

SESSION OF 2003

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2456

As Amended by House Committee on
Appropriations

Brief*

HB 2456 would allow the Attorney General the flexibility to transfer money from State General Fund accounts within the budget for the Office of the Attorney General to other accounts in the Attorney General's budget from which expenditures may be made for water litigation against the states of Colorado and Nebraska.

Background

HB 2456 was recommended for introduction by the Appropriations Budget Committee that reviewed the budget of the Attorney General. In the past, the Attorney General has sought and been given approval by the Governor to transfer money from one water litigation account to the other in order to meet immediate expenses relating to water litigation. HB 2456 would allow the Attorney General to transfer money from one water litigation account to the other or from the State General Fund accounts for agency operations on his own initiative, without having to request an Executive Directive.

For FY 2004, the Governor has recommended no funding for water litigation in the Colorado case (\$946,204 was requested) and \$412,002 for the Nebraska case (\$960,000 was requested). The Attorney General has negotiated an agreement with the outside counsel who represents Kansas in both cases to defer payment until Kansas receives expected monetary damages from Colorado, possibly in FY 2004, but other water expenses are ongoing as Kansas enters the final phases of litigation in both cases.

The amendment added by the House Appropriations Committee would make it clear that transfers can be made only among accounts in the budget of the Attorney General's Office and not among accounts

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/klrld>

that involve the budget of the Kansas Bureau of Investigation, which is under the jurisdiction of the Attorney General.