

Journal of the House

SEVENTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, May 31, 2001, 10:00 a.m.

The House met pursuant to adjournment with Speaker Glasscock in the chair.

The roll was called with 103 members present.

Rep. Pauls was excused on legislative business.

Reps. Alldritt, Ballard, Barnes, Edmonds, Gilbert, Hayzlett, Lloyd, Loganbill, Loyd, Mason, Novascone, Ray, Rehorn, Showalter, Swenson, Tanner, Thimesch, Toelkes, Tomlinson, Welshimer and Winn were excused on excused absence by the Speaker.

MESSAGES FROM THE GOVERNOR

HB 2059, HB 2124, HB 2178, HB 2208, HB 2297, HB 2313; S. Sub. for Sub. HB 2468; HB 2591, HB 2594, HB 2595, HB 2597 approved on May 9, 2001.

MESSAGE FROM THE GOVERNOR

May 14, 2001

Message to the House of Representatives of the State of Kansas:

Enclosed herewith is Executive Directive No. 01-309 for your information.

EXECUTIVE DIRECTIVE No. 01-309
Authorizing Certain Expenditures

BILL GRAVES
Governor

The above Executive Directive is on file and open for inspection in the office of the Chief Clerk.

MESSAGES FROM THE GOVERNOR

HB 2101 approved on May 15, 2001.

HB 2007; S. Sub. for HB 2017; S. Sub. for HB 2033; HB 2084, HB 2103, HB 2136, HB 2200, HB 2275, HB 2296, HB 2508, HB 2596 approved on May 21, 2001.

HB 2599 approved on May 21, 2001.

Message to House of Representatives of the State of Kansas:

There is a growing need in Kansas' \$590 million annual hunting and fishing economy to ensure that people operating commercial guide services obey both state hunting and fishing laws as well as Kansas Department of Wildlife and Parks' (KDWP) regulations. KDWP currently has no outlet by which to deny or revoke guide permits on the basis of legal violations, either in Kansas or in another state. **HB 2599** will allow KDWP to more thoroughly investigate the legitimacy and integrity of those seeking to provide guiding services in Kansas, thereby protecting hunters, landowners and Kansas' reputation of being a great place for hunting.

Whereas no one has expressed concerns about the Wildlife and Parks regulatory portion of **HB 2599**, public concerns regarding this bill focus on the shooting range provisions of the legislation. These provisions would have been better evaluated on their own merits.

The narrow intent and application of the shooting range provisions of **HB 2599** apply to preexisting facilities and provide them with limited immunity from civil liability and criminal

prosecution, including nuisance actions relating to noise and noise pollution. When reading the act in its entirety, it is clear the immunity provisions apply only to actions involving noise and noise pollution.

The very protections and safeguards shooting ranges seek and are provided for in this legislation, may further impede the establishment of future shooting ranges. One unintended consequence of the bill could be to encourage local units of government to establish restrictions and regulations for the location and operation of future shooting ranges. Those restrictions and regulations may result out of concern by local units of government that the only recourse available to them to manage city and county growth and control shooting range activities would be to severely restrict new shooting range locations.

I encourage local units of government and sports shooting range operators to work together to resolve these issues and return to the 2002 Legislature with any changes necessary to improve the public policy initiated by this legislation.

After careful analysis and much thought, and due to the importance of other substantive content of this bill, I am signing this legislation.

BILL GRAVES
Governor

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2592**, An act relating to mineral severance tax; concerning the time of payment thereof; amending K.S.A. 79-4220 and 79-4221 and repealing the existing sections, was received and read.

Message to the House of Representatives of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I am vetoing **HB 2592**. **HB 2592** modifies the payment due date for mineral taxes from the 20th of the second month following the severing of the oil or gas to the 20th of the month following the severing of the gas or oil.

The modified filing deadline has a number of unintended and unduly burdensome consequences to the Department of Revenue and the taxpayers. At the time the tax return and payment are due, most taxpayers will lack the information necessary to file an accurate return. Additionally, many of the taxpayers will not have received payment for the oil or gas within this time limit. Consequently, **HB 2592** will create problems with unpaid or overpaid accounts, ongoing collection efforts and administrative correspondence with taxpayers. The taxpayers would also continually be amending returns to correct returns filed before all the information was available.

Historically, tax enforcement and taxpayer compliance have not been problems for the oil and gas industry in Kansas. This bill could force taxpayers into untimely and inaccurate filings and create administrative burdens with no significant benefit to the state.

Given the extent of my concerns regarding the application of **HB 2592** and the minimal benefits provided to the State of Kansas from its one-time revenue shift, I am vetoing this bill.

BILL GRAVES
Governor

Dated: May 21, 2001

MESSAGES FROM THE GOVERNOR

HB 2063, HB 2065; S. Sub. for HB 2067; HB 2119, HB 2176, HB 2245, HB 2266, HB 2268; S. Sub. for HB 2336; HB 2397, HB 2480, HB 2590, HB 2600 approved on May 22, 2001.

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2283**, An act making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 2000 Supp. 2-223, 79-2959, as amended by

section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79-3425i, as amended by section 169 of 2001 Senate Bill No. 57, 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, 82a-953a and section 171 of 2001 Senate Bill No. 57 and repealing the existing sections, was received and read.

Message to the House of Representatives of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return **HB 2283** with my signature approving the bill, except for the items enumerated below.

HB 2283, while overall being effective in meeting the financial needs of Kansas in FY 2002, did fall short in some important fiscal and public policy areas. Therefore, there are numerous sections and line items vetoed.

The rationale for my vetoes fell into two categories. First is my highest priority, funding for FY 2002. It is critical that state agencies and state employees have the resources necessary to ensure quality and vital services are provided to the people of Kansas. Second was my concern with non-budget items being part of an appropriations bill, issues that failed to have a thorough hearing and appropriations that had no accountability requirements.

These priorities and concerns are reflected in the following vetoes and veto explanations.

Children's Initiatives Fund

Appropriations for FY 2003

Those portions of Section 27(b) that read as follows have been line-item vetoed:

"For the fiscal year ending June 30, 2003	\$250,000"
"For the fiscal year ending June 30, 2003	\$850,000"
"For the fiscal year ending June 30, 2003	\$755,000"

Those portions of Section 30(c) that read as follows have been line-item vetoed:

"For the fiscal year ending June 30, 2003	\$400,000"
"For the fiscal year ending June 30, 2003	\$2,500,000"
"For the fiscal year ending June 30, 2003	\$8,500,000"

Provided, That, prior to providing a child with intervention during fiscal year 2003, a school district shall encourage parents of pupils at risk to obtain an eye examination by an optometrist or an ophthalmologist to determine if such child suffers from conditions which impair the ability to read: *Provided, however*, That the expense for such examination, if not reimbursed through medicaid, healthwave, private insurance or other governmental or private program, shall be the responsibility of the child's parent"

"For the fiscal year ending June 30, 2003	\$500,000"
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Those portions of Section 42(c) that read as follows have been line-item vetoed:

"For the fiscal year ending June 30, 2003	\$250,000"
"For the fiscal year ending June 30, 2003	\$1,000,000"

These line-items include appropriations for FY 2003 from the Children's Initiatives Fund for the Department of Health and Environment, the Department of Education, and the University of Kansas Medical Center. These are all worthwhile programs, and all of these expenditures may be appropriate uses for the Children's Initiatives Fund in FY 2003. However, the Children's Cabinet should be given a chance to evaluate these and other programs and to make recommendations for the Children's Initiatives Fund in FY 2003. By making appropriations for the Children's Initiatives Fund in FY 2003, the Children's Cabinet is effectively cut out of the evaluation and advisory process. In addition, it is the responsibility of the Governor to present an annual budget. By appropriating these funds for FY 2003, this responsibility is pre-empted. Therefore, I find it necessary to veto all appropriations made for the Children's Initiatives Fund for FY 2003.

Selected Agencies

Water Plan Funds

Sections 27(k), 54(e), 56(a), 57(b), and 69 have been line-item vetoed in their entirety. That portion of Section 81 that reads as follows has been line-item vetoed:

"82a-953a"

The Omnibus Bill lowers the demand transfer from the State General Fund to the Water Plan by \$850,000. Corresponding cuts are made to water plan expenditures in the Department of Health and Environment, the Department of Agriculture, the State Conservation Commission, and the Kansas Water Office. Water quality is extremely important to Kansans. I do not believe we should reduce water plan expenditures at a time when water quality initiatives are of growing importance.

Department of Health & Environment

AIDS Funding

Section 27(c) has been line-item vetoed in its entirety.

I provided in my original recommendation a supplemental appropriation of \$400,000 for AIDS Drug Assistance that allows individuals to receive these life-sustaining medications. This amount provided funding only for the shortfall in the FY 2001 budget and did not address the additional funding which will likely be needed in FY 2002 and beyond. The Legislature lapsed \$50,000 of this amount. Because these funds carry forward from one fiscal year to the next and because additional funding will be needed in FY 2002, it would be a shortsighted decision to allow this reduction to stand. Therefore, I veto this reduction in the AIDS medications account.

Pregnancy Maintenance

Section 27(d) has been line-item vetoed in its entirety.

In 2001 **HB 2067**, the Legislature requires the Department of Health and Environment to spend \$300,000 from its State General Fund Operating Expenditures account for the Pregnancy Maintenance Program. I support this program and the provision included in HB 2067. However, the Legislature does not target specific funding in this State General Fund account for this program. Because the net effect of the Legislature's actions in **HB 2283** is to lapse \$320,849 in funding from the account, I find it necessary to veto this section to provide adequate funding for this program in FY 2002. This action will appropriately fund this program and the Legislature's intent and will not do so at the expense of other worthy programs in the Department.

Department of Transportation

Motor Fuel Accelerator

Section 68 has been line-item vetoed in its entirety. That portion of Section 81 that reads as follows has been line-item vetoed:

“79-34,147, as amended by section 170 of 2001 Senate Bill No. 57”

When the Legislature reduced the sales tax demand transfer from the State General Fund to the State Highway Fund from \$121,108,648 to \$78,208,648, there was an assumption that \$36.4 million of the \$42.9 million in lost revenues to the State Highway Fund would be made up through other sources. Of the \$36.4 million, \$20.0 million was to be offset by increased bonding authority. The legislation to support this offset was passed by the Legislature. The remaining \$16.4 million was to be offset by an acceleration of one-cent of motor fuels tax from a beginning collection date of July 1, 2003, to July 1, 2001. The legislation that would have allowed this acceleration failed in the House and the money will not be available to offset the reduction in the demand transfer. I therefore find it necessary to veto the reduction in the sales tax demand transfer from the State General Fund to the State Highway Fund and return the demand transfer to the approved level in SB 57. It is my intention that the \$20.0 million reduction and \$6.5 million reduction that was not to be made up through other sources will be reduced in my budget recommendations next legislative session. The \$16.4 million reduction will not be in my budget recommendations as part of the Department of Transportation's budget because of the failure to enact the motor fuel acceleration bill.

Wildlife & Parks

Shift from SGF to Fee Funds

Section 58(a) has been line-item vetoed in its entirety.

I veto the section that reduces State General Fund financing by \$400,000. Legislative intent was to replace it partially with \$300,000 in additional expenditure authority in the Park Fee Fund. The remaining \$100,000 is financed by the Nonrestricted Fee Fund, which is not constrained by an expenditure limitation. I veto this section because the public interest of all Kansans would not be served if our state park system is placed in financial jeopardy. Financial analysis done on the Park Fee Fund indicates that the Legislature's intent to increase expenditures from the Park Fee Fund would jeopardize the financial integrity of the fund. The analysis is based on generally accepted accounting principles used to determine adequate cashflow levels.

Statewide Reductions

Shrinkage

Sections 61 and 62 have been line-item vetoed in their entirety.

The Legislature included provisions to reduce funds associated with shrinkage in a selected number of agencies designated in the bill. The provisions would have the effect of taking more shrinkage money out of the budgets of these agencies for FY 2001 and FY 2002 than was originally budgeted for this purpose. It is common practice each year for state agencies to accommodate the reductions made in their budget for shrinkage by deliberately holding vacant positions open. Making further shrinkage reductions at this point only penalizes those agencies that are attempting to manage the shrinkage reductions in their budgets in a responsible way. I veto these provisions because the inequity that they create is unacceptable.

Longevity Bonuses

Section 3(b) has been line-item vetoed in its entirety.

This section of the bill reduces FY 2002 expenditures from each State General Fund account from which longevity bonus payments to eligible state employees are made. The reductions in effect remove the dollar increases budgeted for FY 2002 and return funding to the 2001 level. However, KSA 75-5541 provides for the payment of these bonuses according to a specified dollar amount and the number of years of state service. Therefore, state agencies are still obligated under this law to make the payments but without sufficient funds to finance them. I veto this section because of the arbitrary nature of the reductions and the unfair burden it places on state agencies.

Delay of Second 1.5 Percent Pay Increase

Sections 63 and 80 have been line-item vetoed in their entirety.

Prior to first adjournment, upon my recommendation, the Legislature approved a base salary adjustment for state employees of 1.5 percent effective June 10, 2001, and another increase of 1.5 percent on December 9, 2001. During the veto session, as a cost-cutting measure, the Legislature delayed the second increase to March 3, 2002. I veto this section in order to restore the second increase to be effective December 9, as originally approved. I believe it is vital, even with budgetary challenges, to keep faith with our effort to acknowledge the value of state employees in providing governmental services. This delay would only undermine that effort.

Legislative Coordinating Council

Oversight Committees

Section 2(d) has been line-item vetoed in its entirety.

The SRS Transition Oversight Committee was established by the Legislature in 1996 to provide legislative oversight for the Topeka State Hospital and Winfield State Hospital closures. Since the closures were completed, the 1999 Legislature expanded the purposes for this committee and extended the sunset provision. The 2001 Legislature failed to pass SB 31 extending the SRS Transition Oversight Committee. In 1999, the Legislature created a Health Care Reform Legislative Oversight Committee to address the effect of recent changes in federal law on the State of Kansas. The Legislature failed to pass HB 2058 extending the sunset provision for the Health Care Reform Legislative Oversight Committee.

The ongoing creation and extension of joint committees by the Legislature is slowly encroaching on the executive functions of government in violation of the Separation of Powers Doctrine. Additionally, the Kansas Supreme Court held that the Constitution of the State of Kansas, Art. 2, Sec. 14 prohibits the inclusion of substantive legislation in an act of appropriation (*State ex rel. v. Carlin*, 230 Kan. 252, 631 P.2d 668 (1981)).

Department of Administration

Operating Reduction

Section 13(j) has been line-item vetoed in its entirety.

I veto the reduction of \$1.3 million from the State General Fund that the Legislature made to the Department of Administration's operating budget for FY 2002. The reduction was not targeted to any particular program in the Department, and the dollar amount appears to have been arrived at arbitrarily. The magnitude of the reduction is too great for the agency to absorb. The loss would cause an adverse effect on the central services the Department provides to other agencies. It should be noted that the size of the reduction was significantly out of proportion to the operating reductions made in other state agency budgets. To ensure that services essential to the efficient operation of state government are maintained, I find it necessary to restore these funds to the Department's budget.

Department of Social & Rehabilitation Services

HealthWave

Section 29(b) has been line-item vetoed in its entirety.

This section would reduce the State General Fund appropriation for HealthWave services. It was unintentionally left in the final draft of the bill. Therefore, I veto this section to correct the mistake and fully fund HealthWave services for low income children in Kansas.

Department of Education

Emporia State University Grant

Section 30(f) has been line-item vetoed in its entirety.

The Legislature had a good idea in providing monies to the Jones Institute. One important element to improving our educational system is ensuring teachers are well trained. I therefore veto the funding lapse contained in this bill for the Jones Institute at Emporia State University in support of the important endeavors in this area.

State Library

Aid for Local Libraries

Section 31 has been line-item vetoed in its entirety.

Aid to local libraries is vital to our communities and the education of our children. The Legislature prudently added funds to the budget for local library aid. By vetoing this section, I support the Legislature's addition of the funds.

Fire Marshal

Fire Marshal Fee Fund Transfer

Section 48(c) has been line-item vetoed in its entirety.

This section transfers money from the Fire Marshal Fee Fund to the State General Fund. This agency already transfers \$200,000 of its fee fund collections to the State General Fund to cover the costs of central administrative services. An additional transfer from this fund would inappropriately use fees collected for a specific purpose for the general operations of state government.

Fee Agencies

Fund Transfers

Sections 21, 22, and 23 have been line-item vetoed in their entirety.

These sections transfer money from the fee funds of the Behavioral Sciences Regulatory Board, the Board of Nursing, and the Board of Pharmacy to the State General Fund. These agencies already transfer 20.0 percent of their fee fund collections to the State General Fund to cover the costs of central administrative services. Additional transfers from these

particular funds would inappropriately use fees collected for a specific purpose for the general operations of state government.

Department of Revenue

Electronic Data Fund Transfer

Section 14(k) has been line-item vetoed in its entirety.

I veto the transfer of \$1,117,263 from the Electronic Databases Fee Fund (EDF) to the State General Fund because these funds can be better utilized by financing the replacement of aging equipment in the Department of Revenue that is crucial to the processing of taxpayers' checks. One specific example is the Department's Channel Management Infrastructure System. If the EDF is depleted and transferred to the State General Fund, it would take an excessive amount of time to replenish the fund to the point that it can be used for this type of project.

Commerce & Housing

Wichita World Trade Center

Section 16(e) has been line-item vetoed in its entirety.

The Mid-America World Trade Center has been funded for several years by the Economic Development Initiatives Fund. However, the State General Fund is not an appropriate alternative funding source. In addition, the World Trade Center was given an increase in a year in which other economic development efforts were reduced and unlike other economic development appropriations this item had no process for accountability. Therefore, I find it necessary to veto the grant to the Mid-America World Trade Center funded by the State General Fund in this bill.

Children's Initiatives Fund

JJA KEDS Program & Level V Reimbursement

Those portions of Section 46(f) that read as follows have been line-item vetoed:

"Youth residential facility reimbursement

For the fiscal year ending June 30, 2002..... \$400,000

Provided, That no expenditures shall be made from the youth residential facility reimbursement account to reimburse any youth residential facility except after first advising and consulting with the joint committee on juvenile justice and corrections oversight concerning the reimbursement distribution formula to be utilized for such reimbursements.

Kansas early development support grants

For the fiscal year ending June 30, 2002..... \$125,000

Provided, That all expenditures by the above agency from the Kansas early development support grants account shall be for a pilot project targeting troubled teenage parents and other parents at risk of committing abuse and neglect: *Provided, however*, That the grant agreements for such pilot project shall require a \$1 for \$1 match from each service provider: *Provided further*, That grants from the Kansas early development support grants account shall be awarded on a competitive basis and shall be awarded upon the advice of the Kansas advisory group on juvenile justice and delinquency prevention."

The Kansas Early Development Support Grants represent a new project, which has not been well defined. I believe the appropriations for Youth Facility Reimbursement services have been adequate. Specifically allocating funding for services of one agency's providers would be unfair to other residential facility providers who face similar challenges with the populations they serve. If additional resources from the Children's Initiatives Fund are needed for this purpose, those resources should be a part of the Children's Cabinet recommendations. A \$1.0 million increase in funding that was requested by the agency and which I recommended has already been approved by the Legislature for the Juvenile Justice Authority in FY 2002. I therefore find it necessary to veto the additional expenditures from the Children's Initiatives Fund for the Juvenile Justice Authority in this bill.

Department of Education**School Readiness**

Section 30(g) has been line-item vetoed in its entirety.

This section of the bill, concerning a progress report on school readiness, is simply unnecessary and is better left to policy discussions under other circumstances. The Department of Education is already working to develop school readiness indicators and will certainly provide reports to the Legislature on its work, as it has done for numerous years. Nor does the Legislative Educational Planning Committee need direction for its interim work placed in an appropriations bill.

Attorney General**Colorado Water Suit**

Section 4(d) has been line-item vetoed in its entirety.

During the 1996 Legislative Session, legislation was passed that specified the disposition of amounts recovered by the state from a settlement in the Colorado litigation (KSA 82a-1801). Currently, monies received by the state in the Colorado case would be deposited in the Interstate Water Litigation Fund. When the amount of monies in the fund exceeds expenditures for water litigation as certified by the Attorney General, additional monies received would be distributed as follows: 33.3 percent to the State Water Plan Fund for water conservation projects and 66.6 percent to the Water Conservation Projects Fund. While it may be prudent to consider repaying the State General Fund for past litigation costs, the existing legislation best meets the state's water needs. I therefore veto the language that alters the disposition of water settlement proceeds.

DARE Reduction

Section 4(b) has been line-item vetoed in its entirety.

During the 1999 Legislative Session, responsibility for coordination of the Drug Abuse Resistance Education (DARE) Program was assigned to the Office of the Attorney General. Statutorily, that responsibility remains. By lapsing the funding for the program, the Attorney General would not be able to comply with statutory responsibility. The future of the state's commitment to drug abuse education would be limited. I therefore find it necessary to veto the language which lapses funding for the DARE Program.

Messages on Line-Items That Have Been Signed**Department of Social & Rehabilitation Services & Department on Aging**

The appropriations in this bill do not fully fund the expected medical and nursing home caseloads in the Department of Social and Rehabilitation Services and the Department on Aging. The appropriations presume a one-week delay in bill payment at the end of FY 2002. I disagree with this policy. I have not vetoed the portions of this bill that deal with caseloads, but I intend to support full caseload funding when the FY 2002 supplemental bill is introduced in the 2002 Legislative Session.

All Executive Branch Agencies

This section reduces FY 2002 State General Fund dollars budgeted for out-of-state travel by 25.0 percent. After considerable deliberation, I have chosen not to veto this item. However, it represents another arbitrary and ill-conceived reduction to balance the budget, with little consideration given to the potential adverse effect on administrative operations, including workforce development, and the efficient provision of government services. This section also creates inequities in that the Legislature exempted its own budget from these reductions. That has the effect of imposing the entire burden of the reductions on the Executive Branch. If the Legislature believes this is good public policy, it should set the example and be included.

BILL GRAVES
Governor

Dated: May 25, 2001

COMMUNICATIONS FROM STATE OFFICERS

From Charles R. Ranson, President, Kansas, Inc., preliminary draft, Comprehensive Strategic Plan Update, April 2001.

From Dale Brunton, Director, Division of Accounts and Reports, Department of Administration, State of Kansas Monthly Financial Perspective for March, 2001.

From William H. Layes, Chief, Labor Market Information Services, Department of Human Resources, Kansas Employment Security Advisory Council Annual Report 2000.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

CONSIDERATION OF VETOED BILLS

The Governor's objection to **HB 2592** having been read April (see this Journal), the time arrived for reconsideration of **HB 2592**, An act relating to mineral severance tax; concerning the time of payment thereof; amending K.S.A. 79-4220 and 79-4221 and repealing the existing sections.

There was no motion to reconsider. The Chair ruled the bill had been reconsidered and the veto sustained.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Wilk the House proceeded to reconsider **HB 2283**, An act making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 2000 Supp. 2-223, 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79-3425i, as amended by section 169 of 2001 Senate Bill No. 57, 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, 82a-953a and section 171 of 2001 Senate Bill No. 57 and repealing the existing sections.

The Governor's objection of the line item in section 3(b) of **HB 2283**, which reads as follows:

(b) On July 1, 2001, of the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2002, by 2001 Senate Bill No. 57 or by this or other appropriation act of the 2001 regular session of the legislature and that is budgeted for fiscal year 2002 for payment of longevity bonus payments pursuant to K.S.A. 75-5541 and amendments thereto, the amount equal to the amount by which (1) the amount budgeted for fiscal year 2002 in each such account of the state general fund for longevity bonus payments, exceeds (2) the amount budgeted for fiscal year 2001 in each such account for longevity bonus payments as approved by the 2000 legislature for fiscal year 2001, as certified by the director of the budget to the director of accounts and reports, is hereby lapsed: *Provided*, That the aggregate amount lapsed from all such accounts of the state general fund for fiscal year 2002 by this subsection shall not exceed \$300,000: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

the question being, shall the line item pass notwithstanding the Governor's veto?

On roll call, the vote was: Yeas 85; Nays 18; Present but not voting: 0; Absent or not voting: 22.

Yeas: Aday, Aurand, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Crow, Dahl, DeCastro, Dillmore, DiVita, Faber, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Glasscock, Gordon, Grant, Henderson, Henry, Hermes, Horst, Howell, Huebert, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Levinson, Light, Lightner, M. Long, P. Long, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Nichols, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Reardon, Ruff, Schwartz, Sharp, Shriver, Shultz, Spangler, Storm, Tafanelli, Toplikar, Wells, Wilk, D. Williams.

Nays: Ballou, Beggs, Benlon, Cox, Dreher, Feuerborn, Holmes, Huff, Lane, Larkin, Newton, E. Peterson, Sloan, Stone, Vickrey, Weber, J. Williams, Wilson.

Present but not voting: None.

Absent or not voting: Alldritt, Ballard, Barnes, Edmonds, Gilbert, Hayzlett, Lloyd, Loganbill, Loyd, Mason, Novascone, Pauls, Ray, Rehorn, Showalter, Swenson, Tanner, Thimesch, Toelkes, Tomlinson, Welshimer, Winn.

A two-thirds majority of the members elected to the House having voted in favor of the passage of the line item over the Governor's veto, the motion did prevail, and the line item did pass.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Wilk the House proceeded to reconsider **HB 2283**, An act making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 2000 Supp. 2-223, 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79-3425i, as amended by section 169 of 2001 Senate Bill No. 57, 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, 82a-953a and section 171 of 2001 Senate Bill No. 57 and repealing the existing sections.

The Governor's objection of the line item in section 14(k) of **HB 2283**, which reads as follows:

(k) On July 1, 2001, the expenditure limitation established for the fiscal year ending June 30, 2002, by section 120(b) of 2001 Senate Bill No. 57 on the electronic databases fee fund is hereby decreased from \$4,655,772 to \$3,538,509.

the question being, shall the line item pass notwithstanding the Governor's veto?

On roll call, the vote was: Yeas 86; Nays 17; Present but not voting: 0; Absent or not voting: 22.

Yeas: Aday, Aurand, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Crow, Dahl, DeCastro, Dillmore, DiVita, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Glasscock, Gordon, Grant, Henderson, Henry, Hermes, Horst, Howell, Huebert, Humerickhouse, Hutchins, Huy, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Levinson, Light, Lightner, M. Long, P. Long, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Nichols, O'Brien, Osborne, Ostmeyer, Palmer, Patterson, E. Peterson, J. Peterson, Phelps, L. Powell, T. Powell, Powers, Pyle, Reardon, Ruff, Schwartz, Sharp, Shriver, Shultz, Spangler, Storm, Tafanelli, Toplikar, Vickrey, Wells, Wilk, D. Williams, Wilson.

Nays: Ballou, Beggs, Benlon, Cox, Dreher, Holmes, Huff, Johnson, Lane, Larkin, Newton, O'Neal, Pottorff, Sloan, Stone, Weber, J. Williams.

Present but not voting: None.

Absent or not voting: Alldritt, Ballard, Barnes, Edmonds, Gilbert, Hayzlett, Lloyd, Loganbill, Loyd, Mason, Novascone, Pauls, Ray, Rehorn, Showalter, Swenson, Tanner, Thimesch, Toelkes, Tomlinson, Welshimer, Winn.

A two-thirds majority of the members elected to the House having voted in favor of the passage of the line item over the Governor's veto, the motion did prevail, and the line item did pass.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Wilk the House proceeded to reconsider **HB 2283**, An act making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 2000 Supp. 2-223, 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79-3425i, as amended by section 169 of 2001 Senate Bill No.

57, 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, 82a-953a and section 171 of 2001 Senate Bill No. 57 and repealing the existing sections.

The Governor's objection of the line item in section 48(c) of **HB 2283**, which reads as follows:

(c) On July 1, 2001, and on January 1, 2002, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$250,000 from the fire marshal fee fund to the state general fund: *Provided*, That the transfer of each such amount shall be in addition to any other transfer from the fire marshal fee fund to the state general fund as prescribed by law: *Provided further*, That each such amount transferred from the fire marshal fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

the question being, shall the line item pass notwithstanding the Governor's veto?

On roll call, the vote was: Yeas 66; Nays 35; Present but not voting: 0; Absent or not voting: 24.

Yeas: Aday, Aurand, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Dahl, DeCastro, Dillmore, DiVita, Feuerborn, Flora, Freeborn, Garner, Gatewood, Glasscock, Gordon, Henderson, Henry, Hermes, Howell, Huebert, Humerickhouse, Huy, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Levinson, Light, Lightner, Mayans, Mays, McCreary, McLeland, Miller, Minor, Jim Morrison, Myers, Neufeld, Nichols, O'Brien, Osborne, Ostmeier, Palmer, Patterson, E. Peterson, J. Peterson, Pottorff, L. Powell, Powers, Pyle, Ruff, Schwartz, Sharp, Shultz, Tafanelli, Vickrey, Wells, Wilk, D. Williams.

Nays: Ballou, Beggs, Benlon, Cox, Dreher, Faber, Findley, Flaharty, Grant, Holmes, Horst, Huff, Hutchins, Johnson, Lane, Larkin, M. Long, P. Long, McClure, McKinney, Merrick, Newton, O'Neal, Phelps, T. Powell, Reardon, Shriver, Sloan, Spangler, Stone, Storm, Toplikar, Weber, J. Williams, Wilson.

Present but not voting: None.

Absent or not voting: Alldritt, Ballard, Barnes, Crow, Edmonds, Gilbert, Hayzlett, Lloyd, Loganbill, Loyd, Mason, Judy Morrison, Novascone, Pauls, Ray, Rehorn, Showalter, Swenson, Tanner, Thimesch, Toelkes, Tomlinson, Welshimer, Winn.

A two-thirds majority of the members elected to the House not having voted in favor of the passage of the line item over the Governor's veto, the motion did not prevail, and the line item did not pass.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hermes the House proceeded to reconsider **HB 2283**, An act making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 2000 Supp. 2-223, 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79- 3425i, as amended by section 169 of 2001 Senate Bill No. 57, 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, 82a-953a and section 171 of 2001 Senate Bill No. 57 and repealing the existing sections.

The Governor's objection of the line item in section 46(f) of **HB 2283**, which reads as follows:

(f) There is appropriated for the above agency from the children's initiatives fund for the fiscal year or years specified, the following:

Youth residential facility reimbursement
For the fiscal year ending June 30, 2002..... \$400,000

Provided, That no expenditures shall be made from the youth residential facility reimbursement account to reimburse any youth residential facility except after first advising and con-

sulting with the joint committee on juvenile justice and corrections oversight concerning the reimbursement distribution formula to be utilized for such reimbursements.

Kansas early development support grants

For the fiscal year ending June 30, 2002..... \$125,000

Provided, That all expenditures by the above agency from the Kansas early development support grants account shall be for a pilot project targeting troubled teenage parents and other parents at risk of committing abuse and neglect: *Provided, however*, That the grant agreements for such pilot project shall require a \$1 for \$1 match from each service provider: *Provided further*, That grants from the Kansas early development support grants account shall be awarded on a competitive basis and shall be awarded upon the advice of the Kansas advisory group on juvenile justice and delinquency prevention.

the question being, shall the line item pass notwithstanding the Governor's veto?

On roll call, the vote was: Yeas 84; Nays 19; Present but not voting: 0; Absent or not voting: 22.

Yeas: Aday, Aurand, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Crow, Dahl, DeCastro, DiVita, Faber, Feuerborn, Findley, Flaharty, Flora, Garner, Gatewood, Glascock, Gordon, Grant, Henderson, Henry, Hermes, Horst, Howell, Huebert, Humerickhouse, Hutchins, Huy, Johnson, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Larkin, Levinson, Light, Lightner, M. Long, P. Long, Mayans, Mays, McClure, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Nichols, O'Brien, Osborne, Ostmeier, Patterson, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Reardon, Ruff, Schwartz, Sharp, Shriver, Shultz, Spangler, Storm, Tafanelli, Toplikar, Wells, Wilk, D. Williams, J. Williams, Wilson.

Nays: Ballou, Beggs, Benlon, Cox, Dillmore, Dreher, Freeborn, Holmes, Huff, Kauffman, Lane, McCreary, Newton, O'Neal, Palmer, Sloan, Stone, Vickrey, Weber.

Present but not voting: None.

Absent or not voting: Alldritt, Ballard, Barnes, Edmonds, Gilbert, Hayzlett, Lloyd, Loganbill, Loyd, Mason, Novascone, Pauls, Ray, Rehorn, Showalter, Swenson, Tanner, Thimesch, Toelkes, Tomlinson, Welshimer, Winn.

A two-thirds majority of the members elected to the House having voted in favor of the passage of the line item over the Governor's veto, the motion did prevail, and the line item did pass.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Wilk the House proceeded to reconsider **HB 2283**, An act making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 2000 Supp. 2-223, 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79-3425i, as amended by section 169 of 2001 Senate Bill No. 57, 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, 82a-953a and section 171 of 2001 Senate Bill No. 57 and repealing the existing sections.

The Governor's objection of the line item in section 13 (j) of **HB 2283**, which reads as follows:

(j) On July 1, 2001, of the aggregate amount of \$21,420,685 appropriated for the department of administration by section 118(a) of 2001 Senate Bill No. 57 from the state general fund for the fiscal year ending June 30, 2002, in all accounts of the state general fund of the department of administration, the aggregate sum of \$1,300,000 is hereby lapsed: *Provided*, That the specific amount that is lapsed pursuant to this subsection in each account of the state general fund appropriated for the department of administration for the fiscal year ending June 30, 2002, by section 118(a) of 2001 Senate Bill No. 57, shall be determined and shall be certified by the secretary of administration to the director of accounts and reports on or before June 30, 2001: *Provided, however*, That the aggregate of all such amounts so certified in such accounts of the state general fund shall not be less than

\$1,300,000: *Provided further*, That the secretary of administration shall submit a copy of such certification to the director of the legislative research department and to the director of the budget: *And provided further*, That the secretary of administration shall not certify any amount appropriated by this or any other appropriation act of the 2001 legislature for operations of the Kansas public broadcasting council or in the public broadcasting council grants account or the public TV digital conversion debt service account: *And provided further*, That, if the secretary of administration fails to make such certification to the director of accounts and reports on or before June 30, 2001, or if the aggregate of the amounts certified by the secretary of administration to the director of accounts and reports is not equal to or more than \$1,300,000, then the director of the budget shall determine the specific amount that is lapsed pursuant to this subsection in each account of the state general fund appropriated for the department of administration for the fiscal year ending June 30, 2002, by section 118(a) of 2001 Senate Bill No. 57 and shall certify the amount so determined to the director of accounts and reports, to the secretary of administration and to the director of the legislative research department.

the question being, shall the line item pass notwithstanding the Governor's veto?

On roll call, the vote was: Yeas 86; Nays 16; Present but not voting: 0; Absent or not voting: 23.

Yeas: Aday, Aurand, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Crow, Dahl, DeCastro, Dillmore, DiVita, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Glasscock, Gordon, Grant, Henderson, Henry, Hermes, Horst, Howell, Huebert, Humerickhouse, Hutchins, Huy, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Larkin, Levinson, Light, Lightner, M. Long, P. Long, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Nichols, O'Brien, Osborne, Ostmeyer, Palmer, Patterson, E. Peterson, J. Peterson, Phelps, L. Powell, T. Powell, Powers, Pyle, Reardon, Ruff, Schwartz, Sharp, Shriver, Shultz, Spangler, Storm, Toplikar, Vickrey, Wells, Wilk, D. Williams, J. Williams, Wilson.

Nays: Ballou, Beggs, Benlon, Cox, Dreher, Holmes, Huff, Johnson, Lane, Newton, O'Neal, Pottorff, Sloan, Stone, Tafanelli, Weber.

Present but not voting: None.

Absent or not voting: Alldritt, Ballard, Barnes, Edmonds, Gilbert, Hayzlett, Landwehr, Lloyd, Loganbill, Loyd, Mason, Novascone, Pauls, Ray, Rehorn, Showalter, Swenson, Tanner, Thimesch, Toelkes, Tomlinson, Welshimer, Winn.

A two-thirds majority of the members elected to the House having voted in favor of the passage of the line item over the Governor's veto, the motion did prevail, and the line item did pass.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Wilk the House proceeded to reconsider **HB 2283**, An act making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 2000 Supp. 2-223, 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79-3425i, as amended by section 169 of 2001 Senate Bill No. 57, 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, 82a-953a and section 171 of 2001 Senate Bill No. 57 and repealing the existing sections.

The Governor's objection of the line item in section 61 of **HB 2283**, which reads as follows:

Sec. 61 (a) On or before June 30, 2001, the director of the budget shall review (1) the actual rate of shrinkage for each state agency specified in subsection (c) for the fiscal year ending June 30, 2001, and (2) the rate of shrinkage in the approved budget for such state agency for the fiscal year ending June 30, 2002, and the director shall determine the amount by which the moneys that are budgeted and appropriated in each account of the state general fund for fiscal year 2001 for such state agency for salaries and wages for state officers and employees, including associated employer contributions, are to be adjusted in such budget

and are to be lapsed from such appropriations pursuant to this section to reflect the appropriate rate of shrinkage for such state agency for fiscal year 2001, based on such shrinkage data and other appropriate factors: *Provided*, That, upon determining the appropriate adjustment in the rate of shrinkage for a state agency for fiscal year 2001 pursuant to this section, if the adjustment is to increase the rate of shrinkage for the state agency for fiscal year 2001, then the director of the budget is hereby authorized and directed to reduce the amount budgeted for salaries and wages for state officers and employees, including associated employer contributions, in each account of the state general fund for fiscal year 2001 of such state agency and to certify on June 30, 2001, to the director of accounts and reports the amount in each such account of the state general fund for fiscal year 2001 of such state agency by which the director of the budget is reducing the budget of such state agency for salaries and wages for state officers and employees, including associated employer contributions: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department: *And provided further*, That the aggregate of all amounts certified to the director of accounts and reports by the director of the budget pursuant to this subsection shall not exceed \$800,000.

(b) On June 30, 2001, the amount certified by the director of the budget to the director of accounts and reports under subsection (a) in each account of the state general fund of each state agency that is appropriated for fiscal year 2001, as specified in such certification, is hereby lapsed from the designated appropriation or appropriations from the state general fund for fiscal year 2001 and the director of accounts and reports shall make the appropriate adjustments to the accounts of each such state agency: *Provided*, That the aggregate of all such amounts lapsed shall not exceed \$800,000.

(c) The provision of this section shall apply to each of the following state agencies: (1) Adjutant general; (2) department on aging; (3) Kansas department of agriculture; (4) Kansas animal health department; (5) attorney general; (6) Kansas state school for the deaf; (7) Kansas state school for the blind; (8) emergency medical services board; (9) governmental ethics commission; (10) Kansas guardianship program; (11) Kansas highway patrol; (12) state historical society; (13) department of human resources; (14) Kansas human rights commission; (15) attorney general—Kansas bureau of investigation; (16) state library; (17) ombudsman of corrections; (18) Kansas parole board; (19) secretary of state; (20) Kansas sentencing commission; (21) department of social and rehabilitation services; (22) state board of tax appeals; (23) state treasurer; and (24) Kansas commission on veterans affairs.

the question being, shall the line item pass notwithstanding the Governor's veto?

On roll call, the vote was: Yeas 76; Nays 26; Present but not voting: 1; Absent or not voting: 22.

Yeas: Aday, Aurand, Bethell, Boston, Campbell, Compton, Cook, Crow, Dahl, DeCastro, Dillmore, DiVita, Findley, Flaharty, Flora, Freeborn, Garner, Glasscock, Gordon, Henderson, Henry, Hermes, Horst, Howell, Huebert, Humerickhouse, Hutchins, Huy, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Levinson, Light, Lightner, M. Long, P. Long, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Nichols, O'Brien, Osborne, Ostmeyer, Palmer, Patterson, E. Peterson, J. Peterson, L. Powell, T. Powell, Powers, Pyle, Reardon, Ruff, Schwartz, Sharp, Shultz, Spangler, Storm, Tafanelli, Toplikar, Wells, Wilk, D. Williams.

Nays: Ballou, Beggs, Benlon, Cox, Dreher, Faber, Feuerborn, Gatewood, Grant, Holmes, Huff, Johnson, Lane, Larkin, Minor, Newton, O'Neal, Phelps, Pottorff, Shriver, Sloan, Stone, Vickrey, Weber, J. Williams, Wilson.

Present but not voting: Burroughs.

Absent or not voting: Aldritt, Ballard, Barnes, Edmonds, Gilbert, Hayzlett, Lloyd, Loganbill, Loyd, Mason, Novascone, Pauls, Ray, Rehorn, Showalter, Swenson, Tanner, Thimesch, Toelkes, Tomlinson, Welshimer, Winn.

A two-thirds majority of the members elected to the House not having voted in favor of the passage of the line item over the Governor's veto, the motion did not prevail, and the line item did not pass.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Wilk the House proceeded to reconsider **HB 2283**, An act making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 2000 Supp. 2-223, 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79-3425i, as amended by section 169 of 2001 Senate Bill No. 57, 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, 82a-953a and section 171 of 2001 Senate Bill No. 57 and repealing the existing sections.

The Governor's objection of the line item in section 16(e) of **HB 2283**, which reads as follows:

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

State operations

For the fiscal year ending June 30, 2002..... \$50,000

Provided, That expenditures from the state operations account in fiscal year 2002 shall be made for a grant to the mid-America world trade center in the amount of \$50,000.

the question being, shall the line item pass notwithstanding the Governor's veto?

On roll call, the vote was: Yeas 57; Nays 45; Present but not voting: 0; Absent or not voting: 23.

Yeas: Aday, Aurand, Bethell, Boston, DeCastro, Dillmore, Findley, Flaharty, Flora, Garner, Glasscock, Gordon, Grant, Hermes, Howell, Huebert, Humerickhouse, Hutchins, Huy, Kauffman, Kirk, Klein, Kuether, Landwehr, Levinson, Light, Lightner, P. Long, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Jim Morrison, Myers, Neufeld, Nichols, O'Brien, O'Neal, Osborne, Palmer, Patterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Ruff, Shriver, Tafanelli, Wells, Wilk, D. Williams, Wilson.

Nays: Ballou, Beggs, Benlon, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DiVita, Dreher, Faber, Feuerborn, Freeborn, Gatewood, Henderson, Henry, Holmes, Horst, Huff, Johnson, Kline, Krehbiel, Lane, Larkin, M. Long, Miller, Minor, Judy Morrison, Newton, Ostmeier, E. Peterson, Pyle, Reardon, Schwartz, Sharp, Shultz, Sloan, Stone, Storm, Toplikar, Vickrey, Weber, J. Williams.

Present but not voting: None.

Absent or not voting: Alldritt, Ballard, Barnes, Edmonds, Gilbert, Hayzlett, Lloyd, Loganbill, Loyd, Mason, Novascone, Pauls, Ray, Rehorn, Showalter, Spangler, Swenson, Tanner, Thimesch, Toelkes, Tomlinson, Welshimer, Winn.

A two-thirds majority of the members elected to the House not having voted in favor of the passage of the line item over the Governor's veto, the motion did not prevail, and the line item did not pass.

CONSIDERATION OF VETOED BILLS

The Governor's objection to the line items in Sections 27(b), 27(k), 54(e), 56(a), 57(b), 69, 27(c), 27(d), 68, that portion of Section 81 that reads "79-34,147, as amended by section 170 of 2001 Senate Bill No. 57." 58(a), 62, 63, 80, 2(d), 29(b), 30(f), 31, 21, 22, 23 of **HB 2283** having been read (see this Journal), the time arrived for reconsideration of **HB 2283**, An act making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 2000 Supp. 2-223, 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79-3425i, as amended by section 169 of 2001 Senate Bill

No. 57, 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, 82a-953a and section 171 of 2001 Senate Bill No. 57 and repealing the existing sections.

There were no motions to reconsider. The Chair ruled the line items had been reconsidered and the vetoes sustained.

REPORT ON ENGROSSED BILLS

HB 2200 reported correctly engrossed May 7, 2001.

HB 2268 reported correctly re-engrossed May 7, 2001.

Also, **HB 2084, HB 2275, HB 2480, HB 2600** reported correctly engrossed May 8, 2001.

HB 2103, HB 2136, HB 2176, HB 2245, HB 2296, HB 2599 reported correctly re-engrossed May 8, 2001.

Also, **HB 2397** reported correctly engrossed May 9, 2001.

HB 2266 reported correctly re-engrossed May 9, 2001.

Also, **S. Sub. for HB 2017; HB 2063; S. Sub. for HB 2067** reported correctly engrossed May 10, 2001.

HB 2065, HB 2119, HB 2283; S. Sub. for HB 2336; HB 2590 reported correctly re-engrossed May 10, 2001.

REPORT ON ENROLLED BILLS

HB 2007, HB 2200, HB 2508, HB 2592, HB 2596, HB 2599 reported correctly enrolled, properly signed and presented to the governor on May 11, 2001.

Also, **HB 2084, HB 2136, HB 2275, HB 2296** reported correctly enrolled, properly signed and presented to the governor on May 14, 2001.

Also, **S. Sub. for HB 2017; S. Sub. for HB 2033; HB 2063, HB 2065; S. Sub. for HB 2067; HB 2103, HB 2119, HB 2176, HB 2245, HB 2266, HB 2268, HB 2397, HB 2480, HB 2590, HB 2600** reported correctly enrolled, properly signed and presented to the governor on May 15, 2001.

Also, **HB 2283; S. Sub. for HB 2336** reported correctly enrolled, properly signed and presented to the governor on May 17, 2001.

REPORT ON ENROLLED RESOLUTIONS

HR 6022 reported correctly enrolled and properly signed on May 11, 2001.

Also, **HCR 5032** reported correctly enrolled and properly signed on May 15, 2001.

The hour for final adjournment having arrived, Speaker Glasscock said, "By virtue of the authority vested in me, as Speaker of the House of Representatives of the 2001 session, I do now declare the House adjourned sine die."

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.



MESSAGE FROM THE SENATE

Announcing the Senate herewith transmits the certificate of action taken on May 31, 2001, by the Senate on **House Bill 2283**,

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 2000 Supp. 2-223, 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79-3425i, as amended by section 169 of 2001 Senate Bill No. 57, 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, 82a-953a and section 171 of 2001 Senate Bill No. 57 and repealing the existing sections.

The veto message from the Governor having been received, a motion was made that, notwithstanding the Governor's objections, line item Section 3(b) be passed. By a vote of 4 Yeas and 27 Nays, the motion having failed to be approved by the required two-thirds majority of the members elected to the Senate, voting in the affirmative, the line item was sustained.

The veto message from the Governor having been received, a motion was made that, notwithstanding the Governor's objections, line item Section 13(j) be passed. By a vote of 10 Yeas and 21 Nays, the motion having failed to be approved by the required two-thirds majority of the members elected to the Senate, voting in the affirmative, the line item was sustained.

The veto message from the Governor having been received, a motion was made that, notwithstanding the Governor's objections, line item Section 46(f) be passed. By a vote of 8 Yeas and 23 Nays, the motion having failed to be approved by the required two-thirds majority of the members elected to the Senate, voting in the affirmative, the line item was sustained.

There being no motion for the Senate to reconsider Section 14 (k), the President ruled the line item veto sustained.

CERTIFICATE

In accordance with K.S.A. 45-308, it is certified that, **House Bill 2283**,

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 2000 Supp. 2-223, 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79-3425i, as amended by section 169 of 2001 Senate Bill No. 57, 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, 82a-953a and section 171 of 2001 Senate Bill No. 57 and repealing the existing sections, was approved by the Governor except for the items enumerated below:

3(b) On July 1, 2001, of the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2002, by 2001 Senate Bill No. 57 or by this or other appropriation act of the 2001 regular session of the legislature and that is budgeted for fiscal year 2002 for payment of longevity bonus payments pursuant to K.S.A. 75-5541 and amendments thereto, the amount equal to the amount by which (1) the amount budgeted for fiscal year 2002 in each such account of the state general fund for longevity bonus payments, exceeds (2) the amount budgeted for fiscal year 2001 in each such account for longevity bonus payments as approved by the 2000 legislature for fiscal year 2001, as certified by the director of the budget to the director of accounts and reports, is hereby lapsed: *Provided*, That the aggregate amount lapsed from all such accounts of the state general fund for fiscal year 2002 by this subsection shall not exceed \$300,000: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

13(j) On July 1, 2001, of the aggregate amount of \$21,420,685 appropriated for the department of administration by section 118(a) of 2001 Senate Bill No. 57 from the state general fund for the fiscal year ending June 30, 2002, in all accounts of the state general fund of the department of administration, the aggregate sum of \$1,300,000 is hereby lapsed: *Provided*, That the specific amount that is lapsed pursuant to this subsection in each account of the state general fund appropriated for the department of administration for the fiscal year ending June 30, 2002, by section 118(a) of 2001 Senate Bill No. 57, shall be determined and shall be certified by the secretary of administration to the director of accounts and reports on or before June 30, 2001: *Provided, however*, That the aggregate of all such amounts so certified in such accounts of the state general fund shall not be less than \$1,300,000: *Provided further*, That the secretary of administration shall submit a copy of such certification to the director of the legislative research department and to the director of the budget: *And provided further*, That the secretary of administration shall not certify any amount appropriated by this or any other appropriation act of the 2001 legislature for

operations of the Kansas public broadcasting council or in the public broadcasting council grants account or the public TV digital conversion debt service account: *And provided further*, That, if the secretary of administration fails to make such certification to the director of accounts and reports on or before June 30, 2001, or if the aggregate of the amounts certified by the secretary of administration to the director of accounts and reports is not equal to or more than \$1,300,000, then the director of the budget shall determine the specific amount that is lapsed pursuant to this subsection in each account of the state general fund appropriated for the department of administration for the fiscal year ending June 30, 2002, by section 118(a) of 2001 Senate Bill No. 57 and shall certify the amount so determined to the director of accounts and reports, to the secretary of administration and to the director of the legislative research department.

46(f) There is appropriated for the above agency from the children's initiatives fund for the fiscal year or years specified, the following:

Youth residential facility reimbursement
For the fiscal year ending June 30, 2002 \$400,000

Provided, That no expenditures shall be made from the youth residential facility reimbursement account to reimburse any youth residential facility except after first advising and consulting with the joint committee on juvenile justice and corrections oversight concerning the reimbursement distribution formula to be utilized for such reimbursements.

Kansas early development support grants
For the fiscal year ending June 30, 2002 \$125,000

Provided, That all expenditures by the above agency from the Kansas early development support grants account shall be for a pilot project targeting troubled teenage parents and other parents at risk of committing abuse and neglect: *Provided, however*, That the grant agreements for such pilot project shall require a \$1 for \$1 match from each service provider: *Provided further*, That grants from the Kansas early development support grants account shall be awarded on a competitive basis and shall be awarded upon the advice of the Kansas advisory group on juvenile justice and delinquency prevention,

of **HB 2283**, were not approved by the Governor on May 25, 2001; were returned by the Governor with his objections and approved on May 31, 2001, by two-thirds of the members elected to the House of Representatives, notwithstanding the objections of the Governor; were reconsidered by the Senate but failed to be approved on May 31, 2001, by two-thirds of the members elected to the Senate as required by the Constitution and laws of the State of Kansas.

Section 14(k) which reads as follows:

On July 1, 2001, the expenditure limitation established for the fiscal year ending June 30, 2002, by section 120(b) of 2001 Senate Bill No. 57 on the electronic databases fee fund is hereby decreased from \$4,655,772 to \$3,538,509,

of **HB 2283** was not approved by the Governor on May 25, 2001; was returned by the Governor with his objections and approved on May 31, 2001, by two-thirds of the members elected to the House of Representatives, notwithstanding the objections of the Governor; was not reconsidered by the Senate and the line item was sustained.

Motions were made to reconsider the line item vetoes of Sections 16(e), 48(c) and 61, but having failed to be approved by the required two-thirds of the members elected to the House of Representatives, these line item vetoes of **HB 2283** were sustained.

This certificate is made this 31st day of May, 2001, by the Secretary and President of the Senate.

PAT SAVILLE, *Secretary of Senate.*

DAVE KERR, *President of Senate.*

CHARLENE SWANSON, *Journal Clerk.*

JANET E. JONES, *Chief Clerk.*

