of per diem com-
26 pensation otherwise payable, an aggregate amount of compensation of
27 \$81.11 per calendar day for each member of the legislature for service at
28 the regular session or any special session of the legislature for any calendar
29 day occurring on or after June 6, 2004, which is chargeable to fiscal year
30 2005; and

31 (2) for an additional amount of per diem compensation equal to the
32 amount required to provide, along with the amount of per diem com-
33 pensation otherwise payable, an aggregate amount of compensation of
34 \$81.11 per calendar day for each member of the legislature and for any
35 other public officer or person for any calendar day occurring on or after
36 June 6, 2004, for which per diem compensation is payable from appro-
37 priations for the legislature to such member of the legislature, public
38 officer or person under K.S.A. 75-3212 or 75-3223 and amendments
39 thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and
40 amendments thereto and is chargeable to fiscal year 2005: *Provided*, That
41 all expenditures under this subsection (i) 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 legislature, public officials and persons

1 for the biweekly pay periods for which such per diem compensation for
2 calendar days occurring on or after June 6, 2004, is payable and which
3 are chargeable to fiscal year 2005.

4 (j) In addition to the other purposes for which expenditures may be
5 made by the legislature from the operations (including official hospitality)
6 account of the state general fund for the fiscal year ending June 30, 2005,
7 expenditures shall be made by the legislature from the operations (in-
8 cluding official hospitality) account of the state general fund for fiscal year
9 2005 for an additional amount of biweekly compensation for the following
10 legislative officers equal to the amount required to provide, along with
11 the amount of biweekly compensation otherwise payable, an aggregate
12 amount of compensation per biweekly pay period for such legislative of-
13 ficers as follows:

14 (1) For the president of the senate and the speaker of the house of
15 representatives equal to the amount required to provide an aggregate
16 amount of \$493.99 per biweekly pay period for services performed in
17 connection with discharging the duties assigned to the respective posi-
18 tions for each biweekly pay period commencing on or after June 6, 2004,
19 which is chargeable to fiscal year 2005;

20 (2) for the speaker pro tem of the house of representatives, the vice
21 president of the senate, the assistant majority leaders of the senate and
22 house of representatives, and the assistant minority leaders of the senate
23 and house of representatives equal to the amount required to provide an
24 aggregate amount of \$252.13 per biweekly pay period for services per-
25 formed in connection with discharging the duties assigned to the respec-
26 tive positions for each biweekly pay period commencing on or after June
27 6, 2004, which is chargeable to fiscal year 2005;

28 (3) for the chairperson of the senate committee on ways and means
29 and the chairperson of the house of representatives committee on appro-
30 priations equal to the amount required to provide an aggregate amount
31 of \$397.26 per biweekly pay period for services performed in connection
32 with discharging the duties assigned to the respective positions for each
33 biweekly pay period commencing on or after June 6, 2004, which is
34 chargeable to fiscal year 2005;

35 (4) for the majority leaders of the senate and house of representatives
36 equal to the amount required to provide an aggregate amount of \$445.66
37 per biweekly pay period for services performed in connection with dis-
38 charging the duties assigned to the respective positions for each biweekly
39 pay period commencing on or after June 6, 2004, which is chargeable to
40 fiscal year 2005; and

41 (5) for the minority leaders of the senate and house of representatives
42 equal to the amount required to provide an aggregate amount of \$445.66
43 per biweekly pay period for services performed in connection with dis-

1 charging the duties assigned to the respective positions for each biweekly
2 pay period commencing on or after June 6, 2004, which is chargeable to
3 fiscal year 2005: *Provided*, That all expenditures under this subsection (j)
4 for such purposes shall be made in the same manner and at the same
5 times that biweekly compensation is payable to such legislative officers
6 under K.S.A. 46-137b and amendments thereto for the biweekly pay per-
7 iods which commence on or after June 6, 2004, and which are chargeable
8 to fiscal year 2005.

9 (k) In addition to the other purposes for which expenditures may be
10 made by the legislative coordinating council from the legislative coordi-
11 nating council — operations account of the state general fund for the
12 fiscal year ending June 30, 2005, expenditures shall be made by the leg-
13 islative coordinating council from the legislative coordinating council —
14 operations account of the state general fund for fiscal year 2005 for an
15 additional amount of per diem compensation equal to the amount re-
16 quired to provide, along with the amount of per diem compensation oth-
17 erwise payable, an aggregate amount of compensation of \$81.11 per cal-
18 endar day for each member of the legislative coordinating council for any
19 calendar day occurring on or after June 6, 2004, for which per diem
20 compensation is payable from appropriations for the legislative coordi-
21 nating council under K.S.A. 46-1209 and amendments thereto to such
22 member as provided in K.S.A. 75-3212 and amendments thereto at the
23 rate prescribed by subsection (a) of K.S.A. 46-137a and amendments
24 thereto, and which is chargeable to fiscal year 2005: *Provided*, That all
25 expenditures under this subsection (k) for such purposes shall be made
26 in the same manner and at the same times that per diem compensation
27 is payable to such members of the legislative coordinating council for the
28 biweekly pay periods for which such per diem compensation is payable
29 for calendar days occurring on or after June 6, 2004, and which are
30 chargeable to fiscal year 2005.

31 (l) In addition to the other purposes for which expenditures may be
32 made by the division of post audit from the operations (including legis-
33 lative post audit committee) account of the state general fund for the
34 fiscal year ending June 30, 2005, expenditures shall be made by the di-
35 vision of post audit from the operations (including legislative post audit
36 committee) account of the state general fund for fiscal year 2005:

37 (1) For an additional amount of per diem compensation equal to the
38 amount required to provide, along with the amount of per diem com-
39 pensation otherwise payable, an aggregate amount of compensation of
40 \$81.11 per calendar day for each member of the legislative post audit
41 committee for any calendar day occurring on or after June 6, 2004, for
42 which per diem compensation is payable from appropriations for the di-
43 vision of post audit under K.S.A. 46-1104 and amendments thereto to

1 such member as provided in K.S.A. 75-3212 and amendments thereto at
2 the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments
3 thereto, and which is chargeable 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 per calendar day for each member of the contract audit committee
8 for any calendar day occurring on or after June 6, 2004, for which per
9 diem compensation is payable from appropriations for the division of post
10 audit under K.S.A. 46-1120 and amendments thereto to such member as
11 provided in K.S.A. 75-3223 and amendments thereto at the rate pre-
12 scribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and
13 which is chargeable to fiscal year 2005: *Provided*, That all expenditures
14 under this subsection (1) for such purposes shall be made in the same
15 manner and at the same times that per diem compensation is payable to
16 such members of the legislative post audit committee or contract audit
17 committee for the biweekly pay periods for which such per diem com-
18 pensation is payable for calendar days occurring on or after June 6, 2004,
19 and which are chargeable to fiscal year 2005.

20 (m) In addition to the other purposes for which expenditures may be
21 made by the judicial branch from the judiciary operations account of the
22 state general fund for the fiscal year ending June 30, 2005, expenditures
23 shall be made by the judicial branch from the judiciary operations account
24 of the state general fund for fiscal year 2005:

25 (1) For an additional amount of per diem compensation equal to the
26 amount required to provide, along with the amount of per diem com-
27 pensation otherwise payable, an aggregate amount of compensation of
28 \$81.11 per calendar day for each member of the advisory council on
29 dispute resolution for any calendar day occurring on or after June 6, 2004,
30 for which per diem compensation is payable to such member of the ad-
31 visory council on dispute resolution under K.S.A. 5-505 and amendments
32 thereto who is entitled, in accordance with subsection (e) of K.S.A. 75-
33 3223 and amendments thereto, to receive such per diem compensation
34 as provided in K.S.A. 75-3212 and amendments thereto at the rate pre-
35 scribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and
36 which is chargeable to fiscal year 2005; and

37 (2) for an additional amount of per diem compensation equal to the
38 amount required to provide, along with the amount of per diem com-
39 pensation otherwise payable, an aggregate amount of compensation of
40 \$81.11 per calendar day for each retired justice or judge who performs
41 judicial service or duties under K.S.A. 20-2616 and amendments thereto
42 for each calendar day occurring on or after June 6, 2004, for which per
43 diem compensation is payable to such retired justice or judge under

1 K.S.A. 20-2616 and amendments thereto, and is chargeable to fiscal year
2 2005: *Provided*, That all expenditures under this subsection (m) for such
3 purposes shall be made in the same manner and at the same times that
4 per diem compensation is payable to such members of the advisory coun-
5 cil on dispute resolution or to such retired justices or judges for the bi-
6 weekly pay periods for which such per diem compensation for calendar
7 days occurring on or after June 6, 2004, is payable and which are charge-
8 able to fiscal year 2005.

9 (n) In addition to the other purposes for which expenditures may be
10 made by the judicial council from the operating expenditures account of
11 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 ju-
13 dicial council from the operating expenditures account of the state general
14 fund for fiscal year 2005 for an additional amount of per diem compen-
15 sation equal to the amount required to provide, along with the amount
16 of per diem compensation otherwise payable, an aggregate amount of
17 compensation of \$81.11 per calendar day for each member of the judicial
18 council and for each regularly appointed member of a special committee
19 of the judicial council who is not a member of the judicial council for any
20 calendar day occurring on or after June 6, 2004, for which per diem
21 compensation is payable to such member of the judicial council or a spe-
22 cial committee thereof under K.S.A. 20-2206 and amendments thereto
23 at the rate of compensation in accordance with K.S.A. 75-3212 and
24 amendments thereto at the rate prescribed by subsection (a) of K.S.A.
25 46-137a and amendments thereto, and is chargeable to fiscal year 2005:
26 *Provided*, That all expenditures under this subsection (n) for such pur-
27 poses shall be made in the same manner and at the same times that per
28 diem compensation is payable to such members of the judicial council or
29 special committees thereof for the biweekly pay periods for which such
30 per diem compensation for calendar days occurring on or after June 6,
31 2004, is payable and which are chargeable to fiscal year 2005.

32 (o) In addition to the other purposes for which expenditures may be
33 made by state agencies from one or more accounts of the state general
34 fund and one or more special revenue funds in accordance with appro-
35 priations for the fiscal year ending June 30, 2005, made by this or other
36 appropriation act of the 2004 regular session of the legislature for addi-
37 tional amounts of compensation for state officers and employees in ac-
38 cordance with the following:

39 (1) The governor is hereby authorized to modify or authorize the mod-
40 ification of the salaries of state officers and employees who are in the
41 unclassified service under the Kansas civil service act and whose salaries
42 are subject to approval by the governor under K.S.A. 75-2935b or 75-
43 2935c and amendments thereto to provide for base salary increases, to

1 be effective on the first day of the first payroll period which commences
2 on or after June 6, 2004, and which is chargeable to the fiscal year ending
3 on June 30, 2005, and to be distributed from a salary increase pool: *Pro-*
4 *vided*, That the average of such increases shall not exceed 3% of the base
5 salaries of such officers and employees; and

6 (2) each elected state official of the executive branch of state govern-
7 ment, including the state board of education, and the board of directors
8 of the Kansas technology enterprise corporation, the state board of re-
9 gents and the board of trustees of the Kansas public employees retirement
10 system, in each such official, corporation or board's discretion, are hereby
11 authorized to modify or to authorize the modification of the salaries of
12 the state officers and employees of such official, corporation or board,
13 who are in the unclassified service under the Kansas civil service act and
14 whose salaries are not subject to approval by the governor under K.S.A.
15 75-2935b and amendments thereto, to provide for base salary increases
16 to be effective on the first day of the first payroll period which commences
17 on or after June 6, 2004, and which is chargeable to the fiscal year ending
18 June 30, 2005, and to be distributed from a salary increase pool: *Provided*,
19 That the average of such increases shall not exceed 3% of the base salaries
20 of such officers and employees of such official, corporation or board. The
21 provisions of this subsection (o)(2) shall not authorize or provide any
22 salary increase for the governor, lieutenant governor, secretary of state,
23 state treasurer, commissioner of insurance, or attorney general, or for any
24 member of any state board, commission, council or committee receiving
25 per diem compensation as provided by statute.

26 *(p) In addition to the other purposes for which expenditures may*
27 *be made by the legislature from the operations (including official*
28 *hospitality) account of the state general fund for the fiscal year*
29 *ending June 30, 2005, expenditures shall be made by the legislature*
30 *from the operations (including official hospitality) account of the*
31 *state general fund for fiscal year 2005, for an additional amount of*
32 *allowance equal to the amount required to provide, along with the*
33 *amount of allowance otherwise payable from appropriations for the*
34 *legislature to each member of the legislature at the rate prescribed*
35 *by subsection (c) of K.S.A. 46-137a and amendments thereto, an*
36 *aggregate amount of allowance of \$324 for the two-week period*
37 *which coincides with the first biweekly payroll period commencing*
38 *in June, which is chargeable to fiscal year 2005, and for each of the*
39 *15 ensuing two-week periods thereafter and for the two-week period*
40 *which coincides with the first biweekly payroll period commencing*
41 *in April, 2005, and for each of the three ensuing two-week periods*
42 *thereafter, for each member of the legislature to defray expenses*
43 *incurred between sessions of the legislature for postage, telephone,*

1 **office and other incidental expenses, which is chargeable to fiscal**
2 **year 2005: *Provided, That all expenditures under this subsection (p)***
3 ***for such purposes shall be made in the same manner and at the same***
4 ***times that such allowance is payable to such members of the legis-***
5 ***lature for such two-week periods for which such allowance is pay-***
6 ***able and which are chargeable to fiscal year 2005.***

7 Sec. 70. (a) (1) On July 1, 2004, or as soon thereafter as moneys are
8 available, notwithstanding the provisions of any other statute, the director
9 of accounts and reports shall transfer the amount in each special revenue
10 fund of each state agency in the executive branch of state government
11 that is appropriated for the fiscal year ending June 30, 2005, by chapter
12 138 or 160 of the 2003 Session Laws of Kansas or by this or other appro-
13 priation act of the 2004 regular session of the legislature, and that is
14 identified by the director of the budget as moneys previously estimated
15 for expenditure for the acquisition of cars, vans or light trucks or for the
16 motor pool dispatch pool and as moneys recommended by the governor
17 for removal from agency budgets for fiscal year 2005 as part of the vehicle
18 moratorium reductions, as determined and certified by the director of
19 the budget to the director of accounts and reports, from such special
20 revenue fund to the state general fund: *Provided, That, in making each*
21 *such certification, the director of the budget shall take into account the*
22 *maximum prescribed by subsection (a)(2), the approved budget for fiscal*
23 *year 2005 and such other factors, limitations and considerations as are*
24 *deemed applicable or appropriate by the director of the budget with*
25 *respect to the particular special revenue fund and the state agency of the*
26 *executive branch that is involved: *Provided further, That, at the same**
27 *time that each such certification is made by the director of the budget to*
28 *the director of accounts and reports under this subsection (a)(1), the*
29 *director of the budget shall deliver a copy of such certification to the*
30 *director of the legislative research department: *And provided further,**
31 *That the amount transferred from each such special revenue fund to the*
32 *state general fund pursuant to this subsection (a)(1) is to reimburse the*
33 *state general fund for accounting, auditing, budgeting, legal, payroll, per-*
34 *sonnel and purchasing services and any other governmental services*
35 *which are performed on behalf of the state agency involved by other state*
36 *agencies which receive appropriations from the state general fund to pro-*
37 *vide such services.*

38 (2) The aggregate of all of the amounts transferred from all such special
39 revenue funds of state agencies in the executive branch of state govern-
40 ment to the state general fund pursuant to subsection (a)(1), shall not
41 exceed ~~\$3,158,312~~ **\$3,138,694**.

42 (3) On July 1, 2004, in accordance with the certification by the director
43 of the budget that is submitted to the director of accounts and reports

1 under subsection (a)(1), the amount of the approved budget of expend-
2 itures for fiscal year 2005 from each special revenue fund of each state
3 agency in the executive branch of state government that is appropriated
4 for the fiscal year ending June 30, 2005, by chapter 138 or 160 of the
5 2003 Session Laws of Kansas or by this or other appropriation act of the
6 2004 regular session of the legislature, and that is identified by the di-
7 rector of the budget as moneys previously estimated for expenditure for
8 the acquisition of cars, vans or light trucks or for the motor pool dispatch
9 pool and as moneys recommended by the governor for removal from
10 agency budgets for fiscal year 2005 as part of the vehicle moratorium
11 reductions and the amount of the approved budget of expenditures for
12 fiscal year 2005 for such purpose from each budgeted account of such
13 fund, or from both such fund and such account or accounts, as the case
14 may be, are hereby respectively decreased by the amount equal to the
15 aggregate of (A) the amount of money transferred from such special rev-
16 enue fund to the state general fund pursuant to subsection (a)(1), if any,
17 plus (B) any amount of money that would have been transferred from
18 the special revenue fund to the state general fund as part of the vehicle
19 moratorium reductions recommended by the governor except for con-
20 tractual or other legal limitations or prohibitions on the transfer of all or
21 part of such amount from such fund to the state general fund, as specified
22 in such certification by the director of the budget, to the extent that any
23 such decrease is not reflected in the approved budget for fiscal year 2005,
24 as determined and certified by the director of the budget to the director
25 of accounts and reports under subsection (a)(1).

26 (4) On July 1, 2004, in accordance with the certification by the director
27 of the budget that is submitted to the director of accounts and reports
28 under subsection (a)(1), the expenditure limitation established for fiscal
29 year 2005 for each special revenue fund of each state agency in the ex-
30 ecutive branch of state government that is appropriated for the fiscal year
31 ending June 30, 2005, by chapter 138 or 160 of the 2003 Session Laws
32 of Kansas or by this or other appropriation act of the 2004 regular session
33 of the legislature and that contains moneys previously estimated for ex-
34 penditure for the acquisition of cars, vans or light trucks or for the motor
35 pool dispatch pool and as moneys recommended by the governor for
36 removal from agency budgets for fiscal year 2005 as part of the vehicle
37 moratorium reductions as determined and certified by the director of the
38 budget to the director of accounts and reports under subsection (a)(1), if
39 there is an expenditure limitation established for such special revenue
40 fund for fiscal year 2005, and the expenditure limitation established for
41 each account thereof for fiscal year 2005 by chapter 138 or 160 of the
42 2003 Session Laws of Kansas or by this or other appropriation act of the
43 2004 regular session of the legislature, if there is an expenditure limitation

1 for such account for fiscal year 2005, or from both such fund and such
2 account or accounts, as the case may be, are hereby respectively de-
3 creased by the amount equal to the aggregate of (A) the amount of money
4 transferred from such special revenue fund to the state general fund pur-
5 suant to subsection (a)(1), if any, plus (B) any amount of money that would
6 have been transferred from such fund or account to the state general
7 fund pursuant to subsection (a)(1) as part of the vehicle moratorium re-
8 ductions except for contractual or other legal limitations or prohibitions
9 on the transfer of all or part of such amount from such fund to the state
10 general fund, as specified in such certification by the director of the
11 budget, to the extent that any such decrease is not already included in
12 the respective expenditure limitation established for such special revenue
13 fund or account thereof for fiscal year 2005 by chapter 138 or 160 of the
14 2003 Session Laws of Kansas or by this or other appropriation act of the
15 2004 regular session of the legislature, as determined and certified by the
16 director of the budget to the director of accounts and reports under sub-
17 section (a)(1).

18 (b) (1) On July 1, 2004, or as soon thereafter as moneys are available,
19 notwithstanding the provisions of any other statute, the director of ac-
20 counts and reports shall transfer the amount in each special revenue fund
21 of each state agency in the executive branch of state government that is
22 appropriated for the fiscal year ending June 30, 2005, by chapter 138 or
23 160 of the 2003 Session Laws of Kansas or by this or other appropriation
24 act of the 2004 regular session of the legislature, and that is determined
25 by the director of the budget as the amount of money in such special
26 revenue fund representing the reduced expenditures in expenditure cat-
27 egories encompassing contractual services, commodities and capital out-
28 lay identified through the Budget Efficiency Savings Teams (BEST) re-
29 view of administrative processes and that was recommended by the
30 governor for removal from agency budgets for fiscal year 2005 as part of
31 the BEST review, as determined and certified by the director of the
32 budget to the director of accounts and reports, from such special revenue
33 fund to the state general fund: *Provided*, That, in making each such cer-
34 tification, the director of the budget shall take into account the maximum
35 prescribed by subsection (b)(2), the approved budget for fiscal year 2005
36 and such other factors, limitations and considerations as are deemed ap-
37 plicable or appropriate by the director of the budget with respect to the
38 particular special revenue fund and the state agency of the executive
39 branch that is involved: *Provided further*, That, at the same time that each
40 such certification is made by the director of the budget to the director of
41 accounts and reports under this subsection (b)(1), the director of the
42 budget shall deliver a copy of such certification to the director of the
43 legislative research department: *And provided further*, That the amount

1 transferred from each such special revenue fund to the state general fund
2 pursuant to this subsection (b)(1) is to reimburse the state general fund
3 for accounting, auditing, budgeting, legal, payroll, personnel and pur-
4 chasing services and any other governmental services which are per-
5 formed on behalf of the state agency involved by other state agencies
6 which receive appropriations from the state general fund to provide such
7 services.

8 (2) The aggregate of all of the amounts transferred from all such special
9 revenue funds of state agencies in the executive branch of state govern-
10 ment to the state general fund pursuant to subsection (b)(1), shall not
11 exceed ~~\$20,125,765~~ **\$20,031,930**.

12 (3) On July 1, 2004, in accordance with the certification by the director
13 of the budget that is submitted to the director of accounts and reports
14 under subsection (b)(1), the amount of the approved budget of expend-
15 itures for fiscal year 2005 from each special revenue fund of each state
16 agency in the executive branch of state government that is appropriated
17 for the fiscal year ending June 30, 2005, by chapter 138 or 160 of the
18 2003 Session Laws of Kansas or by this or other appropriation act of the
19 2004 regular session of the legislature, and that is determined by the
20 director of the budget as the amount of money in such special revenue
21 fund representing the reduced expenditures in expenditure categories
22 encompassing contractual services, commodities and capital outlay iden-
23 tified through the Budget Efficiency Savings Teams (BEST) review of
24 administrative processes and that was recommended by the governor for
25 removal from agency budgets for fiscal year 2005 as part of the BEST
26 review, as determined and certified by the director of the budget to the
27 director of accounts and reports under subsection (b)(1), and the amount
28 of the approved budget of expenditures for fiscal year 2005 for such pur-
29 pose from each budgeted account thereof, or from both such fund and
30 such account or accounts, as the case may be, are hereby respectively
31 decreased by the amount equal to the aggregate of (A) the amount of
32 money transferred from such special revenue fund to the state general
33 fund pursuant to subsection (b)(1), if any, plus (B) any amount of money
34 that would have been transferred from the special revenue fund to the
35 state general fund pursuant to subsection (b)(1) as part of the reduced
36 expenditures identified through the Budget Efficiency Savings Teams
37 (BEST) review of administrative processes and recommended by the gov-
38 ernor for removal from agency budgets for fiscal year 2005 as part of the
39 BEST review except for contractual or other legal limitations or prohi-
40 bitions on the transfer of all or part of such amount from such fund to
41 the state general fund, as specified in such certification by the director
42 of the budget, to the extent that any such decrease is not reflected in the
43 approved budget for fiscal year 2005, as determined and certified by the

1 director of the budget to the director of accounts and reports under sub-
2 section (b)(1).

3 (4) On July 1, 2004, in accordance with the certification by the director
4 of the budget that is submitted to the director of accounts and reports
5 under subsection (b)(1), the expenditure limitation established for fiscal
6 year 2005 for each special revenue fund of each state agency in the ex-
7 ecutive branch of state government that is appropriated for the fiscal year
8 ending June 30, 2005, by chapter 138 or 160 of the 2003 Session Laws
9 of Kansas or by this or other appropriation act of the 2004 regular session
10 of the legislature, and that contains moneys representing the reduced
11 expenditures in expenditure categories encompassing contractual serv-
12 ices, commodities and capital outlay identified through the Budget Effi-
13 ciency Savings Teams (BEST) review of administrative processes that are
14 recommended by the governor for removal from agency budgets for fiscal
15 year 2005 as part of the BEST review, as determined and certified by the
16 director of the budget to the director of accounts and reports under sub-
17 section (b)(1), if there is an expenditure limitation established for such
18 special revenue fund for fiscal year 2005, and the expenditure limitation
19 established for each account of such fund for fiscal year 2005 by chapter
20 138 or 160 of the 2003 Session Laws of Kansas or by this or other approp-
21 riation act of the 2004 regular session of the legislature, if there is an
22 expenditure limitation for such account for fiscal year 2005, or from both
23 such fund and such account or accounts, as the case may be, are hereby
24 respectively decreased by the amount equal to the aggregate of (A) the
25 amount of money transferred from such special revenue fund to the state
26 general fund pursuant to subsection (b)(1), if any, plus (B) any amount
27 of money that would have been transferred from such fund or account
28 to the state general fund pursuant to subsection (b)(1) as part of the
29 reduced expenditures identified through the Budget Efficiency Savings
30 Teams (BEST) review of administrative processes and recommended by
31 the governor for removal from agency budgets for fiscal year 2005 except
32 for contractual or other legal limitations or prohibitions on the transfer
33 of all or part of such amount from such fund to the state general fund,
34 as specified in such certification by the director of the budget, to the
35 extent that any such decrease is not already included in the respective
36 expenditure limitation established for such special revenue fund or ac-
37 count thereof for fiscal year 2005 by chapter 138 or 160 of the 2003
38 Session Laws of Kansas or by this or other appropriation act of the 2004
39 regular session of the legislature, as determined and certified by the di-
40 rector of the budget to the director of accounts and reports under sub-
41 section (b)(1).

42 **(5) The provisions of this subsection (b) shall not apply to:**

43 **(A) The health care stabilization fund of the health care stabili-**

1 *zation fund board of governors; or*
2 *(B) the veterinary examiners fee fund of the state board of vet-*
3 *erinary examiners; or*
4 *(C) the fire marshal fee fund of the state fire marshal or any other*
5 *special revenue fund appropriated for the state fire marshal by this*
6 *or other appropriation act of the 2004 regular session of the legis-*
7 *lature; or*
8 *(D) any special revenue fund appropriated for the state historical*
9 *society by this or other appropriation act of the 2004 regular ses-*
10 *sion of the legislature; or*
11 *(E) the judicial council fund of the judicial council or any other*
12 *special revenue fund appropriated for the judicial council by this*
13 *or other appropriation act of the 2004 regular session of the*
14 *legislature.*

15 (c) (1) (A) Effective as of June 30, 2005, notwithstanding the provisions
16 of any other statute ***except as otherwise provided in this subsection***
17 ***(c)***, the director of accounts and reports shall transfer the amount of the
18 unencumbered balance in each special revenue fund of each state agency
19 in the executive branch of state government named in section 22 of chap-
20 ter 138 of the 2003 Session Laws of Kansas that is appropriated for the
21 fiscal year ending June 30, 2005, by chapter 138 or 160 of the 2003 Session
22 Laws of Kansas or by this or other appropriation act of the 2004 regular
23 session of the legislature, that is in excess of \$200,000, as certified by the
24 director of the budget to the director of accounts and reports on or before
25 ~~July 15, 2005~~ ***April 19, 2004***, from such special revenue fund to the state
26 general fund: *Provided*, That, in making each such certification, the di-
27 rector of the budget shall take into account the maximum prescribed by
28 subsection (c)(2) and such other factors and considerations as are deemed
29 appropriate by the director of the budget with respect to the particular
30 special revenue fund and the state agency that is involved: *Provided fur-*
31 *ther*, That, at the same time that each such certification is made by the
32 director of the budget to the director of accounts and reports under this
33 ~~subsection (c)(1)~~ ***paragraph (c)(1)(A)***, the director of the budget shall
34 deliver a copy of such certification to the director of the legislative re-
35 search department: *And provided further*, That the amount transferred
36 from each such special revenue fund to the state general fund pursuant
37 to this ~~subsection (c)(1)~~ ***paragraph (c)(1)(A)*** is to reimburse the state
38 general fund for accounting, auditing, budgeting, legal, payroll, personnel
39 and purchasing services and any other governmental services which are
40 performed on behalf of the state agency involved by other state agencies
41 which receive appropriations from the state general fund to provide such
42 services: *And provided further*, ***That the provisions of this paragraph***
43 ***(c)(1)(A) shall not apply to the bank commissioner fee fund of the***

1 *state bank commissioner.*

2 *(B) Effective as of June 30, 2005, notwithstanding the provisions*
3 *of any other statute, the director of accounts and reports shall trans-*
4 *fer the amount of the unencumbered balance in the bank commis-*
5 *sioner fee fund of the state bank commissioner that is in excess of*
6 *\$600,000, as certified by the director of the budget to the director*
7 *of accounts and reports on or before April 19, 2004, from the bank*
8 *commissioner fee fund of the state bank commissioner to the state*
9 *general fund: Provided, That, in making such certification, the di-*
10 *rector of the budget shall take into account the maximum prescribed*
11 *by subsection (c)(2) and such other factors and considerations as*
12 *are deemed appropriate by the director of the budget with respect*
13 *to the bank commissioner fee fund of the state bank commissioner:*
14 *Provided further, That, at the same time that such certification is*
15 *made by the director of the budget to the director of accounts and*
16 *reports under this paragraph (c)(1)(B), the director of the budget*
17 *shall deliver a copy of such certification to the director of the leg-*
18 *islative research department: And provided further, That the amount*
19 *transferred from each such special revenue fund to the state general*
20 *fund pursuant to this paragraph (c)(1)(B) is to reimburse the state*
21 *general fund for accounting, auditing, budgeting, legal, payroll,*
22 *personnel and purchasing services and any other governmental*
23 *services which are performed on behalf of the state bank commis-*
24 *sioner by other state agencies which receive appropriations from*
25 *the state general fund to provide such services.*

26 (2) The aggregate of all of the amounts transferred from all such special
27 revenue funds of state agencies in the executive branch of state govern-
28 ment named in section 22 of chapter 138 of the 2003 Session Laws of
29 Kansas to the state general fund pursuant to subsection (c)(1), shall not
30 exceed ~~\$6,422,848~~ **\$4,678,034**.

31 (d) The provisions of this section shall not apply to any moneys received
32 from any agency or authority of the federal government or from any other
33 federal source and shall not apply to any special revenue fund of the
34 judicial or legislative branches of state government.

35 Sec. 71. (a) On or after July 1, 2004, during the fiscal year ending June
36 30, 2005, the director of accounts and reports shall not make any transfer
37 directed to be made by subsection (f)(2) of K.S.A. 2003 Supp. 75-4265
38 and amendments thereto from the intergovernmental transfer fund of the
39 department on aging to the senior services trust fund established by
40 K.S.A. 2003 Supp. 75-4266 and amendments thereto.

41 (b) On or after July 1, 2004, during the fiscal year ending June 30,
42 2005, the director of accounts and reports shall not make any transfer
43 directed to be made by subsection (f)(2) of K.S.A. 2003 Supp. 75-4265

1 and amendments thereto from the intergovernmental transfer fund of the
2 department on aging to the long-term care loan and grant fund of the
3 department on aging established by K.S.A. 2003 Supp. 75-4265 and
4 amendments thereto.

5 (c) On or after July 1, 2004, during the fiscal year ending June 30, 2005,
6 the director of accounts and reports shall not make any transfer directed
7 to be made by subsection (f)(2) of K.S.A. 2003 Supp. 75-4265 and amend-
8 ments thereto from the intergovernmental transfer fund of the depart-
9 ment on aging to the state medicaid match fund department on aging
10 established by K.S.A. 2003 Supp. 75-4265 and amendments thereto.

11 (d) 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 state medicaid match fund SRS established
16 by K.S.A. 2003 Supp. 75-4265 and amendments thereto.

17 (e) On or after July 1, 2004, during the fiscal year ending June 30, 2005,
18 the director of accounts and reports shall not make any transfer directed
19 to be made by subsection (f)(2) of K.S.A. 2003 Supp. 75-4265 and amend-
20 ments thereto from the intergovernmental transfer fund of the depart-
21 ment on aging to the aging IGT fund of the department on aging.

22 (f) Commencing on July 1, 2004, or as soon as moneys are available
23 therefor, during the fiscal year ending June 30, 2005, the director of
24 accounts and reports shall transfer to the SRS IGT fund of the depart-
25 ment of social and rehabilitation services, on the dates when the following
26 transfers would have been made under the statute specified, the follow-
27 ing: All amounts of money that would have been directed by subsection
28 (f)(2) of K.S.A. 2003 Supp. 75-4265 and amendments thereto to be trans-
29 ferred from the intergovernmental transfer fund of the department on
30 aging to the senior services trust fund, the long-term care loan and grant
31 fund, the state medicaid match fund department on aging, and the state
32 medicaid match fund SRS.

33 Sec. 72. On July 1, 2004, K.S.A. 2003 Supp. 2-223 is hereby amended
34 to read as follows: 2-223. (a) There is hereby established in the state
35 treasury the state fair capital improvements fund. All expenditures of
36 moneys in the state fair capital improvements fund shall be used for the
37 payment of capital improvements and maintenance for the state fair-
38 grounds and the payment of capital improvement obligations that have
39 been financed. Capital improvement projects for the Kansas state fair-
40 grounds are hereby approved for the purposes of subsection (b) of K.S.A.
41 74-8905 and amendments thereto and the authorization of the issuance
42 of bonds by the Kansas development finance authority in accordance with
43 that statute.

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

9 (c) On each July 1, the director of accounts and reports shall transfer
10 from the state general fund to the state fair capital improvements fund,
11 an amount equal to the amount certified by the state fair board pursuant
12 to subsection (b), except that (1) no transfer from the state general fund
13 under this subsection shall exceed \$300,000 in any fiscal year; and (2) no
14 amount shall be transferred under this section from the state general fund
15 to the state fair capital improvements fund during the fiscal year ending
16 June 30, ~~2004~~ 2005.

17 Sec. 73. On July 1, 2004, K.S.A. 2003 Supp. 55-193 is hereby amended
18 to read as follows: 55-193. On July 15, 1996, and on the 15th day of each
19 calendar quarter thereafter before July 1, 2009, the director of accounts
20 and reports shall transfer \$100,000 from the state general fund, \$100,000
21 from the state water plan fund established by K.S.A. 82a-951 and amend-
22 ments thereto and \$100,000 from the conservation fee fund established
23 by K.S.A. 55-143 and amendments thereto to the abandoned oil and gas
24 well fund established by K.S.A. 2003 Supp. 55-192 and amendments
25 thereto, except that: (a) No transfers shall be made pursuant to this sec-
26 tion from the state ~~water plan~~ *general* fund to the abandoned oil and gas
27 well fund during state fiscal year ~~2004~~ 2005, and (b) ~~no the aggregate of~~
28 *the* transfers shall be made pursuant to this section from the state ~~general~~
29 *water plan* fund to the abandoned oil and gas well fund during state fiscal
30 year ~~2004~~ 2005 *shall not exceed \$367,000 \$767,000.*

31 Sec. 74. On July 1, 2004, K.S.A. 2003 Supp. 75-2319 is hereby amended
32 to read as follows: 75-2319. (a) There is hereby established in the state
33 treasury the school district capital improvements fund. The fund shall
34 consist of all amounts transferred thereto under the provisions of subsec-
35 tion (c).

36 (b) In each school year, each school district which is obligated to make
37 payments from its bond and interest fund shall be entitled to receive
38 payment from the school district capital improvements fund in an amount
39 determined by the state board of education as provided in this subsection.
40 The state board of education shall:

41 (1) Determine the amount of the assessed valuation per pupil (AVPP)
42 of each school district in the state and round such amount to the nearest
43 \$1,000. The rounded amount is the AVPP of a school district for the

- 1 purposes of this section;
- 2 (2) determine the median AVPP of all school districts;
- 3 (3) prepare a schedule of dollar amounts using the amount of the me-
4 dian AVPP of all school districts as the point of beginning. The schedule
5 of dollar amounts shall range upward in equal \$1,000 intervals from the
6 point of beginning to and including an amount that is equal to the amount
7 of the AVPP of the school district with the highest AVPP of all school
8 districts and shall range downward in equal \$1,000 intervals from the
9 point of beginning to and including an amount that is equal to the amount
10 of the AVPP of the school district with the lowest AVPP of all school
11 districts;
- 12 (4) determine a state aid percentage factor for each school district by
13 assigning a state aid computation percentage to the amount of the median
14 AVPP shown on the schedule, decreasing the state aid computation per-
15 centage assigned to the amount of the median AVPP by one percentage
16 point for each \$1,000 interval above the amount of the median AVPP,
17 and increasing the state aid computation percentage assigned to the
18 amount of the median AVPP by one percentage point for each \$1,000
19 interval below the amount of the median AVPP. The state aid percentage
20 factor of a school district is the percentage assigned to the schedule
21 amount that is equal to the amount of the AVPP of the school district,
22 except that the state aid percentage factor of a school district shall not
23 exceed 100%. The state aid computation percentage is 5% for contractual
24 bond obligations incurred by a school district prior to the effective date
25 of this act, and 25% for contractual bond obligations incurred by a school
26 district on or after the effective date of this act;
- 27 (5) determine the amount of payments in the aggregate that a school
28 district is obligated to make from its bond and interest fund and, of such
29 amount, compute the amount attributable to contractual bond obligations
30 incurred by the school district prior to the effective date of this act and
31 the amount attributable to contractual bond obligations incurred by the
32 school district on or after the effective date of this act;
- 33 (6) multiply each of the amounts computed under (5) by the applicable
34 state aid percentage factor; and
- 35 (7) add the products obtained under (6). The amount of the sum is the
36 amount of payment the school district is entitled to receive from the
37 school district capital improvements fund in the school year.
- 38 (c) The state board of education shall certify to the director of accounts
39 and reports the entitlements of school districts determined under the
40 provisions of subsection (b), and an amount equal thereto shall be trans-
41 ferred by the director from the state general fund to the school district
42 capital improvements fund for distribution to school districts. All transfers
43 made in accordance with the provisions of this subsection shall be con-

1 sidered to be demand transfers from the state general fund, except that
2 all such transfers during the fiscal year ending June 30, ~~2004~~ 2005, shall
3 be considered to be revenue transfers from the state general fund.

4 (d) Payments from the school district capital improvements fund shall
5 be distributed to school districts at times determined by the state board
6 of education to be necessary to assist school districts in making scheduled
7 payments pursuant to contractual bond obligations. The state board of
8 education shall certify to the director of accounts and reports the amount
9 due each school district entitled to payment from the fund, and the di-
10 rector of accounts and reports shall draw a warrant on the state treasurer
11 payable to the treasurer of the school district. Upon receipt of the warrant,
12 the treasurer of the school district shall credit the amount thereof to the
13 bond and interest fund of the school district to be used for the purposes
14 of such fund.

15 (e) The provisions of this section apply only to contractual obligations
16 incurred by school districts pursuant to general obligation bonds issued
17 upon approval of a majority of the qualified electors of the school district
18 voting at an election upon the question of the issuance of such bonds.

19 Sec. 75. On July 1, 2004, K.S.A. 2003 Supp. 76-775 is hereby amended
20 to read as follows: 76-775. (a) Subject to the other provisions of this act,
21 on the first day of the first state fiscal year commencing after receiving a
22 certification of receipt of a qualifying gift under K.S.A. 2003 Supp. 76-
23 774 and amendments thereto, the director of accounts and reports shall
24 transfer from the state general fund the amount determined by the di-
25 rector of accounts and reports to be the earnings equivalent award for
26 such qualifying gift for the period of time between the date of certification
27 of the qualifying gift and the first day of the ensuing state fiscal year to
28 either (1) the endowed professorship account of the faculty of distinction
29 matching fund of the eligible educational institution, in the case of a
30 certification of a qualifying gift to an eligible educational institution that
31 is a state educational institution, or (2) the faculty of distinction program
32 fund of the state board of regents, in the case of a certification of a
33 qualifying gift to an eligible institution that is not a state educational in-
34 stitution. Subject to the other provisions of this act, on each July 1 there-
35 after, the director of accounts and reports shall make such transfer from
36 the state general fund of the earnings equivalent award for such qualifying
37 gift for the period of the preceding state fiscal year. All transfers made in
38 accordance with the provisions of this subsection shall be considered de-
39 mand transfers from the state general fund, except that all such transfers
40 during the fiscal year ending June 30, ~~2004~~ 2005, shall be considered to
41 be revenue transfers from the state general fund.

42 (b) There is hereby established in the state treasury the faculty of dis-
43 tinction program fund which shall be administered by the state board of

1 regents. All moneys transferred under this section to the faculty of dis-
2 tinction program fund of the state board of regents shall be paid to eligible
3 educational institutions that are not state educational institutions for earn-
4 ings equivalent awards for qualifying gifts to such eligible educational
5 institutions. The state board of regents shall pay from the faculty of dis-
6 tinction program fund the amount of each such transfer to the eligible
7 educational institution for the earnings equivalent award for which such
8 transfer was made under this section.

9 (c) The earnings equivalent award for an endowed professorship shall
10 be determined by the director of accounts and reports and shall be the
11 amount of interest earnings that the amount of the qualifying gift certified
12 by the state board of regents would have earned at the average net earn-
13 ings rate of the pooled money investment board portfolio for the period
14 for which the determination is being made.

15 (d) The total amount of new qualifying gifts which may be certified to
16 the director of accounts and reports under this act during any state fiscal
17 year for all eligible educational institutions shall not exceed \$30,000,000.
18 The total amount of new qualifying gifts which may be certified to the
19 director of accounts and reports under this act during any state fiscal year
20 for any individual eligible educational institution shall not exceed
21 \$10,000,000. No additional qualifying gifts shall be certified by the state
22 board of regents under this act when the total of all transfers from the
23 state general fund for earnings equivalent awards for qualifying gifts pur-
24 suant to this section and amendments thereto for a fiscal year is equal to
25 or greater than \$5,000,000.

26 Sec. 76. On July 1, 2004, K.S.A. 2003 Supp. 79-2959 is hereby amended
27 to read as follows: 79-2959. (a) There is hereby created the local ad va-
28 lorem tax reduction fund. All moneys transferred or credited to such fund
29 under the provisions of this act or any other law shall be apportioned and
30 distributed in the manner provided herein.

31 (b) On January 15 and on July 15 of each year, the director of accounts
32 and reports shall make transfers in equal amounts which in the aggregate
33 equal 3.63% of the total retail sales and compensating taxes credited to
34 the state general fund pursuant to articles 36 and 37 of chapter 79 of
35 Kansas Statutes Annotated and acts amendatory thereof and supplement-
36 tal thereto during the preceding calendar year from the state general fund
37 to the local ad valorem tax reduction fund, except that no moneys shall
38 be transferred from the state general fund to the local ad valorem tax
39 reduction fund during state fiscal year ~~2004~~ 2005. All such transfers are
40 subject to reduction under K.S.A. 75-6704 and amendments thereto. All
41 transfers made in accordance with the provisions of this section shall be
42 considered to be demand transfers from the state general fund.

43 (c) The state treasurer shall apportion and pay the amounts transferred

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

10 Sec. 77. On July 1, 2004, K.S.A. 2003 Supp. 79-2964 is hereby amended
11 to read as follows: 79-2964. There is hereby created the county and city
12 revenue sharing fund. All moneys transferred or credited to such fund
13 under the provisions of this act or any other law shall be allocated and
14 distributed in the manner provided herein. The director of accounts and
15 reports in each year on July 15 and December 10, shall make transfers
16 in equal amounts which in the aggregate equal 2.823% of the total retail
17 sales and compensating taxes credited to the state general fund pursuant
18 to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated and
19 acts amendatory thereof and supplemental thereto during the preceding
20 calendar year from the state general fund to the county and city revenue
21 sharing fund, except that no moneys shall be transferred from the state
22 general fund to the county and city revenue sharing fund during state
23 fiscal year ~~2004~~ 2005. All such transfers are subject to reduction under
24 K.S.A. 75-6704 and amendments thereto. All transfers made in accord-
25 ance with the provisions of this section shall be considered to be demand
26 transfers from the state general fund.

27 Sec. 78. On July 1, 2004, K.S.A. 2003 Supp. 79-3425c is hereby
28 amended to read as follows: 79-3425c. (a) On July 15, ~~2003~~ 2004, October
29 15, ~~2003~~ 2004, February 15, ~~2004~~ 2005, and May 15, ~~2004~~ 2005, and on
30 each January 15, April 15, July 15 and October 15 of each year thereafter,
31 the director of accounts and reports shall transfer \$625,000 to the county
32 equalization and adjustment fund from the special city and county high-
33 way fund and on such dates the state treasurer shall apportion and pay
34 to the several counties of the state 57% of the moneys in the special city
35 and county highway fund, created by K.S.A. 79-3425, and amendments
36 thereto, and shall apportion and pay to the several cities of the state the
37 remaining 43% of such moneys.

38 (b) The allocation and payment to each county under the provisions of
39 this section shall be made in the following manner:

40 *First*, Each county of the state shall receive a payment of \$5,000;

41 *Second*, Of the balance remaining, 44.06% thereof shall be apportioned
42 and paid to each county on February 15, ~~2004~~ 2005, and May 15, ~~2004~~
43 2005, and on each January 15 and April 15 of each year thereafter in the

1 proportion that the total amount of money collected in such county from
2 motor vehicle registration fees for the second preceding calendar year
3 bears to the total amount of money collected in all counties from motor
4 vehicle registration fees for the second preceding calendar year, and on
5 July 15 and October 15 of each year in the proportion that the total
6 amount of money collected in such county from motor vehicle registration
7 fees for the preceding calendar year bears to the total amount of money
8 collected in all counties from motor vehicle registration fees for the pre-
9 ceding calendar year;

10 *Third*, 44.06% of such balance shall be apportioned and paid to each
11 county on February 15, ~~2004~~ 2005, and May 15, ~~2004~~ 2005, and on each
12 January 15 and April 15 of each year thereafter in the proportion that the
13 average daily vehicle miles traveled in such county for the second pre-
14 ceding calendar year bears to the average daily vehicle miles traveled in
15 all counties of the state for the second preceding calendar year, and on
16 July 15 and October 15 of each year in the proportion that the average
17 daily vehicle miles traveled in such county for the preceding calendar
18 year bears to the average daily vehicle miles traveled in all counties of the
19 state for the preceding calendar year; and

20 *Fourth*, the remaining 11.88% of such balance shall be apportioned
21 and paid to each county on February 15, ~~2004~~ 2005, and May 15, ~~2004~~
22 2005, and on each January 15 and April 15 of each year thereafter in the
23 proportion that the total road miles in such county for the second pre-
24 ceding calendar year bears to the total road miles in all counties of the
25 state for the second preceding calendar year; and on July 15 and October
26 15 of each year in the proportion that the total road miles in such county
27 for the preceding calendar year bears to the total road miles in all counties
28 of the state for the preceding calendar year.

29 If the total amount of money received by any county pursuant to the
30 foregoing distribution formula during the period from July 15 of any year
31 to April 15 of the next succeeding year is less than the total amount
32 received by such county from the special city and county highway fund
33 and the county equalization and adjustment fund for fiscal year 1999, the
34 state treasurer shall apportion and pay to each such county from the
35 county equalization and adjustment fund an amount which together with
36 the amount received pursuant to the foregoing distribution formula will
37 equal the total amount received from the two aforementioned funds dur-
38 ing such period of time. In the event that there is insufficient funds in
39 the county equalization and adjustment fund to pay each county the
40 amount to which it is entitled, each county shall receive a payment in the
41 proportion that the amount to which such county is entitled bears to the
42 amount to which all such counties are entitled. If there is money remain-
43 ing in such fund after such distribution, the state treasurer shall distribute

1 the balance to the several counties in the manner provided in the second
2 and third clauses of the foregoing formula for distributing moneys to
3 counties from the special city and county highway fund.

4 All payments shall be made to the county treasurers of the respective
5 counties, and upon receipt of the same:

6 (1) The county treasurers of Sedgwick and Shawnee counties shall
7 credit 50% of the moneys received to the road and bridge fund of such
8 counties and apportion and pay the remainder of such moneys to the
9 several cities located in such counties;

10 (2) the county treasurer of Wyandotte county shall credit 10% of the
11 moneys received to the road and bridge fund of such county and appor-
12 tion and pay the remainder of such moneys to the several cities located
13 in such county;

14 (3) the county treasurers of Lyon, Cowley, Crawford, Montgomery,
15 Butler, Saline, Leavenworth, Riley, Reno and Douglas counties shall
16 credit 90% of the moneys so received to the road and bridge fund of such
17 counties and apportion and pay the remainder of such moneys to the
18 several cities located in such counties except that no persons residing
19 within the Fort Riley military reservation shall be included or considered
20 in determining the population of any city located within Geary or Riley
21 county; and

22 (4) the county treasurers of Johnson county and all other counties not
23 listed in paragraphs (1), (2) or (3) shall credit all of the moneys received
24 to the road and bridge fund of such counties.

25 Not less than 25% of the amount received by each county and credited
26 to the county road and bridge fund under the provisions of this section
27 shall be expended by the county on mail and school bus routes on county
28 roads as defined in K.S.A. 68-101, and amendments thereto. Payments
29 to the cities under the provisions of this subsection shall be in the pro-
30 portion that the population of each city bears to the total population of
31 all cities located in the same county as such city.

32 In counties which have not adopted the county-unit road system, the
33 amount of money retained by such counties after distribution to the cities
34 within such county pursuant to this subsection shall be distributed to each
35 township within such county in not less than the proportion that the
36 amount of money received by each township from the county and town-
37 ship road fund during the period from July 1, 1969, to June 30, 1970,
38 bears to the total amount of money received by such county from the
39 county and township road fund, the county road and city street funds,
40 the special motor carrier fee county road fund and the special city and
41 county highway fund during the period from July 1, 1969, to June 30,
42 1970, plus the amount such county would have received on July 15, 1970,
43 from the special city and county highway fund based on the formula for

1 distributing such fund in effect on June 30, 1970. All payments to town-
2 ships hereunder shall be made to the treasurers thereof, and all moneys
3 so received shall be deposited in the general road fund of such township.

4 (c) The allocation and payment of moneys to the several cities of the
5 state from the special city and county highway fund shall be in the pro-
6 portion that the population of each city bears to the total population of
7 all cities in the state except that the population of any military reservation
8 which has been annexed to a city after the date of December 31, 1981,
9 shall not be included in the population of such city for the purpose of this
10 allocation. All such payments shall be to the city treasurers of the re-
11 spective cities. Upon receipt of same unless a consolidated street and
12 highway fund is established pursuant to K.S.A. 12-1,119, and amend-
13 ments thereto, the city treasurer of each city shall credit the same to a
14 separate fund to be used for the construction, reconstruction, alteration,
15 repair and maintenance of the streets and highways of such city and for
16 the payment of bonds, and interest thereon, issued pursuant to K.S.A.
17 79-3425g, and amendments thereto.

18 (d) For the purposes of this section, the average daily vehicle miles
19 traveled in each county shall be determined by the secretary of transpor-
20 tation, but it shall not include miles traveled on interstate highways, and
21 the population of each city shall be reported in the annual enumeration
22 by the state board of agriculture for the preceding calendar year.

23 (e) In order to reduce vehicular traffic and congestion on its streets
24 and highways, the board of county commissioners of any county, the gov-
25 erning body of any city or the township board of any township may use
26 for the purpose of constructing, repairing and maintaining footpaths and
27 bicycle paths not to exceed 10% of the moneys such government receives
28 under K.S.A. 79-3425c, and amendments thereto, except that such limi-
29 tation shall not apply to moneys received by a county that the county is
30 required to distribute to a city or a township. Such moneys shall not be
31 expended on any recreational trail, as defined in subsection (b) of K.S.A.
32 2003 Supp. 58-3211, and amendments thereto.

33 Sec. 79. On July 1, 2004, K.S.A. 2003 Supp. 79-3425i is hereby
34 amended to read as follows: 79-3425i. On January 15 and July 15 of each
35 year, the director of accounts and reports shall transfer a sum equal to
36 the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-
37 6a10, and amendments thereto, and credited to the state general fund
38 during the six months next preceding the date of transfer, from the state
39 general fund to the special city and county highway fund, created by
40 K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers
41 are subject to reduction under K.S.A. 75-6704, and amendments thereto;
42 and (2) ~~no the amount of~~ moneys shall be transferred from the state
43 general fund to the special city and county highway fund during state

1 fiscal year ~~2004~~ 2005 on each such date shall not exceed \$5,031,832. All
2 transfers under this section shall be considered to be demand transfers
3 from the state general fund *except that all such transfers during the fiscal*
4 *year ending June 30, 2005, shall be considered to be revenue transfers*
5 *from the state general fund.*

6 Sec. 80. On July 1, 2004, K.S.A. 2003 Supp. 79-34,147 is hereby
7 amended to read as follows: 79-34,147. (a) (1) On July 1, 1999, and quar-
8 terly thereafter the secretary of revenue shall certify to the director of
9 accounts and reports the amount equal to 7.628% of the total revenues
10 received by the secretary from the taxes imposed under the Kansas re-
11 tailers' sales tax act and deposited in the state treasury and credited to
12 the state general fund during the preceding three calendar months.

13 (2) On July 1, 2001, and quarterly thereafter, the secretary of revenue
14 shall certify to the director of accounts and reports the amount equal to
15 9.5% of the total revenues received by the secretary from the taxes im-
16 posed under the Kansas retailers' sales tax act and deposited in the state
17 treasury and credited to the state general fund during the preceding three
18 calendar months.

19 (3) On July 1, 2002, and quarterly thereafter, the secretary of revenue
20 shall certify to the director of accounts and reports the amount equal to
21 11% of the total revenues received by the secretary from the taxes im-
22 posed under the Kansas retailers' sales tax act and deposited in the state
23 treasury and credited to the state general fund during the preceding three
24 calendar months.

25 (4) On July 1, 2003, and quarterly thereafter, the secretary of revenue
26 shall certify to the director of accounts and reports the amount equal to
27 11.25% of the total revenues received by the secretary from the taxes
28 imposed under the Kansas retailers' sales tax act and deposited in the
29 state treasury and credited to the state general fund during the preceding
30 three calendar months.

31 (5) On July 1, 2004, and quarterly thereafter, the secretary of revenue
32 shall certify to the director of accounts and reports the amount equal to
33 12% of the total revenues received by the secretary from the taxes im-
34 posed under the Kansas retailers' sales tax act and deposited in the state
35 treasury and credited to the state general fund during the preceding three
36 calendar months.

37 (b) Upon receipt of each certification under subsection (a), the director
38 of accounts and reports shall transfer from the state general fund to the
39 state highway fund an amount equal to the amount so certified, on each
40 July 1, October 1, January 1 and April 1, except that no transfers shall be
41 made pursuant to this section during state fiscal year ~~2004~~ 2005. All trans-
42 fers made pursuant to this section are subject to reduction under K.S.A.
43 75-6704, and amendments thereto.

1 (c) All transfers made in accordance with the provisions of this section
2 shall be considered to be demand transfers from the state general fund.

3 Sec. 81. On July 1, 2004, K.S.A. 2003 Supp. 82a-953a is hereby
4 amended to read as follows: 82a-953a. During the fiscal year ending June
5 30, ~~2004~~ 2005, the director of accounts and reports shall transfer
6 ~~\$3,773,949~~ \$3,748,839 from the state general fund to the state water plan
7 fund created by K.S.A. 82a-951, and amendments thereto, ½ of such
8 amount to be transferred on July 15 and ½ to be transferred on January
9 15, except that such transfers are subject to reduction under K.S.A. 75-
10 6704, and amendments thereto. All transfers under this section shall be
11 considered to be demand transfers from the state general fund, except
12 that all such transfers during the fiscal year ending June 30, ~~2004~~ 2005,
13 shall be considered revenue transfers from the state general fund.

14 ***Sec. 82. On July 1, 2004, K.S.A. 2003 Supp. 75-6702 is hereby***
15 ***amended to read as follows: 75-6702. (a) The last appropriation bill***
16 ***passed in any regular session of the legislature shall be the omnibus***
17 ***reconciliation spending limit bill. Each bill which is passed during***
18 ***a regular session of the legislature and which appropriates or trans-***
19 ***fers money from the state general fund for the ensuing fiscal year***
20 ***shall contain a provision that such bill shall take effect and be in***
21 ***force from and after the effective date of the omnibus reconciliation***
22 ***spending limit bill for that regular session of the legislature or from***
23 ***and after such effective date and a subsequent date or an event***
24 ***occurring after such effective date.***

25 ***(b) Except as provided in subsection (c), the maximum amount of***
26 ***expenditures and demand transfers from the state general fund that***
27 ***may be authorized by act of the legislature during the 2004 regular***
28 ***session of the legislature and each regular session of the legislature***
29 ***thereafter, is hereby fixed so that there will be an ending balance***
30 ***in the state general fund for the ensuing fiscal year that is equal to***
31 ***7½% or more of the total amount authorized to be expended or***
32 ***transferred by demand transfer from the state general fund in such***
33 ***fiscal year.***

34 ***(c) The provisions of subsection (b) are hereby suspended for the***
35 ***fiscal year ending June 30, 2004 2005, and shall not prescribe a***
36 ***maximum amount of expenditures and demand transfers from the***
37 ***state general fund that may be authorized by act of the legislature***
38 ***during the 2003 2004 regular session of the legislature.***

39 Sec. ~~82~~ 83. On July 1, 2004, K.S.A. 2003 Supp. 2-223, 55-193, 75-2319,
40 ~~75-6702~~, 76-775, 79-2959, 79-2964, 79-3425c, 79-3425i, 79-34,147 and
41 82a-953a are hereby repealed.

42 ***Sec. 84. On July 1, 2004, or as soon thereafter as moneys are***
43 ***available, the director of accounts and reports shall transfer***

1 **\$500,000 from the children's initiatives fund to the state general**
2 **fund.**

3 Sec. ~~83~~ **85. Appeals to exceed position limitations.** The limitations im-
4 posed by this act on the number of full-time and regular part-time posi-
5 tions equated to full-time, excluding seasonal and temporary positions,
6 paid from appropriations for the fiscal years ending June 30, 2004, or
7 ending June 30, 2005, made in chapter 138 or chapter 160 of the 2003
8 Session Laws of Kansas or in this act or in any other appropriation act of
9 the 2004 regular session of the legislature may be exceeded upon approval
10 of the state finance council.

11 Sec. ~~84~~ **86. Appeals to exceed expenditure limitations.** (a) Upon written
12 application to the governor and approval of the state finance council,
13 expenditures from special revenue funds may exceed the amounts spec-
14 ified in this act.

15 (b) This section shall not apply to the state economic development
16 initiatives fund, the children's initiatives fund, the state water plan fund
17 or the Kansas endowment for youth fund, or to any account of any of
18 such funds.

19 Sec. ~~85~~ **87. Savings.** (a) Any unencumbered balance as of June 30,
20 2004, in any special revenue fund, or account thereof, of any state agency
21 named in this act which is not otherwise specifically appropriated or lim-
22 ited by this or other appropriation act of the 2004 regular session of the
23 legislature, is hereby appropriated for the fiscal year ending June 30,
24 2005, for the same use and purpose as the same was heretofore appro-
25 priated. This subsection shall not apply to any state agency named in
26 section 22 of chapter 138 of the 2003 Session Laws of Kansas.

27 (b) Any unencumbered balance as of June 30, 2004, in any special
28 revenue fund, or account thereof, of any state agency named in section
29 22 of chapter 138 of the 2003 Session Laws of Kansas which is not oth-
30 erwise specifically appropriated or limited for fiscal year 2005 by chapter
31 138 or chapter 160 of the 2003 Session Laws of Kansas by this or other
32 appropriation act of the 2004 regular session of the legislature, is hereby
33 appropriated for fiscal year 2005 for the same use and purpose as the
34 same was heretofore appropriated.

35 (c) This section shall not apply to the state economic development
36 initiatives fund, the children's initiatives fund, the state water plan fund
37 or the Kansas endowment for youth fund, or to any account of any of
38 such funds.

39 Sec. ~~86~~ **88.** During the fiscal year ending June 30, 2005, all moneys
40 which are lawfully credited to and available in any bond special revenue
41 fund, which are not otherwise specifically appropriated or limited by this
42 or other appropriation act of the 2004 regular session of the legislature,
43 are hereby appropriated for the fiscal year ending June 30, 2005, for the

1 state agency for which the bond special revenue fund was established for
2 the purposes authorized by law for expenditures from such bond special
3 revenue fund. As used in this subsection, “bond special revenue fund”
4 means any special revenue fund or account thereof established in the
5 state treasury prior to or on or after the effective date of this act for the
6 deposit of the proceeds of bonds issued by the Kansas development fi-
7 nance authority, for the payment of debt service for bonds issued by the
8 Kansas development finance authority, or for any related purpose in ac-
9 cordance with applicable bond covenants.

10 Sec. ~~87~~ 89. *Federal grants.* (a) During the fiscal year ending June 30,
11 2005, each federal grant or other federal receipt which is received by a
12 state agency named in this act and which is not otherwise appropriated
13 to that state agency by this or other appropriation act of the 2004 regular
14 session of the legislature, is hereby appropriated for the fiscal year ending
15 June 30, 2005, for that state agency for the purpose set forth in such
16 federal grant or receipt, except that no expenditure shall be made from
17 and no obligation shall be incurred against any such federal grant or other
18 federal receipt, which has not been previously appropriated or reappro-
19 priated or approved for expenditure by the governor, until the governor
20 has authorized the state agency to make expenditures therefrom.

21 (b) During the fiscal year ending June 30, 2005, each federal grant or
22 other federal receipt which is received by a state agency named in section
23 22 of chapter 138 of the 2003 Session Laws of Kansas and which is not
24 otherwise appropriated to that state agency for fiscal year 2005 by chapter
25 138 or chapter 160 of the 2003 Session Laws of Kansas or by this or other
26 appropriation act of the 2004 regular session of the legislature, is hereby
27 appropriated for fiscal year 2005 for that state agency for the purpose set
28 forth in such federal grant or receipt, except that no expenditure shall be
29 made from and no obligation shall be incurred against any such federal
30 grant or other federal receipt, which has not been previously appropriated
31 or reapropriated or approved for expenditure by the governor, for fiscal
32 year 2005, until the governor has authorized the state agency to make
33 expenditures from such federal grant or other federal receipt for fiscal
34 year 2005.

35 (c) In addition to the other purposes for which expenditures may be
36 made by any state agency which is named in this act and which is not
37 otherwise authorized by law to apply for and receive federal grants, ex-
38 penditures may be made by such state agency from moneys appropriated
39 for fiscal year 2005 by chapter 138 or chapter 160 of the 2003 Session
40 Laws of Kansas or by this or other appropriation act of the 2004 regular
41 session of the legislature to apply for and receive federal grants during
42 fiscal year 2005, which federal grants are hereby authorized to be applied
43 for and received by such state agencies: *Provided*, That no expenditure

1 shall be made from and no obligation shall be incurred against any such
2 federal grant or other federal receipt, which has not been previously ap-
3 propriated or reappropriated or approved for expenditure by the gover-
4 nor, until the governor has authorized the state agency to make expend-
5 itures therefrom.

6 Sec. ~~88~~ **90**. Any correctional institutions building fund appropriation
7 heretofore appropriated to any state agency named in this or other ap-
8 propriation act of the 2004 regular session of the legislature, and having
9 an unencumbered balance as of June 30, 2004, in excess of \$100 is hereby
10 reappropriated for the fiscal year ending June 30, 2005, for the same uses
11 and purposes as originally appropriated unless specific provision is made
12 for lapsing such appropriation.

13 Sec. ~~89~~ **91**. Any Kansas educational building fund appropriation here-
14 tofore appropriated to any institution named in this or other appropriation
15 act of the 2004 regular session of the legislature and having an unencum-
16 bered balance as of June 30, 2004, in excess of \$100 is hereby reappor-
17 tiated for the fiscal year ending June 30, 2005, for the same use and
18 purpose as originally appropriated, unless specific provision is made for
19 lapsing such appropriation.

20 Sec. ~~90~~ **92**. Any state institutions building fund appropriation hereto-
21 fore appropriated to any state agency named in this or other appropriation
22 act of the 2004 regular session of the legislature and having an unencum-
23 bered balance as of June 30, 2004, in excess of \$100 is hereby reappor-
24 tiated for the fiscal year ending June 30, 2005, for the same use and
25 purpose as originally appropriated, unless specific provision is made for
26 lapsing such appropriation.

27 Sec. ~~91~~ **93**. Any transfers of money during the fiscal year ending June
28 30, 2005, from any special revenue fund of any state agency named in
29 this act to the audit services fund of the division of post audit under K.S.A.
30 46-1121 and amendments thereto shall be in addition to any expenditure
31 limitation imposed on any such fund for the fiscal year ending June 30,
32 2005.

33 Sec. ~~92~~ **94**. During the fiscal year ending June 30, 2005, each state
34 agency named in this act that has a cost reduction for which an employee
35 suggestion bonus is paid pursuant to subsection (f) of K.S.A. 2003 Supp.
36 75-37,105, and amendments thereto, shall transfer (1) from each state
37 general fund appropriation or reappropriation account for fiscal year 2005
38 from which all or part of such cost reduction has been realized to the
39 state general fund, in accordance with subsection (f) of K.S.A. 2003 Supp.
40 75-37,105, and amendments thereto, the amount equal to 80% of the cost
41 reduction which is attributed to such account, and (2) from each special
42 revenue fund for fiscal year 2005 from which all or part of such cost
43 reduction has been realized to the state general fund, in accordance with

1 subsection (f) of K.S.A. 2003 Supp. 75-37,105, and amendments thereto,
2 the amount equal to 80% of the cost reduction which is attributed to such
3 special revenue fund.

4 Sec. ~~93~~ **95**. This act shall take effect and be in force from and after
5 July 1, 2004, or the date upon which the omnibus reconciliation spending
6 limit bill of the 2004 regular session of the legislature becomes effective,
7 whichever is later, and its publication in the statute book **its publication**
8 **in the Kansas register**.