



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

**Criminal Justice Recodification,
Rehabilitation and Reconciliation Committee****Notice of Subcommittee Meeting**

The Kansas Criminal Justice Recodification, Rehabilitation and Reconciliation Committee's Re-entry Subcommittee will meet from 1:30 to 5 p.m. Friday, April 29, in Room 241-N, State Capitol, 300 S.W. 10th Ave., Topeka. The meeting is open to the public. For more information, call Connie Burns at (785) 296-7655 or Cheryl Kingfisher at (785) 228-2079.

Rep. Ward Loyd
Chairman

Doc. No. 031897

State of Kansas

University of Kansas**Notice to Bidders**

Sealed bids for the item listed below will be received by the University of Kansas Purchasing Office, Lawrence, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 864-3416 or fax (785) 864-3454 for additional information:

Monday, May 9, 2005
RFQ 39889

Asphalt Paving of Westbrooke Street,
University of Kansas, West Campus

Barry Swanson
Director, Business Services
and Purchasing

Doc. No. 031906

State of Kansas

Department of Commerce**Request for Comments**

The Kansas Department of Commerce is requesting comments on the draft two-year Strategic State Plan for Title I of the Workforce Investment Act and the Wagner-Peyser Act. This plan will be submitted to the U.S. Department of Labor to become effective July 1, 2005 through June 30, 2007. This plan documents the Governor's vision and goals for the Kansas workforce development system, as well as the strategies, policies, activities and measures of success for this system.

To request a copy of the plan, contact Linda J. Weaver, Policy and Planning, Kansas Department of Commerce, Suite 100, Curtis State Office Building, 1000 S.W. Jackson, 66612, (785) 296-2159, TTY (785) 296-3487, or lweaver@kansascommerce.com. Copies of the draft plan may be requested in large print or alternative formats.

Comments must be received by 5 p.m. Monday, May 23, and may be submitted by any of the following methods:

- E-mail: Comments may be submitted by e-mail to lweaver@kansascommerce.com (enter "State Plan Comments" in the subject line of the message).
- Fax: Comments of five pages or less may be submitted by fax to (785) 291-3512 (please note that this is not a toll-free number).
- Postal mail: Comments may be submitted by postal mail to Linda J. Weaver at the address above.

Howard R. Fricke
Secretary of Commerce

Doc. No. 031862

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State of Kansas

Persian Gulf War Health Advisory Board

Notice of Meeting

The Kansas Commission on Veterans' Affairs will conduct a Persian Gulf War Health Advisory Board meeting at 10 a.m. Saturday, April 30, in Suite 701, Jayhawk Tower, 700 S.W. Jackson, Topeka. The public is invited to attend. For more information, call (785) 296-3976.

Wayne Bollig
Chief Operations Officer

Doc. No. 031899

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, May 12, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, with respect to the proposal for the K DFA to issue housing facility revenue bonds in an amount not to exceed \$12.6 million on behalf of the University of Kansas, and the University of Kansas Memorial Corporation, dba the Kansas and Burge Unions, a nonprofit corporation organized under the laws of the state (the Union Corporation). The Series 2005E-1 Revenue bonds will be issued, pursuant to K.S.A. 74-8901 et seq., for the purpose of (i) paying a portion of the costs of renovating and equipping Hashinger Hall, a part of the University of Kansas Housing System, Kansas campus of the university (the Hashinger Hall Project), and (ii) refunding the Series 1996E Bonds, originally issued to renovate Templin Hall, also a part of the University Housing System (the project).

The bonds, when issued, will be special, limited obligations of the K DFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the K DFA, nor will the bonds constitute an indebtedness for which the faith and credit and taxing powers of the state of Kansas or any political subdivision thereof are pledged. The bonds will be payable solely from payments, revenues and receipts derived by the K DFA from the 2005 Project Bonds, and pursuant to a Pledge of Revenues Agreement between the K DFA and the Board of Regents (the board) to include all revenues derived by the board from the ownership of the Housing System. Certain obligations of the board under the Pledge of Revenues Agreement relating to each series of 2005 Project Bonds are subject to and dependent upon appropriation of the Kansas Legislature being made to the board.

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the K DFA at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the K DFA.

Steven R. Weatherford
President

Doc. No. 031895

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

Effective 4-25-05 through 5-1-05

Term	Rate
1-89 days	2.74%
3 months	2.85%
6 months	3.14%
1 year	3.36%
18 months	3.50%
2 years	3.61%

Derl S. Treff
Director of Investments

Doc. No. 031885

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, May 12, in the conference room at the offices of Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, with respect to the proposal for the K DFA to issue approximately \$7,100,000 principal amount of Variable Rate Demand Multifamily Housing Revenue Refunding Bonds (Woodridge Apartments Project) Series 1995. The bonds will be issued to refund certain prior bonds of the K DFA, the proceeds of which were applied to pay costs of acquisition and construction of a 248-unit multifamily housing development located at 13245 W. 87th Terrace, Lenexa, Kansas.

The bonds, when issued, will be limited obligations of the K DFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the K DFA, nor will the bonds constitute an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bonds will be payable solely from amounts received from the developer, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bonds when they become due.

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the K DFA at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the K DFA.

Steven R. Weatherford
President

Doc. No. 031890

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 2005-2007 by adding the following projects:

Project KA-0219-01 — Development of a Master Transportation Plan, Ottawa, Franklin County

Project X-2462-02 — Elimination of Eight Crossings, South Kansas and Oklahoma Railroad Fredonia Track Connection, Wilson County

The amendment of the STIP requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Bureau of Program and Project Management, 2nd Floor Tower, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754, (785) 296-3526, fax (785) 368-6664.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Bureau of Transportation Information, (785) 296-3585 (Voice/TTY).

The comment period regarding the STIP amendment will conclude June 6.

Deb Miller
Secretary of Transportation

Doc. No. 031887

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for landscape architecture projects on an as-needed basis according to guidelines provided by KDOT's Bureau of Design. Projects will consist of highways, safety rest areas, tourist information centers, scenic byway projects, salvage yard screening, and consultation and review of landscape projects designed by other professional firms. Two or four firms will be selected.

A response may be submitted by e-mail to neil@ksdot.org, or seven signed copies of the response may be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Responses shall be limited to four pages. Responses must be received by 5 p.m. May 18 for the consulting engineering firm to be considered.

From the firms expressing interest, the Consultant Selection Committee will select a list of the most highly qualified (not less than three and not more than five) and invite them to attend an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their approach to this project and the personnel to be assigned

to the project. Firms not selected to be short-listed will be notified by letter.

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

It is KDOT's policy to use the following criteria as the basis for selection of the consulting engineering firms:

1. Size and professional qualifications;
2. Experience of staff;
3. Location of firm with respect to proposed project;
4. Work load of firm; and
5. Firm's performance record.

G. David Comstock, P.E.
Director, Division of
Engineering and Design

Doc. No. 031853

State of Kansas

Department of Administration
Division of Facilities ManagementNotice of Commencement of
Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for the remodeling of the Eastman Building on the State Complex West in Topeka (former Topeka State Hospital). The 35,000 sq. ft. facility will require improved life safety and accessibility, minor architectural services, and extensive mechanical and electrical remodeling. The estimated construction cost is \$1,100,000.

Approval of this project is not guaranteed, and an element of risk does exist. The project will be submitted to the Department of Administration for approval, and an architectural firm may be selected in advance of the final approval.

For more information regarding the scope of services, contact George Werth, Division of Facilities Management, (785) 296-0159 or e-mail at George.Werth@da.state.ks.us.

To be considered, a letter of interest, an SF330 Part I, information regarding similar projects, and an SF330 Part II for each firm and consultant should be provided in one bound proposal. Also required are four bound copies of the same information and one CD with one PDF file of the same information. Proposals should be concise and follow the 2004 State Building Advisory Commission guidelines, which have previously been distributed to firms. If copies of the guidelines are needed, contact Phyllis Fast, Division of Facilities Management, Suite 600, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796. Submittals should be received by Phyllis Fast before noon May 13.

D. Keith Meyers
Director, Division of
Facilities Management

Doc. No. 031902

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Topeka Capitol Plaza Hotel, until 2 p.m. May 18 and then publicly opened:

District One—Northeast

Atchison—9-3 K-9932-01—K-9 from the east junction of U.S. 59 east and north to the junction of U.S. 73, 4.9 miles, seal. (State Funds)

Atchison—73-3 K-9933-01—U.S. 73 from the Leavenworth-Atchison county line north 4.1 miles, crack repair. (State Funds)

Atchison—7-3 K-9930-01—K-7 from the north city limits of Atchison north to the Atchison-Doniphan county line, 5.1 miles, crack repair. (State Funds)

Doniphan—7-22 K-9931-01—K-7 from the Atchison-Doniphan county line north to the junction of K-20, 6.1 miles, crack repair. (State Funds)

Jefferson—44 C-3789-01—County road 2.5 miles east and 4.7 miles south of Oskaloosa, 6.5 miles, grading and surfacing. (Federal Funds)

Leavenworth—5-52 K-9216-01—K-5 bridge over 7 Mile Creek, 4.3 miles north of the Wyandotte-Leavenworth county line, bridge repair. (State Funds)

Leavenworth—5-52 K-9558-01—K-5 bridge over Nine Mile Creek, 1.8 miles southeast of U.S. 77, bridge repair. (State Funds)

Leavenworth—73-52 K-9934-01—U.S. 73, 1.4 miles northwest of the junction of K-192 north to the Leavenworth-Atchison county line, 2.5 miles, crack repair. (State Funds)

Shawnee—470-89 U-1995-01—21st and I-470 west-bound off-ramp, ramp improvement. (Federal Funds)

Wyandotte—105 N-0284-01—Gibbs Road from 51st Street to I-635 in Kansas City, 0.5 mile, grading and surfacing. (Federal Funds)

District Two—Northcentral

Cloud—28-15 K-9575-01—K-28 Wolf Creek bridge, 0.2 mile northwest of K-9, bridge overlay. (State Funds)

Dickinson—43-21 K-9599-01—K-43 culvert five miles north of Hope. (State Funds)

District Three—Northwest

Cheyenne—36-12 K-9580-01—U.S. 36 South Fork Republican River bridge, 0.4 mile east of the west junction of K-27, joint repair. (State Funds)

Graham—85-33 K-9582-01—K-85 South Fork Solomon River bridge, 0.7 mile south of the junction of U.S. 24, bridge overlay. (State Funds)

Logan—55 C-3593-01—County route 1513 in Winona and County Route 1510 from Winona east to U.S. 40, 0.9 mile, surfacing. (Federal Funds)

Sherman—70-91 K-8889-01—I-70 from the Colorado-Kansas state line east to the junction of K-27, 17.1 miles, overlay. (State Funds)

Sherman—24 KA-0113-01—U.S. 24, 0.1 mile east of the north junction of K-27, east 2.3 miles, overlay. (State Funds)

District Four—Southeast

Allen—169-1 K-9524-01—U.S. 169 from the Allen-Neosho county line north to the junction of U.S. 54, 14.9 miles, overlay. (State Funds)

Bourbon—69-6 K-9583-01—U.S. 69, West Fork Dry Wood Creek bridge, 0.5 mile north of the Crawford-Bourbon county line, joint repair. (State Funds)

Neosho—169-67 K-9534-01—U.S. 169, 11.8 miles south of the Neosho-Allen county line north to the Neosho-Allen county line, 11.8 miles, overlay. (State Funds)

District Five—Southcentral

Butler—8 C-3946-01—County road 2.5 miles north and 0.9 mile east of Benton, 0.3 mile, grading and bridge. (Federal Funds)

Butler—177-8 K-9592-01—K-177, Bird Creek bridge, 0.4 mile north of U.S. 54, bridge overlay. (State Funds)

Cowley—160-18 K-9228-01—U.S. 160, Spring Creek bridge, 2.2 miles east of the Sumner-Cowley county line, bridge replacement. (Federal Funds)

Harvey—135-40 K-9591-01—County Route 0304 over I-135, 6.5 miles northwest of the junction of K-15, bridge overlay. (State Funds)

Sumner—96 K-9044-01—County Route 641 from K-49 east 0.1 mile to Conway Springs, grading and surfacing. (State Funds)

Reno—50-78 K-9603-01—U.S. 50 and Airport Road south of Hutchinson, traffic signals. (State Funds)

Sedgwick—54-87 KA-0216-01—U.S. 54, Kellogg and Hillside and Kellogg and Grove, 1 mile, pavement patching. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid.

This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

Deb Miller
Secretary of Transportation

Doc. No. 031888

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared and/or permit applications have been received for discharges to the waters of the United States and the state of Kansas for the class of discharges described below.

The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the EPA, and when issued will result in a State Water Pollution Control Permit and National Pollutant Discharge Elimination System Authorization subject to certain conditions.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-05-090

Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant	Owner of Property Where Facility Will Be Located	Legal Description	Receiving Water
April Valley Farms 18432 Mt. Olivet Road Leavenworth, KS 66048	Edmund J. Theis, Jr. 18432 Mt. Olivet Road Leavenworth, KS 66048	NW/4 of Section 19, T08S, R22E, Leavenworth County Kansas Permit No. A-MOLV-S002	Missouri River Basin
This is an application for a permit for the expansion of a facility for 477 head [190.8 animal units (a.u.)] of swine greater than 55 lbs., 695 head (69.5 a.u.) of swine 55 lbs. or less, 30 head (30 a.u.) of cattle greater than 700 lbs. and 10 head of cattle (5 a.u.) of cattle 700 lbs. or less that is expanding by adding 280 head (112 a.u.) of swine greater than 55 lbs., 137 head (13.7 a.u.) of swine 55 lbs. or less and 50 head (50 a.u.) of cattle greater than 700 lbs., for a new total of 471 animal units. A new or modified permit will not be issued without additional public notice.			

Public Notice No. KS-AG-05-091/099

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Simon Gorges Joint Venture Les Simon, Linley Simon & Sheila Gorges 17225 W. 21st North Colwich, KS 67030 Kansas Permit No. A-ARSG-M023	NE/4 of Section 09, T27S, R02W, Sedgwick County	Lower Arkansas River Basin
This is a renewal permit and name change for an existing facility for 100 head (140 animal units) of mature dairy cattle.		

Name and Address of Applicant	Legal Description	Receiving Water
H R Siefker 1707 Cimarron Road McPherson, KS 67460 Kansas Permit No. A-LAMP-S015	NW/4 of Section 36, T20S, R03W, McPherson County	Little Arkansas River Basin
This is a renewal permit for an existing facility for a maximum of 60 head of cattle greater than 700 pounds (60 animal units), 6 head of cattle less than 700 pounds (3 animal units) and 884 head of swine greater than 55 pounds (353.6 animal units), for a total of 950 head (416.6 animal units). The previous permit did not include the cattle in the permit description. The increase in capacity is from the addition of the cattle to accurately describe the operation.		

This is a renewal permit for an existing facility for a maximum of 60 head of cattle greater than 700 pounds (60 animal units), 6 head of cattle less than 700 pounds (3 animal units) and 884 head of swine greater than 55 pounds (353.6 animal units), for a total of 950 head (416.6 animal units). The previous permit did not include the cattle in the permit description. The increase in capacity is from the addition of the cattle to accurately describe the operation.

Name and Address of Applicant	Legal Description	Receiving Water
Bixenman Brothers Route 2, Box 32 Grainfield, KS 67737 Kansas Permit No. A-SASD-C003	N/2 of Section 02, T10S, R29W, Sheridan County	Saline River Basin
This is a permit modification/expansion for an existing facility. The capacity will change from 850 head (850 animal units) of cattle greater than 700 pounds to 2,000 head (2,000 animal units) of cattle greater than 700 pounds. Improvements to the runoff control system will be made.		

This is a permit modification/expansion for an existing facility. The capacity will change from 850 head (850 animal units) of cattle greater than 700 pounds to 2,000 head (2,000 animal units) of cattle greater than 700 pounds. Improvements to the runoff control system will be made.

Name and Address of Applicant	Legal Description	Receiving Water
Evans Cattle Inc. - East Yard Larry J. Evans 798 County Road 52 Gove, KS 67736 Kansas Permit No. A-SHGO-C001	SW/4 of Section 34, T14S, R28W, Gove County	Smoky Hill River Basin
This is a permit modification requiring the construction of runoff controls at an existing facility and an increase in the number of cattle from 1,500 head (1,500 animal units) to a maximum of 2,500 head (2,500 animal units) of cattle greater than 700 pounds each.		

This is a permit modification requiring the construction of runoff controls at an existing facility and an increase in the number of cattle from 1,500 head (1,500 animal units) to a maximum of 2,500 head (2,500 animal units) of cattle greater than 700 pounds each.

Name and Address of Applicant	Legal Description	Receiving Water
V. H. Farms, Inc. Randy Willt 1610 24th Road Lyons, KS 67554 Kansas Permit No. A-LARC-S003	NW/4 of Section 24, T20S, R07W, Rice County	Little Arkansas River Basin
This is a renewal permit for an existing facility for 2,200 head (880 animal units) of swine greater than 55 pounds and 1,100 head (110 animal units) of swine less than 55 pounds, for a total of 3,300 head (990 animal units) of swine.		

This is a renewal permit for an existing facility for 2,200 head (880 animal units) of swine greater than 55 pounds and 1,100 head (110 animal units) of swine less than 55 pounds, for a total of 3,300 head (990 animal units) of swine.

Name and Address of Applicant	Legal Description	Receiving Water
Homeier Farms Gordon Homeier 1585 Ave. B Ellsworth, KS 67439 Kansas Permit No. A-SHEW-B003	SW/4 of Section 01, NW/4 of Section 12, T14S, R09W, Ellsworth County	Smoky Hills River Basin
This is a new permit and expansion of an existing facility for a maximum of 999 head (999 animal units) of cattle greater than 700 pounds.		

This is a new permit and expansion of an existing facility for a maximum of 999 head (999 animal units) of cattle greater than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Martin Dairy, LLC Roland Martin 1772 Road 30 Hartford, KS 66854 Kansas Permit No. A-NELY-M002	SE/4 of Section 23, T21S, R12E, Lyon County	Neosho River Basin
This is a modified permit for the expansion of an existing dairy previously permitted for 200 head (280 animal units) of mature dairy cattle. The facility is expanding to a maximum capacity of 250 head (350 animal units) of mature dairy cattle, 50 head (50 animal units) of cattle greater than 700 pounds each and 150 head (75 animal units) of calves 700 pounds or less. The expansion involves operational		

This is a modified permit for the expansion of an existing dairy previously permitted for 200 head (280 animal units) of mature dairy cattle. The facility is expanding to a maximum capacity of 250 head (350 animal units) of mature dairy cattle, 50 head (50 animal units) of cattle greater than 700 pounds each and 150 head (75 animal units) of calves 700 pounds or less. The expansion involves operational

changes only, with no change in the confinement units or waste management system.

Name and Address of Applicant	Legal Description	Receiving Water
Cure Inc. #1 James Cure Route 2, Box 50 Burdett, KS 67523	E/2 of Section 34, T21S, R21W, Hodgeman County	Upper Arkansas River Basin

Kansas Permit No. A-UAHG-B015

This is a new permit requiring the construction of runoff controls at an existing facility expanding their pen area. The permit is for a maximum of 900 head (900 animal units) of cattle greater than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Ochampaugh Dairy James Ochampaugh 2380 R Road Plainville, KS 67663	SE/4 of Section 26, T08S, R17W, Rooks County	Solomon River Basin

State Permit No. A-SORO-B009

This is a renewal permit and modification of an existing facility that is changing from 150 head of dairy cows (210 animal units) to 200 head of cattle (200 animal units) weighing more than 700 pounds.

Public Notice No. KS-ND-05-011

Name and Address of Applicant	Legal Location	Type of Discharge
Coffeyville Resources Refining & Marketing LLC P.O. Box 1566 Coffeyville, KS 67337	Verdigris River	Process Wastewater

Kansas Permit No. I-VE09-PO02 Federal Permit No. KS0000248

Legal: NE¼, S25, T34S, R16E, Montgomery County

Facility Location: 400 N. Linden St., Coffeyville, Kansas

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility. This facility treats process wastewater streams from a petroleum refinery and from the adjacent Tessengerlo-Kerley, Inc. (TKI) Fertilizer Facility producing agricultural chemicals. The draft permit for this facility was previously public-noticed on November 25, 2004. During the public notice period, the permittee objected to the 7Q10 stream flow and the subsequent mixing zone calculation used as the basis to calculate the permit limits. KDHE has reviewed information provided by the permittee and concurs that the information supports the calculation of alternate, less stringent water-quality based limits than what appeared in the original draft permit pursuant to the Kansas Surface Water Quality Standards and the water-quality permitting implementation procedures. In addition, procedural errors in converting effluent guideline mass limits to concentration limits have been corrected and the schedule of compliance requirements have been revised to agree with the current draft permit limitations. The revised draft permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of April Romero for agricultural permits or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft permit or application notice postmarked or received on or before May 28 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-05-090/099, KS-05-011) and name of applicant/application as listed when preparing comments.

If no objections are received during the public notice period regarding any proposed permit, the Secretary of Health and Environment will issue the final determination regarding issuance or denial of the proposed permit. If response to this notice indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

For agricultural permits and applications, a copy of the permit application, supporting documentation and a KDHE-developed fact sheet, if appropriate, is available for review at the appropriate district office:

- Northwest District Office, 2301 E. 13th, Hays, 67601-2651, (785) 625-5664
- North Central District Office, 2501 Market Place, Salina, 67401-7699, (785) 827-9639
- Northeast District Office, 800 W. 24th, Lawrence, 66046-4417, (785) 842-4600
- Southwest District Office, 302 W. McArtor Road, Dodge City, 67801-6098, (620) 225-0596
- South Central District Office, 130 S. Market, 6th Floor, Wichita, 67202-3802, (316) 337-6020
- Southeast District Office, 1500 W. 7th, Chanute, 66720, (620) 431-2390

Application information and components of plans and specifications for all new facilities and for expansions of existing swine facilities may be reviewed on the Internet at <http://www.kdhe.state.ks.us/feedlots>.

For all other proposed permits, the draft permit(s), including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received and other information, are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water.

Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 031892

State of Kansas

State Employees Health Care Commission

Notice of Meeting

The Kansas State Employees Health Care Commission will meet at 1:30 p.m. Wednesday, May 11, in the boardroom of the offices of the Kansas Public Employees Retirement System, 611 S. Kansas Ave., Topeka. An agenda may be viewed by accessing the commission's Web site at <http://da.state.ks.us/hcc/meetings.htm>. For more information, contact the Benefits Office at (785) 296-6280.

Duane A. Goossen
Chair

Doc. No. 031896

(Published in the Kansas Register April 28, 2005.)

**Summary Notice of Bond Sale
Unified School District No. 512**

**Johnson County, Kansas
\$65,000,000**

**General Obligation School Bonds
Series 2005-C**

Bids

Subject to the notice of bond sale and preliminary official statement dated March 28, 2005, sealed and electronic bids will be received by (1) in the case of sealed bids, the manager of budget and finance of Unified School District No. 512, Johnson County, Kansas (the issuer), on behalf of the governing body at the school district's offices, 7235 Antioch, Overland Park, KS 66204-1298, and (2) in the case of electronic bids, through *PARITY* electronic bid submission system, until noon Monday, May 9, 2005, for the purchase of \$65,000,000 principal amount of General Obligation School Bonds, Series 2005-C. No bid of less than 100 percent of the principal amount of the Series 2005-C Bonds and accrued interest will be considered.

Bond Details

The bonds will be dated May 15, 2005, and will mature serially on October 1 in the years and in the amounts set forth below. The bonds will be initially issued as fully registered bonds, each in the denomination of \$5,000 or integral multiples thereof not exceeding the principal amount of bonds maturing on the same maturity date.

Interest on the bonds will be payable semiannually on April 1 and October 1, beginning April 1, 2006. The bonds will become due as follows:

Maturity	Amount
10/01/06	\$1,205,000
10/01/07	2,250,000
10/01/08	2,400,000
10/01/09	2,470,000
10/01/10	2,550,000
10/01/11	2,630,000
10/01/12	2,720,000
10/01/13	2,815,000
10/01/14	2,920,000
10/01/15	3,030,000
10/01/16	3,180,000

10/01/17	3,340,000
10/01/18	3,505,000
10/01/19	3,685,000
10/01/20	3,865,000
10/01/21	4,060,000
10/01/22	4,265,000
10/01/23	4,475,000
10/01/24	4,700,000
10/01/25	4,935,000

Redemption

The bonds will be subject to redemption as provided in the notice of bond sale.

Paying Agent and Bond Registrar

UMB National Bank of America, Kansas City, Kansas.

Bidder's Option Municipal Bond Insurance

The school district has applied to several insurers for bidder's option municipal bond insurance on the bonds. The premium for any such bond insurance, if elected by the successful bidder, will be paid by the successful bidder. Further information is provided in the notice of bond sale.

Good Faith Deposit

Each bid for a series of bonds shall be accompanied by a cashier's or certified check or a financial surety bond in the amount of 2 percent of the principal amount of such series of bonds.

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on May 25, 2005, or on such date as may be agreed upon by the school district and the successful bidder.

Assessed Valuation and Bonded Indebtedness

The total assessed valuation of the taxable tangible property within the school district for the year 2004 is \$3,199,711,043. The total general obligation indebtedness of the school district as of the expected date of delivery of the bonds, including the bonds in the amount shown above, is \$224,580,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer and delivered to the successful bidder when the bonds are delivered.

Information

Additional copies of this notice of bond sale, the official bid form or further information may be obtained from George K. Baum & Company, 4801 Main St., Kansas City, MO 64112, (816) 474-1100, the school district's financial advisor.

Dated March 28, 2005.

Unified School District No. 512
Johnson County, Kansas
By Tim Rooney
Manager of Budget and Finance

Doc. No. 031889

(Published in the Kansas Register April 28, 2005.)

**Summary Notice of Bond Sale
Unified School District No. 249
Crawford County, Kansas (Frontenac)
\$5,900,000
General Obligation Bonds, Series 2005
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated April 11, 2005, written and electronic bids will be received on behalf of the clerk of Unified School District No. 249, Crawford County, Kansas (Frontenac) (the issuer), in the case of written bids, on behalf of the governing body at 208 S. Cayuga, Frontenac, KS 66763, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 2 p.m. May 9, 2005, for the purchase of \$5,900,000 principal amount of General Obligation Bonds, Series 2005. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 15, 2005, and will become due on September 1 in the years as follows:

Year	Principal Amount
2007	\$70,000
2008	80,000
2009	90,000
2010	100,000
2011	115,000
2012	130,000
2013	140,000
2014	155,000
2015	170,000
2016	185,000
2017	200,000
2018	215,000
2019	235,000
2020	250,000
2021	270,000
2022	290,000
2023	310,000
2024	335,000
2025	355,000
2026	385,000
2027	410,000
2028	440,000
2029	470,000
2030	500,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2006.

Book-Entry-Only System

The bonds shall be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$118,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about May 26, 2005, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2004 is \$22,975,525. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$5,900,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the undersigned or from the financial advisor at the addresses set forth below:

Written and Facsimile Bid and Good Faith Deposit

Delivery Address:

Julie Underwood, Clerk
208 S. Cayuga
Frontenac, KS 66763
(620) 231-7551
Fax (620) 231-2043
E-mail: hafner@frontenac249.k12.ks.us

Financial Advisor Address:

Piper Jaffray & Co., Financial Advisor
One Hallbrook Place
11150 Overbrook Road, Suite 300
Leawood, KS 66211-2298
Attn: Greg Vahrenberg
(913) 345-3274
Fax (913) 345-3293
E-mail: gregory.m.vahrenberg@pjc.com

Dated April 11, 2005.

Unified School District No. 249
Crawford County, Kansas (Frontenac)

Doc. No. 031904

(Published in the Kansas Register April 28, 2005.)

Summary Notice of Sale
City of Hutchinson, Kansas
\$625,000*
General Obligation Bonds, Series 2005-A
(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of sale dated April 22, 2005, bids will be received by the deputy city clerk of the city of Hutchinson, Kansas, on behalf of the governing body at City Hall, 125 E. Ave. B, Hutchinson, KS 67501, or, in the case of electronic proposals, via *PARITY* electronic bid submission system, until 10 a.m. May 10, 2005, for the purchase of \$625,000* principal amount of General Obligation Bonds, Series 2005-A. No bid of less than the entire par value of the bonds, except a discount of not greater than .50 percent of the par value of the bonds, and accrued interest to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 15, 2005, and will become due on October 1 in the years as follows:

Maturity October 1	Principal Amount*
2005	\$85,000
2006	50,000
2007	55,000
2008	55,000
2009	60,000
2010	55,000
2011	65,000
2012	65,000
2013	65,000
2014	70,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning October 1, 2005. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$12,500 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about

May 31, 2005, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2004 is \$220,732,228. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold and certain temporary notes being sold simultaneously with the bonds, but excluding temporary notes being refunded with the proceeds of the bonds or such notes, is \$37,293,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Kutak Rock LLP, Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the deputy city clerk, (620) 694-2618, or from bond counsel, Kutak Rock LLP, 444 W. 47th St., Suite 200, Valencia Place, Kansas City, MO 64112-1914, Attention: Dorothea Riley, (816) 960-0090.

Dated April 28, 2005.

City of Hutchinson, Kansas
 By Gina Rayburn
 Deputy City Clerk
 Hutchinson City Hall
 125 E. Ave. B
 Hutchinson, KS 67501

*Subject to change.

Doc. No. 031898

(Published in the Kansas Register April 28, 2005.)

Summary Notice of Bond Sale
City of Horton, Kansas
\$300,000
General Obligation Bonds, Series 2005-A
(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated April 18, 2005, written bids will be received on behalf of the clerk of the City of Horton, Kansas (the issuer), on behalf of the governing body at the 205 E. 8th, P.O. Box 30, Horton, KS 66439, until 5 p.m. May 16, 2005, for the purchase of \$300,000 principal amount of General Obligation Bonds, Series 2005-A. No bid of less than 98.5 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 1, 2005, and will become due on December 1 in the years as follows:

Year	Principal Amount
2006	\$15,000
2007	15,000
2008	15,000
2009	15,000
2010	20,000
2011	20,000
2012	20,000
2013	20,000
2014	20,000
2015	20,000
2016	20,000
2017	25,000
2018	25,000
2019	25,000
2020	25,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning December 1, 2005.

Book-Entry-Only System

The bonds shall be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$6,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 1, 2005, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2004 is \$6,068,908. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$830,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the undersigned or from the financial advisor at the addresses set forth below:

Written and Facsimile Bid and Good Faith Deposit

Delivery Address:

Candy Schmitt, Clerk
 205 E. 8th
 P.O. Box 30
 Horton, KS 66439
 (785) 486-2681
 Fax (785) 486-2961
 E-mail: cclerk@carsoncomm.com

Financial Advisor Address:

Stifel, Nicolaus & Company, Inc., Financial Advisor
 301 N. Main, Suite 1800
 Wichita, KS 67202
 Attn: Todd Loescher
 (316) 337-8498
 Fax (316) 337-8492
 E-mail: loeschet@stifel.com

Dated April 18, 2005.

City of Horton, Kansas

Doc. No. 031905

(Published in the Kansas Register April 28, 2005.)

Summary Notice of Bond Sale

City of Manhattan, Kansas
\$1,795,000

General Obligation Bonds, Series 2005-A

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated April 19, 2005, written and electronic bids will be received on behalf of the director of finance of the city of Manhattan, Kansas (the issuer), in the case of sealed bids, at City Hall, 1st Floor, 1101 Poyntz Ave., Manhattan, KS 66502-5497; in the case of facsimile bids, by the issuer's financial advisor at (651) 223-3002; and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 2 p.m. May 17, 2005, for the purchase of \$1,795,000 principal amount of General Obligation Bonds, Series 2005-A. No bid of less than \$1,777,220 and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 1, 2005, and will become due on November 1 in the years as follows:

Year	Principal Amount
2006	\$ 70,000
2007	70,000
2008	75,000
2009	75,000
2010	75,000
2011	80,000
2012	80,000
2013	85,000
2014	90,000
2015	90,000

(continued)

2016	95,000
2017	100,000
2018	105,000
2019	105,000
2020	110,000
2021	115,000
2022	120,000
2023	125,000
2024	130,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning November 1, 2005.

Book-Entry-Only System

The bonds shall be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$35,900 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 13, 2005, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2004 is \$328,970,644. The total general obligation indebtedness of the issuer after delivery of the bonds, including \$1,765,000 principal amount of Temporary Notes of the issuer to be dated June 15, 2005, but excluding temporary notes to be retired in conjunction therewith, is \$59,220,000. Temporary notes in the principal amount of \$2,620,000 will be retired out of proceeds of the bonds and other available funds.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from Debra Daily, the assistant director of finance, (785) 587-2465 or e-mail: daily@ci.manhattan.ks.us; or from the financial advisor, Springsted Incorporated, Attention: David MacGillivray, (651) 223-3068 or e-mail: dmacgillivray@springsted.com.

Dated April 19, 2005.

City of Manhattan, Kansas

Doc. No. 031891

State of Kansas

Department of Wildlife and Parks

Public Notice

The Kansas Department of Wildlife and Parks has reached an agreement for the purchase of a tract of land in Pottawatomie County. The parcel consists of 55+/- acres in the Lots 7, 14, 15 & 16 in Section 30, Township 9S, Range 8E of the 6th PM. This tract was appraised at \$48,000, and will be purchased for \$48,000. This tract will become part of the Rocky Ford Fishing Area and will remain on the county tax rolls.

J. Michael Hayden
Secretary of Wildlife and Parks

Doc. No. 031893

State of Kansas

Department of Administration Division of Purchases

Notice to Bidders

Sealed bids for items listed will be received by the Director of Purchases until 2 p.m. on the date indicated. For more information, call (785) 296-2376:

05/10/2005	08364	Truck with High-Lift Dump Bed
05/10/2005	08380	Gas Chromatograph/Mass Spectrometer/Data System
05/11/2005	08350	Day Reporting Centers
05/11/2005	08351	Therapeutic Community
05/17/2005	08356	Printing Services
05/18/2005	08353	Janitorial Services
05/25/2005	08328	Document Disposal/Shredding
06/01/2005	08358	Professional Software Licensing Database

The above referenced bid documents may be downloaded at the following Web site:

<http://da.state.ks.us/purch/rfq/>

Additional files may be located at the following Web site (please monitor this Web site on a regular basis for any changes/addenda):

<http://da.state.ks.us/purch/adds/default.htm>

Contractors wishing to bid on the projects listed below must be prequalified. For more information about the prequalification process or to obtain the following bid documents, call (785) 296-8899:

05/12/2005	A-010035	Restoration of Officers Quarters #2
05/18/2005	A-9782(B)	Kelce Center Room #119 HVAC
05/18/2005	A-010001	Replace Deaerator Tank
05/18/2005	A-010041	Veterinary Medicine
05/19/2005	A-010075	Third Floor Window Repair
05/26/2005	A-9975	Repave Roads

The above-referenced bid documents may be downloaded at the following Web site (please monitor this Web site on a regular basis for any changes):

<http://da.state.ks.us/fp>

Chris Howe
Director of Purchases

Doc. No. 031903

State of Kansas

Kansas Insurance Department**Permanent Administrative
Regulations****Article 3.—FIRE AND CASUALTY INSURANCE**

40-3-53. Fire and casualty insurance; electronic verification of insurance. (a) Each motor vehicle liability insurer writing insurance in the state shall provide the secretary of revenue with verification of each insured's insurance on-line or electronically by January 1, 2005. An exemption from this requirement may be granted upon request for any company that has less than 0.01 percent of the market share based on that company's commercial or personal automobile insurance written premiums or that has stated its intent to leave the automobile insurance market pursuant to K.S.A. 40-2,123 and amendments thereto. The 0.01 percent threshold shall be based on the specific line of coverage for which the company is seeking this exemption. Except as provided in subsection (b), the verification required by this subsection shall be in conformity with the following documents, which are hereby adopted by reference:

(1) The "Kansas insurance reporting guide," published by the Kansas department of revenue and dated November 2004; and

(2) the "Kansas insurance reporting map example," published by the Kansas department of revenue and dated July 2004.

(b) Any motor vehicle liability insurer that provided verification of insurance on-line or electronically before July 1, 2004 may continue to provide this verification in the same manner. (Authorized by K.S.A. 40-103, K.S.A. 8-173, as amended by L. 2004, ch. 128, sec. 3(d); implementing K.S.A. 8-173, as amended by L. 2004, ch. 128, sec. 3(d); effective, T-40-12-29-04, Jan. 1, 2005; effective May 13, 2005.)

Sandy Praeger
Kansas Insurance Commissioner

Doc. No. 031886

State of Kansas

**Social and Rehabilitation Services
Department on Aging****Notice of Proposed Nursing Facility Medicaid Rates
for State Fiscal Year 2006;****Methodology for Calculating Proposed Rates,
and Rate Justifications;****Notice of Intent to Amend the Medicaid State Plan;
Request for Written Comments; and****Notice of Intent to Publish Final Rates**

Under the Medicaid program, 42 U.S.C. 1396 et seq., the state of Kansas pays nursing facilities, nursing facilities for mental health and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Secretary of Aging administers the Medicaid nursing facility services payment program on behalf of the Secretary of Social and Rehabilitation

Services. As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the Secretary of the Kansas Department of Social and Rehabilitation Services (SRS) and the Secretary of the Kansas Department on Aging (KDOA) are publishing the proposed Medicaid per diem rates for Medicaid-certified nursing facilities for state fiscal year 2006, the methodology underlying the establishment of the proposed nursing facility rates and the justifications for those proposed rates. Please note that the proposed rates do not include the incentive factor as described in the reimbursement methodology. The incentive factor will be added to the final rates. SRS and KDOA also are providing notice of the state's intent to submit proposed amendments to the Medicaid State Plan to the U.S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) on or before September 30, 2005.

I. Methodology Used to Calculate Medicaid Per Diem Rates for Nursing Facilities

In general, the state uses a prospective, cost-based, facility-specific rate-setting methodology to calculate nursing facility Medicaid per diem rates, including the rates listed in this notice. The state's rate-setting methodology is contained primarily in the following described documents and authorities and in the exhibits, attachments, regulations or other authorities referenced in them:

A. The following portions of the Kansas Medicaid State Plan are maintained by SRS:

1. Attachment 4.19D, Part I, Subpart C, Exhibit C-1, inclusive; and

B. SRS regulations set out in K.A.R. Article 30-10.

The text of those portions of the Medicaid State Plan identified above in section IA.1, but not the documents, authorities and the materials incorporated into them by reference, are reprinted in this notice. Those Medicaid State Plan provisions set out in this notice appear in the versions that the state currently intends to submit to CMS on or before September 30, 2005. The proposed Medicaid State Plan amendments that the state ultimately submits to CMS may differ from the versions contained in this notice.

Copies of the documents and authorities containing the state's rate-setting methodology are available upon written request. A request for copies will be treated as a request for public records under the Kansas Open Records Act, K.S.A. 45-215 et seq. The state will charge a fee for copies. Written requests for copies should be sent to:

Secretary of Aging
New England Building, 2nd Floor
503 S. Kansas Ave.
Topeka, KS 66603-3404
Fax (785) 296-0767

**A.1 Attachment 4.19D, Part I, Subpart C, Exhibit C-1:
Methods and Standards for Establishing Payment
Rates for Nursing Facilities**

Under the Medicaid program, the state of Kansas pays nursing facilities, nursing facilities for mental health and hospital long-term care units (hereafter collectively re-

(continued)

ferred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The narrative explanation of the nursing facility (NF) reimbursement formula is divided into 12 sections. The sections are: Cost Reports, Rate Determination, Quarterly Case Mix Index Calculation, Resident Days, Inflation Factors, Upper Payment Limits, Quarterly Case Mix Index Rate Adjustments, Real and Personal Property Fee, Incentive Factors, Rate Effective Date, Retroactive Rate Adjustments, and Comparable Private Pay Rates.

1) Cost Reports

The Nursing Facility Financial and Statistical Report (MS2004) is the uniform cost report. It is included in Kansas Administrative Regulation (K.A.R.) 30-10-17. It organizes the commonly incurred business expenses of providers into three reimbursable cost centers (operating, indirect health care and direct health care). Ownership costs (i.e., mortgage interest, depreciation, lease and amortization of leasehold improvements) are reported but reimbursed through the real and personal property fee. There is a non-reimbursable/non-resident related cost center so that total operating expenses can be reconciled to the providers' accounting records.

All cost reports are desk reviewed by agency auditors. Adjustments are made, when necessary, to the reported costs in arriving at the allowable historic costs for the rate computations.

Calendar Year End Cost Reports:

All providers that have operated a facility for 12 or more months on December 31 shall file a calendar year cost report. The requirements for filing the calendar year cost report are found in K.A.R. 30-10-17.

When a non-arms length change of provider takes place or an owner of the real estate assumes the operations from a lessee, the facility will be treated as an ongoing operation. In this situation, the related provider or owner shall be required to file the calendar year end cost report. The new operator or owner is responsible for obtaining the cost report information from the prior operator for the months during the calendar year in which the new operator was not involved in running the facility. The cost report information from the old and new operators shall be combined to prepare a 12-month calendar year end cost report.

Projected Cost Reports:

The filing of projected cost reports are limited to: 1) newly constructed facilities; 2) existing facilities new to the Medicaid program; or 3) a provider re-entering the Medicaid program that has not actively participated or billed services for 24 months or more. The requirements are found in K.A.R. 30-10-17.

2) Rate Determination

Rates for Existing Nursing Facilities

Medicaid rates for Kansas NFs are determined using a prospective, facility-specific rate-setting system. The rate is determined from the base year cost data submitted by the provider. The current base year is 2001.

The allowable expenses are divided into three cost centers. The cost centers are Operating, Indirect Health Care

and Direct Health Care. They are defined in K.A.R. 30-10-18.

The allowable historic per diem cost is determined by dividing the allowable resident-related expenses in each cost center by resident days. The allowable historic per diem cost may be adjusted by an inflation factor. The resident days and inflation factors used in the rate determination will be explained in greater detail in the following sections.

The inflated allowable historic per diem cost for each cost center is then compared to the cost center upper payment limit. The allowable per diem rate is the lesser of the inflated allowable historic per diem cost in each cost center or the cost center upper payment limit. Each cost center has a separate upper payment limit. If each cost center upper payment limit is exceeded, the allowable per diem rate is the sum of the three cost center upper payment limits. There also is a separate upper payment limit for owner, related party, administrator and co-administrator compensation. The upper payment limits will be explained in more detail in a separate section.

The case mix of the residents adjusts the Direct Health Care cost center. The reasoning behind a case mix payment system is that the characteristics of the residents in a facility rather than the characteristics of the facility should determine the payment rate. The idea is that certain resident characteristics can be used to predict future costs to care for residents with those same characteristics. For these reasons, it is desirable to use the case mix classification for each facility in adjusting provider rates.

There are add-ons to the allowable per diem rate. The add-ons consist of the incentive factor and the real and personal property fee. The incentive factor and real and personal property fee are explained in separate sections of this exhibit. The add-ons plus the allowable per diem rate equal the total per diem rate.

Rates for New Construction and New Facilities

The per diem rate for newly constructed nursing facilities, or new facilities to the Kansas Medical Assistance program, shall be based on a projected cost report submitted in accordance with K.A.R. 30-10-17.

Rates for Facilities Recognized as a Change of Provider

The payment rate for the first 24 months of operation shall be based on the base year historical cost data of the previous owner or provider. If base year data is not available the most recent calendar year data for the previous provider shall be used. Beginning with the first day of the 25th month of operation, the payment rate shall be based on the historical cost data for the most recent calendar year submitted by the new provider.

Rates for Facilities Re-entering the Program

The per diem rate for each provider reentering the Medicaid program shall be determined from a projected cost report if the provider has not actively participated in the program by the submission of any current resident service billings to the program for 24 months or more. The per diem rate for all other providers reentering the program shall be determined from the last historic cost report filed with the agency.

3) Quarterly Case Mix Index Calculation

Providers are required to submit to the agency the uniform assessment instrument, which is the Minimum Data Set (MDS), for each resident in the facility. The MDS assessments are maintained in a computer database.

The Resource Utilization Groups-III (RUG-III) Version 5.12b, 34 group, index maximizer model is used as the resident classification system to determine all case-mix indices, using data from the MDS submitted by each facility. Standard Version 5.12b case mix indices developed by the Health Care Financing Administration (now the Centers for Medicare and Medicaid Services) shall be the basis for calculating facility average case mix indices to be used to adjust the Direct Health Care costs in the determination of upper payment limits and rate calculation. Resident assessments that cannot be classified will be assigned the lowest CMI for the State.

Each resident in the facility on the first day of each calendar quarter with a completed and submitted assessment shall be assigned a RUG-III 34 group calculated on the resident's most current assessment available on the first day of each calendar quarter. This RUG-III group shall be translated to the appropriate CMI. From the individual resident case mix indices, three average case mix indices for each Medicaid nursing facility shall be determined four times per year based on the assessment information available on the first day of each calendar quarter.

The facility-wide average CMI is the simple average, carried to four decimal places, of all resident case mix indices. The Medicaid-average CMI is the simple average, carried to four decimal places, of all indices for residents where Medicaid is known to be a per diem payer source on the first day of the calendar quarter or at any time during the preceding quarter. The private-pay/other average CMI is the simple average, carried to four decimal places, of all indices for residents where neither Medicaid nor Medicare were known to be the per diem payer source on the first day of the calendar quarter or at any time during the preceding quarter. Case mix indices for ventilator-dependent residents for whom additional reimbursement has been determined shall be excluded from the average CMI calculations.

The resident listing cut-off for calculating the average CMIs will be the first day of the quarter before the rate is effective. The following are the dates for the resident listings and the quarter in which the average Medicaid CMIs will be used in the quarterly rate-setting process.

<u>Rate Effective Date:</u>	<u>Cutoff Date:</u>
July 1	April 1
October 1	July 1
January 1	October 1
April 1	January 1

The resident listings will be mailed to providers prior to the dates the quarterly case mix adjusted rates are determined. This will allow the providers time to review the resident listings and make corrections before they are notified of new rates. The cutoff schedule may need to be modified in the event accurate resident listings and Medicaid CMI scores cannot be obtained from the MDS database.

4) Resident Days

The allowable historic per diem costs for the Direct Health Care cost center and for food and utilities in the Indirect Health Care cost center are determined by dividing the allowable resident-related expenses by the actual resident days during the cost report period used to establish the base year rate. The allowable historic per diem cost for the Operating and Indirect Health Care Cost Centers less food and utilities is subject to an 85% minimum occupancy rule. The greater of the actual resident days for the cost report period used to establish the base year rate or the 85% minimum occupancy based on the number of licensed bed days during the cost report period used to establish the base year rate is used as the total resident days in the rate calculation for the Operating cost center and the Indirect Health Care cost center less food and utilities. All licensed beds are required to be certified to participate in the Medicaid program.

There are two exceptions to the 85% minimum occupancy rule. The first is that it does not apply to a provider who is allowed to file a projected cost report for an interim rate. Both the rates determined from the projected cost report and the historic cost report covering the projected cost report period are based on the actual resident days for the period.

The second exception is for the first cost report filed by a new provider who assumes the rate of the previous provider. If the 85% minimum occupancy rule was applied to the previous provider's rate, it also is applied when the rate is assigned to the new provider. However, when the new provider files a historic cost report for any part of the first 12 months of operation, the rate determined from the cost report will be based on actual days and not be subject to the 85% minimum occupancy rule for the months in the first year of operation. The 85% minimum occupancy rule is then reapplied to the rate when the new provider reports resident days and costs for the 13th month of operation and after.

5) Inflation Factors

An additional 12 months of inflation will be applied to the allowable reported costs from the calendar year end 2001 cost reports. The inflation will be based on the Data Resources, Inc.-WEFA, National Skilled Nursing Facility Market Basket Without Capital Index (DRI Index).

The DRI Indexes listed in the latest available quarterly publication will be used to determine the inflation tables for the payment schedules processed during the payment rate period. This may require the use of forecasted factors in the inflation table. The inflation tables will not be revised until the next payment rate period.

The inflation factor will not be applied to the following costs:

- 1) Owner/Related Party Compensation
- 2) Interest Expense
- 3) Real and Personal Property Taxes

The inflation factor for the real and personal property fees will be based on the Data Resources, Inc.-WEFA, National Skilled Nursing Facility Total Market Basket Index (DRI Index). An additional 12 months of inflation will be applied to the real and personal property fees in effect June 1, 2005.

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6) Upper Payment Limits

There are three types of upper payment limits that will be described. One is the owner/related party/administrator/co-administrator limit. The second is the real and personal property fee limit. The last type of limit is an upper payment limit for each cost center. The upper payment limits are in effect during the payment rate period unless otherwise specified by a State Plan amendment.

Owner/Related Party/Administrator/Co-Administrator Limits:

Since salaries and other compensation of owners are not subject to the usual market constraints, specific limits are placed on the amounts reported. First, amounts paid to nonworking owners and directors are not an allowable cost. Second, owners and related parties who perform resident related services are limited to a salary chart based on the Kansas Civil Service classifications and wages for comparable positions. Owners and related parties who provide resident-related services on less than a full-time basis have their compensation limited by the percent of their total work time to a standard work week. A standard work week is defined as 40 hours. The owners and related parties must be professionally qualified to perform services that require licensure or certification.

The compensation paid to owners and related parties shall be allocated to the appropriate cost center for the type of service performed. Each cost center has an expense line for owner/related party compensation. There also is a cost report schedule titled "Statement of Owners and Related Parties." This schedule requires information concerning the percent of ownership (if over 5 percent), the time spent in the function, the compensation, and a description of the work performed for each owner and/or related party. Any salaries reported in excess of the Kansas Civil Service-based salary chart are transferred to the Operating cost center where the excess is subject to the Owner/Related Party/Administrator/Co-Administrator per diem compensation limit.

The Schedule C is an array of nonowner administrator and co-administrator salaries. The schedule includes the base year historic cost reports in the database from all active nursing facility providers. The salary information is not adjusted for inflation. The per diem data is calculated using an 85% minimum occupancy level for those providers in operation for more than 12 months. The Schedule C for the owner/related party/administrator/co-administrator per diem compensation limit is the first schedule run during the rate setting.

The Schedule C is used to set the per diem limitation for all non-owner administrator and co-administrator salaries and owner/related party compensation in excess of the civil service-based salary limitation schedule. The per diem limit for a 50-bed or larger home is set at the 90th percentile on all salaries reported for non-owner administrators and co-administrators. A limitation table is then established for facilities with less than 50 beds. This table begins with a reasonable salary per diem for an administrator of a 15-bed or less facility. A linear relationship is then established between the compensation of the administrator of the 15-bed facility and the compensation of the administrator of a 50-bed facility. The linear relation-

ship determines the per diem limit for the facilities between 15 and 50 beds.

The per diem limits apply to the nonowner administrators and co-administrators and the compensation paid to owners and related parties who perform an administrative function or consultant type of service. The per diem limit also applies to the salaries in excess of the civil service-based salary chart in other cost centers that are transferred to the operating cost center.

Real and Personal Property Fee Limit

The property component of the reimbursement methodology consists of the real and personal property fee that is explained in more detail in a later section. The upper payment limit will be 105% of the median determined from a total resident day-weighted array of the inflated property fees.

Cost Center Upper Payment Limits

The Schedule B computer run is an array of all per diem costs for each of the three cost centers-Operating, Indirect Health Care and Direct Health Care. The schedule includes the base year cost data from all active nursing facility providers. Projected cost reports are excluded from the database.

The per diem expenses for the Operating cost center and the Indirect Health Care cost center less food and utilities are subject to the 85% minimum occupancy. All previous desk review and field audit adjustments are considered in the per diem expense calculations. The costs are adjusted by the owner/related party/administrator/co-administrator limit.

Prior to the Schedule B arrays, the cost data on certain expense lines will be adjusted for historical and forecasted inflation, where appropriate. This will bring the costs reported by the providers to a common point in time for comparisons. The historic inflation will be based on the DRI Index for the cost center limits effective July 1, 2005. This historic inflation factor will adjust costs from the midpoint of each providers cost report period to December 31, 2004, for the Schedule B processing.

Certain costs are exempt from the inflation application when setting the upper payment limits. They include owner/related party compensation, interest expense, and real and personal property taxes.

The final results of the Schedule B run are the median compilations. These compilations are needed for setting the upper payment limit for each cost center. The median for each cost center is weighted based on total resident days. The upper payment limits will be set using the following:

Operating	110% of the median
Indirect Health Care	115% of the median
Direct Health Care	120% of the median

Direct Health Care Cost Center Limit:

The Kansas reimbursement methodology has a component for a case mix payment adjustment. The Direct Health Care cost center rate component and upper payment limit are adjusted by the facility average CMI.

For the purpose of setting the upper payment limit in the Direct Health Care cost center, the facility cost report period CMI and the statewide average CMI will be cal-

culated. The facility cost report period CMI is the resident day-weighted average of the quarterly facility-wide average case mix indices, carried to four decimal places. The quarters used in this average will be the quarters that most closely coincide with the financial and statistical reporting period. For example, a 01/01/20XX-12/31/20XX financial and statistical reporting period would use the facility-wide average case mix indices for quarters beginning 04/01/XX, 07/01/XX, 10/01/XX and 01/01/XY. The statewide average CMI is the resident day-weighted average, carried to four decimals, of the facility cost report period case mix indices for all Medicaid facilities calculated effective each payment rate period.

The statewide average CMI and facility cost report period CMI are used to set the upper payment limit for the Direct Health Care cost center. The limit is based on all facilities with a historic cost report in the database. There are three steps in establishing the base upper payment limit.

The first step is to normalize each facility's Direct Health Care inflated per diem cost to the statewide average CMI. The following will describe the normalization process. A facility has an average inflated per diem cost of \$60(A) and a facility cost report period CMI of 1.4000(B). The statewide average CMI is .9500(C). First, divide the statewide average CMI (C) by the facility cost report period CMI (B) ($.9500/1.4000=.68$). Second, the quotient is then multiplied by the average inflated per diem cost (A) to determine the normalized inflated cost at the statewide average CMI ($\$60 \times .68 = \40.80). Normalizing each facility's cost to the statewide average CMI ensures a level comparison of direct health care costs can be made when setting the upper payment limit.

The second step is to array the normalized inflated costs, based on the statewide average CMI, to determine the median. The median is located using a day-weighted methodology. That is, the median cost is the per diem cost for the facility in the array at which point the cumulative total of all resident days first equals or exceeds half the number of the total resident days for all providers. The facility with the median resident day in the array sets the median inflated direct health care cost. For example, if there are 8 million resident days, the facility in the array with the 4 millionth day would set the median.

The final step in calculating the base Direct Health Care upper payment limit is to apply the percentage factor to the median cost. For example, if the median cost is \$45 and the upper payment limit is based on 120% of the median, then the upper payment limit for the statewide average CMI would be \$54 ($D=120\% \times \45).

Once the base limit for the Direct Health Care cost center is established at the statewide average CMI, the base limit is adjusted by each facility's cost report period CMI to determine a facility-specific Direct Health Care cost center upper payment limit. The following will describe the facility-specific upper payment limit process. A facility has an average facility cost report period CMI of 1.4000(A). The statewide average CMI is .9500(B). First, divide the facility cost report period average CMI (A) by the statewide average CMI (B) ($1.4000/.9500=1.47$). Second, the statewide average CMI limit D (\$54) is multiplied by the quotient to determine the upper payment

limit for the facility ($\$54 \times 1.47 = \79.38). In the example above, the facility inflated Direct Health Care cost was \$60, which is less than the upper payment limit of \$79.38 for a facility average CMI of 1.4000.

7) Quarterly Case Mix Rate Adjustment

The allowance for the Direct Health Care cost component will be based on the average Medicaid CMI in the facility. The first step in calculating the allowance is to determine the lower of the inflated Direct Health Care cost or the facility's specific Direct Health Care upper payment limit. Using the example in the Upper Payment Limit section, the Direct Health Care cost of \$60 was less than the upper payment limit of \$79.38 for an average CMI of 1.4000.

The next step is to determine the Medicaid acuity adjusted allowable Direct Health Care cost. The Medicaid CMI is divided by the facility cost report period CMI. Using the example above, if the Medicaid average CMI is 1.6000, it is divided by 1.4000 to arrive at a quotient of 1.1400 ($1.6000/1.4000$). The lower of the inflated per diem cost or the facility specific Direct Health Care upper payment limit is multiplied by the quotient to determine the Medicaid acuity adjusted allowable Direct Health Care cost. In the example, the allowable Medicaid acuity adjusted Direct Health Care cost will be \$68.40 ($\60×1.1400).

For illustrative purposes, if the facility-specific upper payment limit had been \$55 for an average CMI of 1.4000, the Medicaid rate would have been calculated using the upper payment limit since it was lower than the cost of \$60. In this situation, the allowable Medicaid acuity adjusted cost would be \$62.70 ($1.1400 \times \55).

The Direct Health Care component of the Medicaid rate is adjusted quarterly for changes in the Medicaid CMI. Using the first example above, if the average Medicaid CMI increases from 1.6000 to 1.7000 the following quarter, the allowance for the Direct Health Care cost would increase from \$68.40 to \$72.60. The first step is to divide the new average Medicaid CMI by the facility cost report period CMI established for the rate year (July 1 through June 30) to determine the new quotient ($1.7000/1.4000=1.2100$). The lower of the facility-specific Direct Health Care upper payment limit or the inflated Direct Health Care per diem cost is multiplied by the new quotient to determine the Medicaid allowance. ($1.21 \times \$60 = \72.60).

Conversely, if the average Medicaid CMI decreases from 1.6000 to 1.5000 the following quarter, the allowance for the Direct Health Care cost would decrease from \$68.40 to \$64.20. Again, the first step is to divide the new average Medicaid CMI by the facility cost report period CMI established for the rate year (July 1 through June 30) to determine the new quotient ($1.5000/1.4000=1.0700$). The lower of the facility-specific Direct Health Care upper payment limit or the inflated Direct Health Care per diem cost is multiplied by the new quotient to determine the Medicaid allowance ($1.0700 \times \$60 = \64.20).

8) Real and Personal Property Fee

The property component of the reimbursement methodology consists of the real and personal property fee

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(property fee). The property fee is paid in lieu of an allowable cost of mortgage interest, depreciation, lease expense and/or amortization of leasehold improvements. The fee is facility specific and does not change as a result of a change of ownership, change in lease, or with re-enrollment in the Medicaid program. The original property fee was comprised of two components: a property allowance and a property value factor. The differentiation of fee into these components was eliminated effective July 1, 2002. At that time each facility's fee was re-established based on the sum of the property allowance and value factor.

The property fees in effect on June 1, 2005, were inflated with 12 months of inflation effective July 1, 2005. The inflation factor was from the Data Resources, Inc.-WEFA, National Skilled Nursing Facility Total Market Basket Index (DRI Index). The providers received the lower of the inflated property fee or the upper payment limit.

For providers re-enrolling in the Kansas Medical Assistance program or providers enrolling for the first time but operating in a facility that was previously enrolled in the program, the property fee shall be the sum of the last effective property allowance and the last effective value factor for that facility. The property fee will be inflated and then compared to the upper payment limit. The property fee will be the lower of the facility-specific inflated property fee or the upper payment limit.

Providers entering the Kansas Medical Assistance program for the first time, who are operating in a building for which a fee has not previously been established, shall have a property fee calculated from the ownership costs reported on the cost report. This fee shall include appropriate components for rent or lease expense, interest expense on real estate mortgage, amortization of leasehold improvements, and depreciation on buildings and equipment. The process for calculating the property fee for providers entering the Kansas Medical Assistance program for the first time is explained in greater detail in Exhibit A-14 (K.A.R. 30-10-25).

There is a provision for changing the property fee. This is for a rebasing when capital expenditure thresholds are met (\$25,000 for homes under 51 beds and \$50,000 for homes over 50 beds). The original property fee remains constant but the additional factor for the rebasing is added. The property fee rebasing is explained in greater detail in Exhibit A-14 (K.A.R. 30-10-25). The rebased property fee is subject to the upper payment limit.

9) Quality and Efficiency Outcomes Incentive Factor

The Quality and Efficiency Outcomes Incentive Factor is a per diem add-on ranging from zero to three dollars. It is designed to encourage quality care and efficiency. The incentive factor is determined by six outcome measures: case-mix adjusted nurse staffing ratio; operating expense; staff turnover rate; staff retention rate; occupancy rate; and survey performance. Each provider is awarded points based on their outcome measures, and the total points for each provider determine the per diem incentive factor included in the provider's rate calculation.

Providers may earn up to two incentive points for their case-mix adjusted nurse staffing ratio. They will receive two points if their case-mix adjusted staffing ratio equals

or exceeds 120% of the statewide median. They will receive one point if the ratio is less than 120% of the median but greater than or equal to 110% of the statewide median. Providers with staffing ratios below 110% of the median will receive no points for this incentive measure.

Providers also may earn up to two points for their occupancy outcome measures. If they have total occupancy greater than or equal to 95% they will earn one point. If they have Medicaid occupancy greater than or equal to 65% they also will earn one point. Providers that meet both of these criteria will receive a total of two incentive points for occupancy outcomes and providers that fail to meet either criterion will receive zero points for occupancy.

The incentive points awarded for survey performance also will range from zero to two points. Two points will be awarded to providers that have no health survey deficiencies on any survey conducted during the review period. Providers that have no more than five health survey deficiencies, nor any one health survey deficiency that falls in the range of substandard care, on any survey conducted during the review period will earn one incentive point. All other providers will receive zero incentive points for survey results. The review period for determining survey performance incentive points will be the 15-month period ending December 31, 2004.

Providers also may earn one point for each of the following outcomes measures: low operating expenses; low staff turnover; and high staff retention. Providers with per diem operating expenses below the statewide median per diem operating expense will earn one point. Providers with staff turnover below the statewide median staff turnover rate will earn one point. Finally, providers with staff retention rates above the statewide median staff retention rate will earn one point.

The table below summarizes the incentive factor outcomes and points:

Quality/Efficiency Outcome:	Incentive Points:
1) CMI adjusted staffing ratio \geq 120% of state median, or CMI adjusted staffing ratio between 110% and 120%	2, or 1
2) Total occupancy \geq 95% Medicaid occupancy \geq 65%	1 1
3) No health survey deficiencies during review period, or No substandard care or more than 5 deficiencies/survey	2, or 1
4) Operating expenses $<$ state median	1
5) Staff turnover rate $<$ state median	1
6) Staff retention $>$ state median	1
Total Incentive Points Available	9

The Schedule E is an array containing the incentive points awarded to each provider for each quality and efficiency incentive outcome. The total of these points will be used to determine each provider's incentive factor based on the following table.

Total Incentive Points:	Incentive Factor Per Diem:
Tier 1: 8-9	\$3.00
Tier 2: 6-7	\$2.00
Tier 3: 4-5	\$1.00
Tier 4: 0-3	\$0.00

Special Note Regarding Proposed Rates and Incentive Factor Funding

The quality and efficiency incentive factor has been omitted from the proposed rate calculations since some outcomes data was not available. The incentive factor will be included in the final rate calculations for July 1, 2005.

Total funding for the quality and efficiency incentive factor will be limited to \$1.2 million. If the estimated cost of the incentive factor exceeds this amount, the incentive factor per diems will be reduced proportionally. For example, if the estimated cost of the incentive factor is \$1.6 million, then available funds will only meet 75% of this need. Therefore each incentive per diem will be reduced to 75% or, \$2.25 for tier one, \$1.50 for tier two, and \$0.75 for tier three.

10) Rate Effective Date

Rate effective dates are determined in accordance with K.A.R. 30-10-19. The rate may be revised for an add-on reimbursement factor (i.e., rebased property fee), desk review adjustment or field audit adjustment.

11) Retroactive Rate Adjustments

Retroactive adjustments, as in a retrospective system, are made for the following three conditions:

A retroactive rate adjustment and direct cash settlement is made if the agency determines that the base year cost report data used to determine the prospective payment rate was in error. The prospective payment rate period is adjusted for the corrections.

If a projected cost report is approved to determine an interim rate, a settlement also is made after a historic cost report is filed for the same period.

All settlements are subject to upper payment limits. A provider is considered to be in projection status if they are operating on a projected rate and they are subject to the retroactive rate adjustment.

12) Comparable Private Pay Rates

The last factor considered in determining a provider's Medicaid per diem payment rate is their private pay rate. Providers are reimbursed the lower of the calculated Medicaid rate or their private pay rate. The agency maintains a registry of private pay rates. It is the responsibility of the providers to send in private pay rate updates so that the registry is updated. When new Medicaid rates are determined, if the private pay rate reflected in the registry is lower, then the provider is held to that private pay rate until the provider sends notification that it has a higher private pay rate.

Case Mix Adjustments to Private Pay Rates:

Private pay rates submitted to the agency are adjusted up if a provider's average private pay/other CMI is lower than its Medicaid average CMI. This is accomplished by multiplying the provider's average private pay rate in the private pay registry by the ratio of their Medicaid average CMI to their average private pay/other CMI. This ensures that providers' Medicaid rates are not limited to a lower private pay rate that may be attributed to the lower acuity of the private pay residents. There is no adjustment to private pay rates if the facility's Medicaid average CMI is less than its average private pay/other CMI. There is also no adjustment to private pay rates if the facility's

total Medicaid rate is less than its average private pay rate

II. Proposed Medicaid Per Diem Rates for Kansas Nursing Facilities

The following list includes the calculated Medicaid rate for each nursing facility provider currently enrolled in the Medicaid program and the Medicaid case mix index used to determine each rate. The rates do not include the Quality and Efficiency Incentive Factor. This factor will be included in the final rates.

A. Cost Center Limitations: The state establishes the following cost center limitations that are used in setting rates effective July 1, 2005.

Cost Center	Limit Formula	Per Day Limit
Operating	110% of the Median Cost	\$21.63
Indirect Health Care	115% of the Median Cost	\$35.80
Direct Health Care	120% of the Median Cost	\$66.38
Real and Personal Property Fee	105% of the Median Fee	\$6.96

These amounts were determined according to the "Reimbursement Limitations" section. The Direct Healthcare Limit is calculated based on a CMI of 0.9197, which is the statewide average.

B. Case Mix Index. These proposed rates are based upon each nursing facility's Medicaid average CMI calculated with a cutoff date of April 1, 2005, using the July 1, 2005 Kansas Medicaid/Medican CMI Table. In Section II.C below, each nursing facility's Medicaid average CMI is listed beside its proposed per diem rate.

C. Proposed Nursing Facility Per Diem Rates and CMI.

Facility Name	City	Proposed Daily Rate	Medicaid CMI
Abilene Care Center	Abilene	100.11	0.7622
Village Manor	Abilene	113.32	0.9120
Alma Manor	Alma	127.70	0.9231
Life Care Center of Andover	Andover	106.46	1.0470
Anthony Community Care Center	Anthony	119.76	1.0519
Medicalodge East Healthcare Center	Arkansas City	123.35	0.9592
Medicalodge North of Arkansas City	Arkansas City	119.40	0.8858
Arkansas City Presbyterian Manor	Arkansas City	118.02	0.9964
Arma Care Center	Arma	107.03	0.8752
Ashland Health Center - LTCU	Ashland	113.67	0.8082
Atchison Hospital SNF	Atchison	115.55	0.9625
Medicalodge of Atchison	Atchison	111.85	0.8606
Atchison Senior Village	Atchison	103.45	0.8761
Dooley Center	Atchison	117.93	0.7640
Attica Long Term Care	Attica	106.44	0.9268
Atwood Good Samaritan Center	Atwood	113.60	0.9560
Lake Point Nursing Center	Augusta	101.72	0.9304
Baldwin Care Center	Baldwin City	104.47	0.9033
Quaker Hill Manor	Baxter Springs	88.12	1.0229
Catholic Care Center Inc.	Belaire	122.81	0.9096
Great Plains of Republic County, Inc.	Belleville	130.78	1.0195
Belleville Health Care Center	Belleville	100.29	0.9916
Great Plains of Mitchell County, Inc.	Beloit	127.63	0.9792

(continued)

Facility Name	City	Proposed		Facility Name	City	Proposed	
		Daily Rate	Medicaid CMI			Daily Rate	Medicaid CMI
Hilltop Lodge Nursing Home Centers for LTC of Bonner Springs	Beloit	113.01	0.9792	Enterprise Estates Nursing Center, Inc.	Enterprise	90.80	1.0363
Hill Top House	Bonner Springs	111.75	0.8686	Heritage Village-Eskridge	Eskridge	84.96	0.7678
Buhler Sunshine Home, Inc.	Bucklin	115.84	1.0346	Eudora Nursing Center	Eudora	93.97	0.8273
Life Care Center of Burlington	Buhler	112.02	0.8914	Medicalodge of Eureka	Eureka	121.12	0.8794
Caney Nursing Center	Burlington	121.42	1.0000	Medicalodge of Ft. Scott	Fort Scott	133.21	1.0074
Shiloh Manor of Canton, Inc.	Caney	87.01	0.8678	Fort Scott/Marmaton Valley	Fort Scott	102.37	1.0489
Cedar Vale Nursing Center	Canton	105.40	0.8687	Fowler Nursing Home	Fowler	114.35	0.9567
Eastridge Nursing Home	Cedarvale	78.63	0.8141	Frankfort Community Care Home, Inc.	Frankfort	103.30	1.0194
Heritage Health Care Center	Centralia	117.32	1.0327	Beverly Health & Rehab-Fredonia	Fredonia	99.74	1.1454
Chanute Health Care Center	Chanute	93.78	0.9872	Sunset Manor, Inc	Frontenac	93.48	0.9576
Applewood Rehabilitation	Chanute	115.58	0.9478	Emerald Pointe Health & Rehab Centre	Galena	94.78	0.8910
Chapman Valley Manor	Chanute	69.39	0.7262	Galena Nursing & Rehab Center	Galena	96.41	1.0228
Cheney Golden Age Home Inc.	Chapman	91.18	0.8709	Garden Valley Retirement Village	Galena	96.41	1.0228
Cherryvale Care Center	Cheney	111.03	1.0345	Terrace Garden Care Center	Garden City	123.79	0.9716
Chetopa Manor	Cherryvale	110.13	0.9592	Meadowbrook Rehab Hosp., LTCU	Garden City	120.84	0.8575
The Shepherd's Center	Chetopa	88.13	1.1175	Medicalodge of Gardner	Gardner	138.06	1.0254
Medicalodge of Clay Center	Cimarron	101.42	1.0911	Anderson County Hospital	Gardner	128.61	0.9164
Clay Center Presbyterian Manor	Clay Center	108.41	0.8288	Golden Heights Living Center	Garnett	130.78	0.9695
Clearwater Ret. Community, Inc. dba The	Clay Center	131.92	1.0230	The Heritage	Garnett	101.97	0.8738
Community Care Inc.	Clearwater	110.06	0.9100	The Nicol Home, Inc.	Girard	86.86	1.0111
Park Villa Nursing Home	Clifton	71.88	0.8638	Medicalodge of Goddard	Glasco	98.71	0.8200
Coffeyville Regional Medical Center	Clyde	89.85	0.8936	Bethesda Home	Goddard	132.74	0.9797
Windsor Place	Coffeyville	204.33	1.9450	Sherman Co. Good Samaritan Center	Goessel	133.70	0.9900
Medicalodge East of Coffeyville	Coffeyville	105.69	0.9708	Cherry Village Benevolence	Goodland	111.35	0.9223
Lantern Park Manor	Colby	91.92	0.8435	Great Bend Health & Rehab Center	Great Bend	105.03	0.9655
Citizens Medical Center	Colby	131.37	1.0408	Halstead Health and Rehab Center	Great Bend	110.53	0.9332
Pioneer lodge	Coldwater	94.03	0.8369	Washington Cnty Hosp. Dist.#1/Hanover	Halstead	131.94	0.9359
Medicalodge of Columbus	Columbus	123.03	1.0945	Friendship Manor Rehab Ctr of Haviland	Haviland	72.00	0.6405
Mt Joseph Senior Village,LLC	Concordia	109.53	1.0306	St. John's of Hays	Hays	100.28	0.9283
Sunset Home	Concordia	109.28	0.9722	Hays Good Samaritan Center	Hays	116.75	0.9355
Spring View Manor	Conway Springs	91.59	0.9384	Haysville Healthcare Center	Haysville	110.22	0.9072
Chase County Health & Rehab Center	Cottonwood Falls	95.41	0.8876	Lutheran Home, Inc.	Herington	90.25	0.8950
Council Grove Healthcare Center	Council Grove	99.58	0.9327	Schowalter Villa	Hesston	136.54	0.9995
Hilltop Manor	Cunningham	88.58	0.9015	Oak Ridge Acres	Hiawatha	87.28	0.9900
Westview Manor, Inc.	Derby	104.17	0.9663	Maple Heights of Hiawatha	Hiawatha	110.88	0.9950
Hillside Village of DeSoto	Desoto	113.27	0.8769	Highland Care Center	Highland	106.01	0.9450
Dexter Care Center	Dexter	93.39	0.8853	Dawson Place, Inc.	Hill City	84.76	0.8045
Lane County Hospital - LTCU	Dighton	124.25	0.8986	Hillsboro Community Medical Center	Hillsboro	117.72	0.8950
Trinity Manor	Dodge City	113.00	0.8803	Parkside Homes, Inc.	Hillsboro	121.76	1.0241
Dodge City Good Samaritan Center	Dodge City	114.44	0.9534	Cheyenne Meadows Living Center	Hoisington	94.66	0.8959
Manor of the Plains	Dodge City	119.53	0.9200	Jackson Co. Nursing Home, Inc.	Holton	95.16	0.9717
Medicalodge of Douglass	Douglass	136.38	1.0247	Holton Manor	Holton	108.08	1.0150
Downs Nursing Center	Downs	85.02	0.7724	Tri County Manor Living Center, Inc.	Horton	98.80	1.0222
Country Care Home	Easton	98.03	0.9043	Howard Twilight Manor	Howard	108.06	1.0217
Parkway Care Home	Edwardsville	105.34	0.9947	Sheridan County Hospital	Hoxie	111.06	0.9159
Edwardsville Convalescent Center	Edwardsville	120.75	0.8831	Pioneer Manor	Hugoton	124.45	0.8754
Edwardsville Manor	Edwardsville	101.88	0.9267	Pinecrest Nursing Home	Humboldt	100.35	0.9667
Lakepoint Nursing Center-El Dorado	El Dorado	108.10	1.1079	Golden Plains	Hutchinson	121.19	0.9658
Beverly Health & Rehab-El Dorado	El Dorado	95.38	0.9217	Hutchinson Good Samaritan Village	Hutchinson	115.96	0.9307
Morton County Hospital	Elkhart	113.61	1.0557	Infinita at Hutchinson	Hutchinson	114.74	1.0291
Woodhaven Care Center	Ellinwood	103.60	0.9825	Wesley Towers	Hutchinson	132.31	0.9409
Ellis Good Samaritan Center	Ellis	110.90	0.9311	Ray E. Dillon Living Center	Hutchinson	118.01	0.8580
Ellsworth Good Samaritan Ret. Village	Ellsworth	124.27	1.0877	The Regal Estate of Glenwood	Independence	107.07	0.9255
Emporia Presbyterian Manor	Emporia	125.47	0.9333	Heatherwood Estates	Independence	82.90	0.9508
Holiday Resort	Emporia	107.31	0.8731	Glenwood Estate	Independence	83.99	0.9277
Vintage Manor	Emporia	103.74	0.8866				
Emporia Rehabilitation Center	Emporia	90.07	1.0197				

Facility Name	City	Proposed		Facility Name	City	Proposed	
		Daily Rate	Medicaid CMI			Daily Rate	Medicaid CMI
Pleasant View Home	Inman	118.50	0.9030	The Cedars, Inc.	McPherson	122.89	0.9764
Windsor Place at Iola, LLC	Iola	107.82	0.9524	Lone Tree Compassionate Care Corporation	Meade	115.48	0.9240
Cheyenne Lodge, Inc.	Jamestown	82.71	0.8886	Trinity Lutheran Manor	Merriam	126.63	0.9581
Hodgeman Co Health Center-LTCU	Jetmore	131.55	0.9925	Great Plains of Ottawa County, Inc.	Minneapolis	83.88	0.9814
Stanton County Hospital-LTCU	Johnson	129.74	0.9464	Minneapolis Good Samaritan Center	Minneapolis	110.91	0.9644
Valley View Professional Care Center	Junction City	88.88	0.8506	Minneola District Hospital	Minneola	122.84	0.9594
Junction City Good Samaritan Center	Junction City	105.94	0.9038	Elk Manor Nursing Home	Moline	106.44	0.9310
Medicalodge Post Acute Center	Kansas City	120.79	0.9551	Bethel Home, Inc.	Montezuma	108.21	0.9244
Kansas City Presbyterian Manor	Kansas City	132.24	0.9428	Moran Manor	Moran	95.97	1.0905
Medicalodge East of Kansas City	Kansas City	133.85	0.9652	Memorial Home for the Aged	Moundridge	125.29	0.9244
Lifecare Center of Kansas City	Kansas City	112.88	1.0902	Moundridge Manor, Inc.	Moundridge	94.50	0.8777
Infinia at Kensington	Kensington	97.45	0.8060	Mt. Hope Nursing Center	Mt. Hope	112.71	0.9260
The Wheatlands	Kingman	109.63	1.0511	Villa Maria, Inc.	Mulvane	113.84	0.9476
Medicalodge of Kinsley	Kinsley	125.13	0.9192	Golden Keys Nursing Home	Neodesha	101.98	0.9477
Kiowa Hospital District Manor	Kiowa	105.09	0.8677	Beverly Health & Rehab of Neodesha	Neodesha	104.32	1.0200
Rush Co. Memorial Hospital	La Crosse	102.26	0.8892	Ness County Hospital Dist.#2	Ness City	113.37	0.8950
Rush County Nursing Home	La Crosse	113.01	0.9530	Bethel Care Centre	Newton	118.80	1.0248
High Plains Retirement Village	Lakin	132.54	0.9563	Friendly Acres, Inc.	Newton	129.07	0.9014
Colonial Manor of Lansing	Lansing	113.46	0.9947	Kansas Christian Home	Newton	128.78	0.9263
Larned Healthcare Center	Larned	120.24	0.9663	Newton Presbyterian Manor	Newton	130.08	0.9371
St. Joseph Memorial Hospital	Larned	126.49	1.0446	Andbe Home, Inc.	Norton	109.09	0.8300
Lake View Manor, LLC	Lawrence	132.64	1.0247	Village Villa	Nortonville	112.44	0.9009
Lawrence Presbyterian Manor	Lawrence	135.43	1.0365	Norwich Health Care Center	Norwich	92.93	0.8826
Brandon Woods Retirement Community	Lawrence	115.43	0.9600	Logan County Manor	Oakley	142.61	1.0836
Pioneer Ridge Retirement Community	Lawrence	118.12	0.8743	Decatur County Hospital	Oberlin	110.38	0.9200
Broadway Heights	Leavenworth	107.00	0.9984	Decatur Co. Good Samaritan Center	Oberlin	108.70	0.9188
Medicalodge of Leavenworth	Leavenworth	126.47	0.9644	Villa St. Francis	Olathe	136.80	1.0226
Delmar Gardens of Lenexa	Lenexa	114.99	0.9860	Centers for Long Term Care of Olathe	Olathe	122.21	1.0302
Lakeview Village	Lenexa	128.63	0.8900	Royal Terrace Nrsrg. & Rehab. Center	Olathe	113.04	0.9427
Leonardville Nursing Home	Leonardville	88.60	1.0700	Olathe Good Samaritan Center	Olathe	133.38	0.9863
Wichita County Health Center	Leoti	123.21	0.8820	Johnson County Nursing Center	Olathe	138.07	1.0207
Liberal Good Samaritan Center	Liberal	109.74	0.8777	Aberdeen Village, Inc.	Olathe	129.54	0.9314
Wheatridge Park Care Center	Liberal	109.76	0.9200	Golden Acres	Onaga	85.43	0.8300
Mid-America Healthcare-Lincoln	Lincoln	95.53	0.9122	Peterson Health Care, Inc.	Osage City	88.48	0.9314
Bethany Home Association	Lindsborg	129.64	1.0266	Osage Nursing & Rehab Center	Osage City	108.43	0.9937
Linn Community Nursing Home	Linn	87.95	0.9496	Life Care Center of Osawatomie	Osawatomie	133.90	0.9800
Sandstone Heights	Little River	114.10	0.9685	Parkview Care Center	Osborne	111.03	0.9603
Logan Manor Community Health Services	Logan	89.71	0.8038	Hickory Pointe Care & Rehab Ctr	Oskaloosa	107.16	0.8843
Louisburg Care Center	Louisburg	108.17	0.9004	Infinia at Oswego	Oswego	112.84	0.8508
Beverly Health & Rehab of Lucas	Lucas	98.79	1.0519	Ottawa Retirement Village	Ottawa	114.43	1.0448
Lyons Good Samaritan Center	Lyons	109.96	0.9463	Brookside Manor	Overbrook	112.06	0.9145
Meadowlark Hills Retirement Community	Manhattan	127.01	0.9679	Garden Terrace at Overland Park	Overland Park	125.41	1.0013
Stoneybrook Retirement Community	Manhattan	123.30	1.0579	Specialty Hospital of Mid-America SNF	Overland Park	161.94	1.3516
St. Joseph Village, Inc.	Manhattan	108.99	0.9294	Manorcare Hlth Services of Overland Park	Overland Park	129.68	0.9801
Jewell County Hospital	Mankato	113.89	0.7990	Villa Saint Joseph	Overland Park	131.28	1.0034
St. Luke Living Center	Marion	114.16	1.1290	Delmar Gardens of Overland Park	Overland Park	128.16	0.9343
Marion Manor	Marion	94.49	0.9336	Overland Park Nursing & Rehab	Overland Park	124.34	0.9128
Riverview Estates, Inc.	Marquette	94.12	0.9033	Indian Creek Healthcare Center	Overland Park	125.27	1.0089
Regency Place	Marysville	101.08	0.9127	Village Shalom, Inc.	Overland Park	137.29	1.0100
Cambridge Place	Marysville	108.27	1.0353	Riverview Manor, Inc.	Oxford	94.05	0.9348
Infinia at McPherson	McPherson	112.75	1.0393	Medicalodge of Paola	Paola	99.28	0.7802
				North Point Skilled Nursing Center	Paola	132.30	1.1436

(continued)

Facility Name	City	Proposed		Facility Name	City	Proposed	
		Daily Rate	Medicaid CMI			Daily Rate	Medicaid CMI
Elmhaven East	Parsons	84.65	1.0346	Prairie Mission Retirement Village	St. Paul	109.06	0.9595
Elmhaven West	Parsons	96.14	1.0267	Leisure Homestead at Stafford	Stafford	83.89	0.8979
Parsons Presbyterian Manor	Parsons	124.13	0.9907	Sterling Presbyterian Manor	Sterling	121.36	0.9531
Parsons Good Samaritan Center	Parsons	105.90	0.9253	Solomon Valley Manor	Stockton	118.38	0.9085
Legacy Park	Peabody	114.51	0.9496	Hamilton Co. Hospital-LTCU	Syracuse	126.76	0.9576
Westview Manor of Peabody	Peabody	78.04	0.6360	Tonganoxie Nursing Center	Tonganoxie	108.60	0.9809
Phillips County Hospital LTCU	Phillipsburg	124.23	0.9344	Brewster Place	Topeka	135.64	0.9871
Phillips County Retirement Center	Phillipsburg	88.30	0.8352	Topeka Presbyterian Manor Inc.	Topeka	135.61	0.9867
Medicalodge South of Pittsburg	Pittsburg	124.06	1.0571	Eventide Convalescent Center, Inc.	Topeka	90.63	0.8350
Medicalodge North of Pittsburg	Pittsburg	105.90	0.8857	Topeka Community Healthcare Center	Topeka	124.13	0.9906
Mt. Carmel Regional Medical Ctr. SNF	Pittsburg	202.02	1.9450	McCrite Plaza Health Center	Topeka	108.77	0.8823
Pittsburg Health & Rehab Center	Pittsburg	94.54	0.9453	Rolling Hills Health Center	Topeka	119.34	0.9839
Cornerstone Village	Pittsburg	119.21	0.9043	Manorcare Health Services of Topeka	Topeka	123.33	0.9689
Rooks County Home	Plainville	101.18	0.8887	Woodland Health Center	Topeka	98.68	0.9310
Pratt Regional Medical Center	Pratt	111.96	0.8646	Westwood Manor	Topeka	104.77	0.9481
Friendship Manor of Pratt	Pratt	99.17	0.8671	IHS of Brighton Place	Topeka	86.88	0.7718
Prescott Country View Nursing Center	Prescott	87.32	0.9833	Countryside Health Center	Topeka	88.53	0.7721
Prairie Sunset Manor	Pretty Prairie	116.98	0.7285	Providence Living Center	Topeka	75.27	0.7468
Protection Valley Manor	Protection	94.09	0.8223	Brighton Place North	Topeka	71.57	0.6416
Gove County Medical Center	Quinter	112.27	0.9839	Aldersgate Village	Topeka	134.61	0.9728
Grisell Memorial Hosp Dist #1-LTCU	Ransom	120.50	0.8913	Plaza West Care Center, Inc.	Topeka	133.39	1.0205
Richmond Care Center	Richmond	99.99	0.9435	Lexington Park Nursing and Post Acute Care	Topeka	141.12	1.0630
Lakepoint Nursing Ctr-Rose Hill	Rose Hill	116.94	1.0857	Greeley County Hospital, LTCU	Tribune	117.55	0.8131
Rossville Healthcare & Rehab Center	Rossville	122.95	1.1965	Western Prairie Care Home	Ulysses	133.06	0.9868
Wheatland Nursing & Rehab Center	Russell	103.03	0.9909	Valley Health Care Center	Valley Falls	88.20	0.6797
Gatewood Care Center	Russell	73.48	0.6967	St. John's Rest Home of Victoria	Victoria	99.12	0.8443
Russell Regional Hospital	Russell	136.23	1.0517	Trego Co. Lemke Memorial LTCU	WaKeeney	125.20	0.9943
Sabetha Nursing Center	Sabetha	100.57	0.9620	The Lutheran Home - WaKeeney	WaKeeney	91.97	0.9000
Apostolic Christian Home	Sabetha	97.30	0.9775	Wakefield Rehab Center	Wakefield	98.07	0.9857
Smokey Hill Rehabilitation Center	Salina	104.43	0.9724	Valley Vista Good Samaritan Center	Wamego	122.74	0.9110
Kenwood View Nursing Center	Salina	98.21	0.9580	The Centennial Homestead, Inc.	Washington	94.43	1.2773
Windsor Estates	Salina	110.90	0.9445	Wathena Nursing & Rehab Center	Wathena	98.00	0.9440
Center for LTC of Salina	Salina	119.38	1.0569	Coffey County Hospital	Waverly	139.97	1.0739
Salina Presbyterian Manor	Salina	124.96	0.9200	Beverly Health & Rehab-Wellington	Wellington	99.87	0.9734
Holiday Resort of Salina	Salina	104.47	0.9268	Slate Creek Good Samaritan Center	Wellington	111.45	0.9277
Satanta Dist. Hosp. LTCU	Satanta	136.73	1.0565	Wellsville Manor Care Center	Wellsville	98.07	0.9021
Park Lane Nursing Home	Scott City	120.07	0.9094	Westy Community Care Home	Westmoreland	94.52	0.8805
Pleasant Valley Manor	Sedan	85.26	1.0072	Wheat State Manor	Whitewater	121.49	0.9873
Sedgwick Healthcare Center	Sedgwick	132.29	0.9459	Medicalodge of Wichita	Wichita	132.95	0.9692
Crestview Manor	Seneca	77.86	0.9722	Meridian Nursing & Rehab Center	Wichita	115.98	0.9707
Life Care Center of Seneca	Seneca	83.32	0.9233	Kansas Masonic Home	Wichita	131.26	0.9840
Prairie Manor Good Samaritan Center	Sharon Springs	100.11	1.0233	Homestead Health Center, Inc.	Wichita	120.24	0.9222
Shawnee Gardens Nursing Center	Shawnee	117.89	0.9464	Horizon Specialty Hospital	Wichita	125.81	1.0704
Sharonlane Health Services	Shawnee	110.09	0.8798	Infinia at Wichita	Wichita	127.76	0.9369
Smith County Memorial Hospital LTCU	Smith Center	105.26	0.8983	Wichita Presbyterian Manor	Wichita	128.43	0.9077
Infinia at Smith Center	Smith Center	93.80	0.8643	Sandpiper Bay Health & Retirement Ctr.	Wichita	106.38	0.9594
Mennonite Friendship Manor, Inc.	South Hutchinson	132.48	1.0155	Lakepoint Nursing and Rehab-Wichita	Wichita	115.44	0.9891
Beverly Hlth & Rehab-Spring Hill	Spring Hill	116.14	0.9519	Manorcare Health Services of Wichita	Wichita	117.37	0.9015
St. Francis Good Samaritan Ctr	St. Francis	110.08	0.8745	College Hill Nursing and Rehab Center	Wichita	126.64	0.9589
Leisure Homestead at St. John	St. John	104.92	0.8567				
Community Hospital of Onaga, LTCU	St. Marys	115.02	0.9650				

Facility Name	City	Proposed	
		Daily Rate	Medicaid CMI
Lakewood Heights Nursing Center	Wichita	106.73	0.9843
Lincoln East Nursing Home	Wichita	104.92	0.9680
Cameo Care Center	Wichita	103.80	0.7609
The Health Care Center@Larkfield Place	Wichita	121.98	0.8367
Life Care Center of Wichita	Wichita	118.98	0.9546
Wilson Nursing Center	Wilson	97.71	1.0645
Jefferson Co. Memorial Hospital-LTCU	Winchester	119.68	1.0179
Winfield Good Samaritan Center	Winfield	119.84	0.8854
Cumbernauld Village, Inc.	Winfield	111.78	0.7915
Winfield Rest Haven, Inc.	Winfield	102.87	0.8957
Infinia at Yates Center	Yates Center	96.70	0.8825

III. Justifications for the Proposed Rates

1. The proposed rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan and pending amendments thereto. However, the Quality and Efficiency Incentive Factor has been omitted from the rate calculations for the proposed rates. It will be included in the final rates.
2. The proposed rates are calculated according to a methodology that satisfies the requirements of K.S.A. 39-708c(x) and the Department of Social and Rehabilitation Services' regulations in K.A.R. Article 30-10 implementing that statute and applicable federal law.
3. The state's analyses project that the proposed rates:
 - a. Would result in payment, in the aggregate of 91.17% of the Medicaid day weighted average inflated allowable nursing facility costs statewide; and
 - b. Would result in a maximum allowable rate of \$130.77, with the total average allowable cost being \$126.72.
 - c. Estimated average rate July 1, 2005 \$111.93
 Average payment rate July 1, 2003 \$107.51
 Amount of change \$4.42
 Percent of change 4.11%
4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase by approximately \$10 million.
5. The state estimates that the proposed rates will continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population in the geographic area. The state's analyses indicate:
 - a. Service providers operating a total of 308 nursing facilities (representing 96% of all the licensed nursing facilities in Kansas) participate in the Medicaid program, while an additional 42 hospital-based long-term care units also are certified to participate in the Medicaid program;
 - b. There is at least one Medicaid-certified nursing facility and/or nursing facility for mental health, or Medicaid-certified hospital-based long-term care unit, in each of the 105 counties in Kansas;

- c. The statewide average occupancy rate for nursing facilities participating in Medicaid is 85.3%;
 - d. The statewide average Medicaid occupancy rate for participating facilities is 56.2%; and
 - e. The proposed rates would cover 91.51% of the estimated Medicaid health care costs incurred by participating nursing facilities statewide.
6. Federal Medicaid regulations at 42 C.F.R. 447.272 impose an aggregate upper payment limit that states may pay for Medicaid nursing facility services. The state's analysis indicates that the proposed methodology will result in compliance with the federal regulation.

IV. Request for Comments; Request for Copies

The state requests providers, beneficiaries and their representatives, and other concerned Kansas residents to review and comment on the proposed rates, the methodology used to calculate the proposed rates, the justifications for the proposed rates and the intent to amend the Medicaid State Plan. Persons and organizations wishing to submit comments must mail, deliver or fax their signed, written comments before the close of business Friday, May 27, to:

Bill McDaniel
 Director of Nursing Facility and CARE Program
 Kansas Department on Aging
 New England Building, 2nd Floor
 503 S. Kansas Ave.
 Topeka, KS 66603-3404
 Fax (785) 296-0256

V. Notice of Intent to Amend the Medicaid State Plan

The state intends to submit proposed Medicaid State Plan amendments to CMS on or before September 30, 2005.

Rick Shults
 Director of Management Operations
 Division of Health Care Policy
 Social and Rehabilitation Services

Pamela Johnson-Betts
 Secretary of Aging

Doc. No. 031900

State of Kansas

Secretary of State

Certification of New State Laws

I, Ron Thornburgh, Secretary of State of the State of Kansas, do hereby certify that the following bill is a correct copy of the original enrolled bill now on file in my office.

Ron Thornburgh
 Secretary of State

(continued)

(Published in the Kansas Register April 28, 2005.)

SENATE BILL No. 225

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2005, June 30, 2006, June 30, 2007, June 30, 2008, and June 30, 2009, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing; amending K.S.A. 2004 Supp. 2-223, 55-193, 75-2319, 75-6702, 76-775, 79-2959, 79-2964, 79-3425c, 79-3425i and 82a-953a and repealing the existing sections.

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

Section 1. (a) For the fiscal years ending June 30, 2005, June 30, 2006, June 30, 2007, June 30, 2008, and June 30, 2009, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) This act shall not be subject to the provisions of subsection (a) of K.S.A. 75-6702 and amendments thereto.

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155 and amendments thereto.

Sec. 2. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund, for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458 and amendments thereto, to the following claimants:

4 T Total Lawn, Inc. 10960 Eicher Dr. Lenexa, KS 66219	\$1,223.53
Ala, George F. 22829 Showalter Rd. La Cygne, KS 66040	\$49.89
Algrim, Tim 10552 Lakeview Ct. Dodge City, KANSAS 67801.....	\$2,477.40
Allen, Jerry R. 1630 Killdeer Howard, KS 67349	\$48.94
Amino Bros. Co., Inc. 8110 Kaw Dr. Box 11277 Kansas City, KS 66111	\$14,870.48
Anderes Farms 492 Hwy 15 Hope, KS 67451	\$181.82
Bayless, Dennis L. RR1 Box 110 Havana, KS 67347.....	\$65.50
Becker, David 3067 Q Ave. Herington, KS 67449	\$20.88
Becker, Raymond C. 468 Hwy 20 West Lancaster, KS 66041	\$713.76
Bergin, Wayne 1990 Limestone Rd. Clay Center, KANSAS 67432	\$63.20
Bestmark Express, Inc. P.O. Box 269 Strong City, KS 66869.....	\$1,858.73

Bierly, Robert D. 10629 SE Woodring Overbrook, KS 66524.....	\$67.34
Blue Valley Tractor & Supply 20219 Metcalf Box 219 Stillwell, KS 66065	\$67.80
Blume, Larry 9010 Water Mill Rd. Wamego, KS 66547	\$582.57
Bob Pierce Farm 3444 W Main Independence, KS 67301	\$42.96
Boeing Co., Wichita Div. P.O. Box 7730 K11-14 Wichita, KS 67277	\$9,646.82
Bohm Farm & Ranch, Inc. 632 S Broadway Salina, KS 67401.....	\$87.82
Bollig, Gilbert E. HC 1 Box 43 Clayton, KS 67629	\$291.66
Bowman, Jay D. 8041 T Road Smith Center, KS 66967	\$31.00
Brack Farms 12782 Bonita Hghs. Santa Anna, CA 92705.....	\$123.00
Brackeen Line Cleaning, Inc. P.O. Box 434 Clafin, KS 67525.....	\$166.55
Brennecke, Paul T. 1021 S. Rutter Chanute, KS 66720	\$37.17
Brookridge Golf & Cntry. Club 8223 W 103rd St. Overland Park, KS 66212	\$100.00
Brox, Anton R. 12313 Jewell Rd. Huron, KS 66041.....	\$35.60
Christiansen Ranch 245 300th Road Durham, KS 67438.....	\$162.50
Cikanek, Kelly E. 338 Webb St. Ellsworth, KS 67439.....	\$69.66
City of Alma P.O. Box 444 Alma, KS 66401.....	\$161.69
City of Lincoln Center 153 W Lincoln Box 126 Lincoln, KS 67455.....	\$106.21
City of Linn 104 5th Linn, KS 66953	\$52.57
City of Merriam 9000 W 62nd Terr. Merriam, KS 66202	\$1,828.67
CJ Schemper Farms, Inc. 1219 W 1500 Rd. Prairie View, KS 67664.....	\$98.20
Clemence, Joe F. or Joanna 2541 Jeep Rd. Abilene, KS 67410	\$88.50

Cloud Co. Community College 2221 Campus Dr. Concordia, KS 66901	\$476.10	K & L Tank Truck Service, Inc. 2101 SW 21st St. Topeka, KS 66604.....	\$399.92
Dexter, J.W. 2082 E 100 Rd. Lecompton, KS 66050.....	\$95.40	Kansas Acid, Inc. 327 W 4th Ave. #550 Hutchinson, KS 67504.....	\$754.73
Eisenbise, William P.O. Box 144 Morrill, KS 66515	\$52.20	Kansas Production Co. 120 N Sherman Sedan, KS 67361	\$729.80
Ellenz, Leland J. RR 1 Box 6 Cawker City, KS 67490.....	\$37.21	Karr, Glenn 36130 Sprg. Valley Paola, KS 68071	\$54.00
Everhart, Jay V. 9940 S Amos Rd. Gypsum, KS 67448.....	\$38.59	Kechi Township 900 E 69th St. N Wichita, KS 67129	\$60.21
Evert, Eldon P.O. Box 156 Republic, KS 66964.....	\$33.53	Kerschen, Raymond 2645 NE 130th Ave. Cheney, KS 67025	\$22.95
Faidley, Harold 385 Buffalo Rd. Longford, KS 67458	\$51.70	Kirchoff, Rodney 2002 Apache Dr. Garden City, KS 67846.....	\$56.07
Forcum Truck Line, Inc. 3237 Conestoga Tr. Richfield, WI 53076	\$1,875.08	Kisner, Marvin RR 1 Box 95A Bison, KS 67520	\$54.00
Garten Bros., Inc. 2305 Fair Rd. Abilene, KS 67410	\$675.00	Klahr, Delmer 12258 302nd Rd. Netawaka, KS 66516.....	\$33.00
Graham County Highway Dept. P.O. Box 218 Hill City, KS 67642	\$1,061.08	Komp, Rufus 4308 S Ridge Rd. Wichita, KS 67215	\$49.17
Grant Township 3030 E 101st N Valley Ctr., KS 67147.....	\$54.00	L & M Well Servicing Inc. Box 528 Russell, KS 67665	\$308.76
Hale Farms 537 N 1700 Rd Lawrence, KS. 66049	\$208.95	Loe, Donald 1077 Paint Rd. Hope, KS 67451	\$50.55
Halliburton Co. Energy Serv. P.O. Drawer 1431 Duncan, OK 73536	\$13,541.69	Lucian, John 2562 NW Star Valley Rd. Columbus, KS 66725	\$108.05
Hamilton, Gene 61 SW 110th St. Hallowell, KS 66725	\$42.50	Lund, Lowell 1951 W 217th Dr. Waldo, KS 67673	\$125.07
Handke, Eugene 11333 Neosho Rd. Atchison, KS 66002	\$180.63	Marquis, Wayne 12120 W 387 St. La Cygne, KS 66040.....	\$110.35
Henning, Leonard 10595 SW 70th Spivey, KS 67142.....	\$272.81	Martin, Jim 354 W 290th Dr. Lucas, KS 67648.....	\$396.20
Hermes Company, Inc. 12421 Santa Fe Trail Dr. Lenexa, KS 66215	\$12,009.62	Mayhugh, J.W. 4515 Quail Rd. Prescott, KS 66767.....	\$65.04
Hertel, Eddie 10483 US Hwy 56 Dodge City, KS 67801.....	\$23.64	McDermed, Kent D. 1516 Park Place Dr. Atchison, KS 66002	\$114.95
Holthaus, David RR 1 Box 85 Baileyville, KS 66404	\$235.77	Melvin Gengler Farms, Inc. RR 1 Box 65 Beloit, KS 67420.....	\$54.00
Ifland, Kurt or Kim P.O. Box 597 Caylord, KS 67638	\$26.58	Metzinger, Dale T. 2005 MacKenzie Way Yukon, OK 73099	\$87.90
Irons Feed Lot, Inc. 11252 Wildfire Rd. Minneola, KS 67865	\$33.00	Miller, Leon 2406 N Brownlee Rd. Sylvia, KS 67581	\$345.07
Jeardoe, Lee RR 2 Box 168 Belleville, KS 66935.....	\$30.08	Mueller Dairy 2040 Delaware Humbolt, KS 66748.....	\$338.24

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Numberg, Howard RT 3 Box 55A Emporia, KS 66801	\$213.21	Shields, William T. 21655 Donahoo Rd. Havensville, KS 66432.....	\$235.15
Olson, Keith H. 278 S 1000 Road Alta Vista, KS 66834	\$100.00	Skibee, Greg A. 6005 E Finney Scott Rd. Scott City, KS 67871.....	\$36.00
Osborn, Max P.O. Box 82 Gridley, KS 66852.....	\$180.09	Smith, Billy J. RR 1 Box 116 Formoso, KS 66942.....	\$54.00
Perkins, Bill E. RR 1 Box 50 Howard, KS 67349	\$201.83	Smith, Danny 1550 Hwy 59 Parsons, KS 67357.....	\$40.86
Perry, Philip L. 16506 Fairview Rd. Oskaloosa, KS 66066.....	\$34.45	Soukup, Ernest W. 256 5th Rd. Wilson, KS 67490	\$86.43
Peterson Farm & Livestock, Inc. 10729 S Simpson Rd. Assaria, KS 67416	\$560.93	Spencer, Roy 3923 Finny Rd. Princeton, KS 66078.....	\$123.00
Peterson, Kevin RR 1 Box 12A Garfield, KS 67529.....	\$1,647.00	St. Mary's Colgan School 212 E 9th Pittsburg, KS 66762.....	\$331.30
Prairie Highlands Golf Course, L.L.C. 14695 S Inverness St. Olathe, KS 66061.....	\$3,039.96	Stafford Community USD 349 318 E Broadway Box 400 Stafford, KS 67578.....	\$2,218.91
Pringle Ranch 557 Hwy 75 Yates Center, KS 66783	\$100.00	Stauffer, Auswell F. 22532 I Road Holton, KS 66436	\$17.20
Red Bee Ranch 953 S Greenwich Rd. Wichita, KS 67207	\$54.00	Stephens, Paul 1075 W 7th Colby, KS 67701.....	\$361.13
Regier, Edwin J. 1032 N Woodlawn Rd. Newton, KS 67114	\$31.00	Stoeber, John P.O. Box 104 Jewell, KS 66949	\$47.79
Rehmer, Joe RR 1 Box 57 Grinnell, KS 67736.....	\$115.64	Sunflower Electric Holdings P.O. Box 980 Hays, KS 67601.....	\$17,046.26
Remnant Co. P.O. Box 404 Goodland, KS 67735.....	\$210.73	Sweaney, Verne E. 1226 Road 2 Cedar Vale, KS 67024	\$18.26
Resource Management Co., Inc. RR 1 Box 69 Brownville, KS 67521.....	\$389.93	Swingle Bros. 1772 W 20th Ave. N Argonia, KS 67004	\$68.95
Richter, Jerry P.O. Box 158 Hanover, KS 66945	\$91.08	Thowe, Art 1224 S Manhattan Ave. Manhattan, KS 66502.....	\$14.90
Rieger Farms, Inc. 506 Kansas Ave. Hiawatha, KS 66434	\$305.55	Turpin, Larry J. 1154 160th Rd. Troy, KS 66087	\$49.17
Rogers, Dennis HC 1 Box 91 Selden, KS 67757.....	\$77.46	Uphaus, Donald 104 S 14th Seneca, KS 66538	\$50.55
Ryan, Harry M. 24499 159th St. Leavenworth, KS 66048.....	\$68.95	USD 223 212 North Tripp St. Barnes, KS 66953	\$129.00
S & S Quality Meats, L.L.C. P.O. Box 629 Emporia, KS 66801	\$612.68	USD 233 Olathe 14160 Black Bob Olathe, KS 66062.....	\$18,653.78
Sailors Stock Farm 18510 210th Rd. Erie, KS 66733.....	\$51.01	USD 430 S Brown County 522 Central Horton, KS 66439.....	\$855.57
Samuelson, Theodore C. 1116 Broadway Concordia, KS 66901	\$37.71	USD 455 — Hillcrest School P.O. Box 167 Cuba, KS 66940	\$614.57
Schlumberger Technology Corp. 2400 Packer Rd. Lawrence, KS 66049.....	\$2,127.67	USD 512 Shawnee MSN 7235 Antioch Shawnee Mission, KS 66204	\$9,421.88

Walker, Daniel A. 31712 241st Rd. Maple City, KS 67102	\$131.40
Warren, George RR 1 Box 147 Uniontown, KS 66779	\$50.55
Wasinger, Arlyn F. 1259 Chetolah Gold Rd. Hays, KS 67601	\$52.62
Weber, Vince RT 3 Box 70 Fredonia, KS 66736	\$125.76
Widows, Gilbert 7200 S Highway 83 Garden City, KS 67846	\$83.44
Wildcat Concrete Services, Inc. P.O. Box 750075 Topeka, KS 66675	\$154.97
Willis, Clark P.O. Box 418 Pleasanton, KS 66075	\$114.51
Winkley, Lawrence 1579 Mustang Rd. Marion, KS 66861	\$101.77
Winterman, John 16870 Elm Slough Rd. Wamego, KS 66547	\$295.65
Worrell, James 1085 N Hwy 7 Fort Scott, KS 66701	\$216.23
Wrosch, Danny E. 20755 Rolling Pr. Rd. Onaga, KS 66521	\$69.64
Zumbrunn, Robert J. 1958 3100 Ave. Chapman, KS 67431	\$114.95

Sec. 3. (a) The department of social and rehabilitation services is hereby authorized and directed to pay the following amount from the youth services aid and assistance account of the state general fund as reimbursement for medical services rendered to juvenile offenders, to the following claimant:

Elm Acres Youth and Family Services, Inc. P.O. Box 1135 Pittsburg, KS 66762	\$83,096.07
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(b) The department of social and rehabilitation services is hereby authorized and directed to pay the following amount from the Rainbow mental health facility — operating expenditures account of the state general fund for payments for services rendered, invoices for which were processed in an untimely manner, to the following claimant:

Hagemeyer North America, Inc. 11680 Great Oaks Way, Suite 300 Alpharetta, GA 30022	\$101.50
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Sec. 4. The department of revenue is hereby authorized and directed to pay the following amount from the motor carrier tax refund fund as reimbursement for overpayments of *ad valorem* property taxes, for 2002 and 2003, to the following claimant:

First Class Cartage, Inc. P.O. Box 15584 Lenexa, KS 66215-5584	\$27,881.00
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Provided, That, notwithstanding the provisions of K.S.A. 79-6a09, and amendments thereto, or any other statute, such amount shall be paid to the claimant from the motor carrier tax refund fund and, for the purposes of payment of such amount from the motor carrier tax refund fund during the fiscal year 2005 of fiscal year 2006, the limitation of \$5,000 established by K.S.A. 79-6a09, and amendments

thereto, on the amount that may be credited in the motor carrier tax refund fund is hereby increased to accommodate such payment on the date the payment is made pursuant to this section.

Sec. 5. The board of tax appeals is hereby authorized and directed to pay the following amount from the BOTA filing fee fund as reimbursement for a filing fee which was paid for a tax appeal that the board of tax appeals had no statutory authority to review, to the following claimant:

Melissa A. Vinson 1730 Candance Lane El Dorado, KS 67042	\$250.00
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Sec. 6. (a) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility — facilities operations account of the state general fund for loss of claimant’s personal property while claimant was in the care, custody and control of the personnel at the Hutchinson correctional facility, to the following claimant:

Larry D. Braun, #66898 P.O. Box 1568 Hutchinson, KS 67504-1568	\$18.00
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(b) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility — facilities operations account of the state general fund for loss of claimant’s personal property while claimant was in the care, custody and control of the personnel at the Hutchinson correctional facility, to the following claimant:

Todd Rassel, #62280 P.O. Box 2 Lansing, KS 66043	\$26.54
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(c) The department of corrections is hereby authorized and directed to pay the following amount from the Lansing correctional facility — facilities operations account of the state general fund for loss of claimant’s personal property while claimant was in the care, custody and control of the personnel at the Lansing correctional facility, to the following claimant:

James Cromwell, #54774 P.O. Box 2 Lansing, KS 66043	\$5.88
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(d) The department of corrections is hereby authorized and directed to pay the following amount from the Lansing correctional facility — facilities operations account of the state general fund for loss of claimant’s personal property while claimant was in the care, custody and control of the personnel at the Lansing correctional facility, to the following claimant:

Jeffrey T. Diederich, #59325 1207 Tallgrass Dr. Eudora, KS 66025	\$54.65
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(e) The department of corrections is hereby authorized and directed to pay the following amount from the Lansing correctional facility — facilities operations account of the state general fund for loss of claimant’s personal property while claimant was in the care, custody and control of the personnel at the Lansing correctional facility, to the following claimant:

Douglas Joseph Wayne Francis, #74719 P.O. Box 546 Newton, KS 67654	\$65.79
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(f) The department of corrections is hereby authorized and directed to pay the following amount from the El Dorado facility — facilities operations account of the state general fund for loss of claimant’s personal property while claimant was in the care, custody and control of the personnel at the El Dorado correctional facility, to the following claimant:

(continued)

Ron Smith, #51790
 P.O. Box 311
 El Dorado, KS 67042..... \$41.30

(g) The department of corrections is hereby authorized and directed to pay the following amount from the El Dorado facility — facilities operations account of the state general fund for loss of claimant’s personal property while claimant was in the care, custody and control of the personnel at the El Dorado correctional facility, to the following claimant:

Steven A. Ford, #68456
 P.O. Box 311
 El Dorado, KS 67042..... \$5.16

(h) The department of corrections is hereby authorized and directed to pay the following amount from the Ellsworth correctional facility — facilities operations account of the state general fund for loss of claimant’s personal property while claimant was in the care, custody and control of the personnel at the Ellsworth correctional facility, to the following claimant:

Fredrick N. Patterson, #63110
 P.O. Box 107
 Ellsworth, KS 67439 \$25.00

(i) The department of corrections is hereby authorized and directed to pay the following amount from the Lansing correction facility — facilities operations account of the state general fund as reimbursement for damage to claimant’s car parked in the facility’s employee parking lot, to the following claimant:

Charles Nance
 7121 Berkley Ave.
 Kansas City, MO 64152 \$250.00

(j) The department of corrections is hereby authorized and directed to pay the following amount from the Lansing correction facility — facilities operations account of the state general fund as reimbursement for damage to claimant’s car parked in the facility’s employee parking lot, to the following claimant:

William James Johnson
 117 W Lois
 Lansing, KS 66043 \$150.00

Sec. 7. (a) The department of revenue is hereby authorized and directed to pay the following amount from the division of vehicles operating fund as reimbursement for improvements made by the claimant to leasehold requested by the department of revenue, who subsequently terminated the lease before moving in, to the following claimant:

Harry Baxter
 HB Stereo Incorporated
 130 E Poyntz Ave.
 Manhattan, KS 66502
 c/o Brenda J. Bell
 Attorney at Law
 P.O. Box 816
 Manhattan, KS \$10,218.10

(b) The department of revenue is hereby authorized and directed to pay the following amount from the special fuels tax refund fund as reimbursement for a claim for refund for lost or destroyed fuel which was filed in an untimely manner, to the following claimant:

John Lopp
 Lopp Oil Co. Inc.
 P.O. Box 334
 Columbus, KS 66725 \$774.80

(c) The department of revenue is hereby authorized and directed to pay the following amount from the sales tax refund fund as reimbursement for attorney fees and associated expenses related to challenging a tax warrant and lien which was dismissed, to the following claimant:

Melissa A. Vinson
 1730 Candance Lane
 El Dorado, KS 67042..... \$1,588.28

Sec. 8. (a) The department of administration is hereby authorized and directed to pay the following amount from the cancelled warrants payment fund as reimbursement for a penalty deducted to issue a replacement warrant for a rent payment which was never received by the claimant, to the following claimant:

G.D.C. Financial Group, L.L.C.
 Gateway Plaza ACEO I, c/o
 Richard Ellis, Inc.
 P.O. Box 1450, NW #7785
 Minneapolis, MN 55485-7785 \$5,957.55

(b) The department of administration is hereby authorized and directed to pay the following amount from the canceled warrants payment fund as reimbursement for an expired warrant, to the following claimant:

Tony G. Stites
 2337 North Parkridge Court
 Wichita, KS 67205 \$542.00

(c) The department of administration is hereby authorized and directed to pay the following amount from the canceled warrants payment fund as reimbursement for an expired warrant, to the following claimant:

John Seitz
 402 W. Carson St. #25
 Carson, CA 90745..... \$3,660.27

(d) The department of administration is hereby authorized and directed to pay the following amount from the canceled warrants payment fund as reimbursement for a canceled warrant, to the following claimant:

University of Wisconsin - Madison
 400 A.W. Peterson Bldg.
 750 University Ave.
 Madison, WI 53706-1490 \$214,089.49

(e) The department of administration is hereby authorized and directed to pay the following amount from the canceled warrants payment fund as reimbursement for an expired warrant, to the following claimant:

Randy Russell
 502 West Ave.
 Norton, KS 67654 \$435.89

Sec. 9. The department of wildlife and parks is hereby authorized and directed to pay the following amount from the parks fee fund as reimbursement for damage to claimant’s pasture caused by a fire set by a state park patron, to the following claimant:

Duane W. Walker
 1422 27th Ave.
 Canton, KS 67428..... \$3,000.00

Sec. 10. The university of Kansas is hereby authorized and directed to pay the following amount from the general fees fund as reimbursement for out-of-state tuition paid by a student who was subsequently granted in-state tuition, to the following claimant:

Ms. Terica Gatewood
 1408 N.W. Central Ave.
 Topeka, KS 66608..... \$7,476.00

Sec. 11. There is appropriated from the state general fund for the fiscal year ending June 30, 2005, the following amount, which is hereby authorized and directed to be paid from the state general fund as reimbursement for injuries to claimant’s impounded horses while in the custody of the Hutchinson correctional facility following seizure, and related expenses incurred by claimant in obtaining release of such horses, to the following claimant:

Lyle Hanschu
3536 U.S. Hwy. 56
Lost Springs, KS 66859 \$5,000

Sec. 12. (a) Except as otherwise provided by this act, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in this act, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 2 as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 13.

STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 13(a) of chapter 123 of the 2004 Session Laws of Kansas on the bank commissioner fee fund is hereby decreased from \$6,236,279 to \$6,033,203.

Sec. 14.

STATE BOARD OF HEALING ARTS

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2005, by section 22 of chapter 138 of the 2003 Session Laws of Kansas for the state board of healing arts is hereby increased from 29.0 to 30.0.

(b) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$750,000 from the healing arts fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the healing arts fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the healing arts 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 board of healing arts by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 15.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 17(a) of chapter 123 of the 2004 Session Laws of Kansas on the cosmetology fee fund is hereby decreased from \$722,874 to \$699,359.

Sec. 16.

STATE DEPARTMENT OF CREDIT UNIONS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 18(a) of chapter 123 of the 2004 Session Laws of Kansas on the credit union fee fund is hereby decreased from \$917,464 to \$898,833.

Sec. 17.

KANSAS DENTAL BOARD

(a) During the fiscal year ending June 30, 2005, the director of the budget and the director of the legislative research department shall consult periodically and review the balance credited to and the estimated receipts to be credited to the dental board fee fund during fiscal year 2005, and, upon a finding by the director of the budget in consultation with the director of the legislative research department that the total of the unencumbered balance and estimated receipts to be credited to the dental board fee fund during fiscal year 2005 are insufficient to finance the budgeted expenditures for fiscal year

2005 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money as certified from the state general fund to the dental board fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures for fiscal year 2005 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification. On or before June 30, 2005, the director of accounts and reports shall transfer moneys from the dental board fee fund to the state general fund to reimburse the state general fund the amount of money equal to the aggregate of all amounts transferred during fiscal year 2005 pursuant to this subsection.

Sec. 18.

STATE BOARD OF MORTUARY ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 23(c) of chapter 138 of the 2003 Session Laws of Kansas on the KSIP expenditure account of the mortuary arts fee fund is hereby decreased from \$27,871 to \$10,000.

Sec. 19.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING AIDS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 21(a) of chapter 123 of the 2004 Session Laws of Kansas on the hearing aid board fee fund is hereby increased from \$22,129 to \$27,331.

Sec. 20.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 22(b) of chapter 123 of the 2004 Session Laws of Kansas on the board of nursing fee fund is hereby increased from \$1,478,622 to \$1,536,909.

Sec. 21.

STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 24(b) of chapter 123 of the 2004 Session Laws of Kansas on the state board of pharmacy fee fund is hereby increased from \$637,221 to \$699,830.

(b) Notwithstanding the provisions of section 140(c)(1)(A) of chapter 123 of the 2004 Session Laws of Kansas, the amount to be transferred from the state board of pharmacy fee fund to the state general fund on or before June 30, 2005, shall not exceed \$843,600.

Sec. 22.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 27(a) of chapter 123 of the 2004 Session Laws of Kansas on the securities act fee fund is hereby decreased from \$2,204,375 to \$2,151,649.

(b) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2005, by section 22 of chapter 138 of the 2003 Session Laws of Kansas for the office of the securities commissioner of Kansas is hereby increased from 27.8 to 28.0.

Sec. 23.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) In addition to the other purposes for which expenditures may be made by the state board of technical professions from moneys appropriated from the technical professions fee fund for fiscal year 2005 for the state board of technical professions as authorized by chapter 138 or chapter 160 of the 2003 Session Laws of Kansas, chapter 123 of the 2004 Session Laws of Kansas or by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made by the state board of technical professions for fiscal year 2005 for official hospitality: *Provided*, That expendi-

(continued)

tures from the technical professions fee fund for the fiscal year ending June 30, 2005, for official hospitality shall not exceed \$500.

Sec. 24.

INSURANCE DEPARTMENT

(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 shall not exceed the following:

Settlements fund..... No limit

(b) On the effective date of this act, the director of accounts and reports shall transfer \$103,183 from the state general fund to the settlements fund of the insurance department: *Provided*, That any unencumbered balance in the settlements fund account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Sec. 25.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) On the effective date of this act, of the \$15,400,621 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 82(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$360,843 is hereby lapsed.

(b) On the effective date of this act, of the \$1,922,489 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 82(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the capital defense operations account, the sum of \$36,684 is hereby lapsed.

(c) During the fiscal year ending June 30, 2005, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2005, from the state general fund for the state board of indigents' defense services to any other item of appropriation for the fiscal year 2005 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

Sec. 26.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 84(c) of chapter 123 of the 2004 Session Laws of Kansas on the agency operations account of the expense reserve of the Kansas public employees retirement fund is hereby decreased from \$6,826,058 to \$6,645,408.

(b) On the effective date of this act, the amount of \$4,611,533 authorized by section 84(e) of chapter 123 of the 2004 Session Laws of Kansas to be transferred by the director of accounts and reports from the Kansas endowment for youth fund of the Kansas public employees retirement system to the state general fund is hereby decreased to \$1,654,514.

Sec. 27.

KANSAS HUMAN RIGHTS COMMISSION

(a) On the effective date of this act, of the \$1,392,724 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 85(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$15,369 is hereby lapsed.

Sec. 28.

STATE BOARD OF TAX APPEALS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 89(b) of chapter 123 of the 2004 Session Laws of Kansas on the duplicating fees fund is hereby decreased from \$13,994 to \$608.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 89(b) of chapter 123 of the 2004 Session Laws of Kansas on the BOTA filing fee fund is hereby decreased from \$279,220 to \$252,000.

Sec. 29.

DEPARTMENT OF REVENUE

(a) On the effective date of this act, of the \$20,046,408 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 90(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$2,481,961 is hereby lapsed.

Sec. 30.

KANSAS LOTTERY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 91(a) of chapter 123 of the 2004 Session Laws of Kansas on the lottery operating fund is hereby decreased from \$9,303,945 to \$9,118,480.

(b) Notwithstanding the provisions of K.S.A. 74-8711 and amendments thereto, in addition to the aggregate amount of not less than \$63,250,000 that shall be transferred from the lottery operating fund to the state gaming revenues fund for the fiscal year ending June 30, 2005, as prescribed by section 91(b) of chapter 123 of the 2004 Session Laws of Kansas, an additional amount of not less than \$290,000 shall be transferred from the lottery operating fund to the state gaming revenues fund during the fiscal year ending June 30, 2005, for a new aggregate amount of not less than \$63,540,000 to be transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2005 in monthly transfers concluding on or before July 15, 2005.

Sec. 31.

KANSAS RACING AND GAMING COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 92(a) of chapter 123 of the 2004 Session Laws of Kansas on the state racing fund is hereby decreased from \$3,047,161 to \$2,757,090.

(b) The director of accounts and reports shall not make the transfer of \$115,016 from the state racing fund of the Kansas racing and gaming commission to the state gaming revenues fund of the department of administration which was directed to be made on or before June 30, 2005, by section 92(g) of chapter 123 of the 2004 Session Laws of Kansas.

Sec. 32.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, of the \$14,868,030 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 93(a) of chapter 123 of the 2004 Session Laws of Kansas from the state economic development initiatives fund in the operating grant (including official hospitality) account, the sum of \$130,648 is hereby lapsed.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser — federal fund for fiscal year or years specified, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser — federal fund during the fiscal year or years specified, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service — 1430 Topeka facilities
For the fiscal year ending June 30, 2005..... \$66,330

Provided, That all expenditures from the debt service — 1430 Topeka facilities account shall be in addition to any expenditure limitation imposed on the Wagner Peyser — federal fund for fiscal year 2005: *Provided further*, That all expenditures from the debt service — 1430 Topeka facilities account of the Wagner Peyser — federal fund for fiscal year 2005 shall be made in accordance with the assignment agreement entered into by the department of labor and the department of commerce on July 1, 2004, and all addenda

thereto, under which the obligation for bond principal and interest payments for the Kansas Development Finance Authority Lease Revenue Bonds, Series 2002H (State of Kansas — Department of Human Resources Acquisition and Renovation project), dated as of August 15, 2002, issued to finance the costs of the capital improvement projects to remodel the agency headquarters and to purchase a building and parking lot at 1430 Topeka Boulevard in Topeka, Kansas, was assigned to department of commerce from the department of labor and the bond principal and interest payments for such bonds are to be paid by the department of commerce in accordance with and subject to such assignment agreement and addenda and the applicable bond covenants.

Rehabilitation and repair

For the fiscal year ending June 30, 2005..... \$40,000

(c) In addition to the other purposes for which expenditures may be made by the above agency from the WIA — setaside — federal fund for fiscal year or years specified, expenditures may be made by the above agency from the following capital improvement account or accounts of the WIA — setaside — federal fund during the fiscal year or years specified, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service — 1430 Topeka facilities

For the fiscal year ending June 30, 2005..... \$66,330

Provided, That all expenditures from the debt service — 1430 Topeka facilities account shall be in addition to any expenditure limitation imposed on the WIA — setaside — federal fund for fiscal year 2005: *Provided further*, That all expenditures from the debt service — 1430 Topeka facilities account of the WIA — setaside — federal fund for fiscal year 2005 shall be made in accordance with the assignment agreement entered into by the department of labor and the department of commerce on July 1, 2004, and all addenda thereto, under which the obligation for bond principal and interest payments for the Kansas Development Finance Authority Lease Revenue Bonds, Series 2002H (State of Kansas — Department of Human Resources Acquisition and Renovation project), dated as of August 15, 2002, issued to finance the costs of the capital improvement projects to remodel the agency headquarters and to purchase a building and parking lot at 1430 Topeka Boulevard in Topeka, Kansas, was assigned to department of commerce from the department of labor and the bond principal and interest payments for such bonds are to be paid by the department of commerce in accordance with and subject to such assignment agreement and addenda and the applicable bond covenants.

Rehabilitation and repair

For the fiscal year ending June 30, 2005..... \$40,000

(d) On the effective date of this act, the director of accounts and reports shall transfer any unencumbered balance in the wheat harvest program account of the special employment security fund of the department of labor to the wheat harvest program — non-federal fund of the department of commerce. On the effective date of this act, all liabilities of the wheat harvest program account of the special employment security fund are hereby transferred to and imposed on the wheat harvest program — non-federal fund and the wheat harvest program account of the special employment security fund of the department of labor is hereby abolished.

Sec. 33.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

(a) On the effective date of this act, of the \$11,490,217 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 95(a) of chapter 123 of the 2004 Session Laws of Kansas from the state economic development initiatives fund in the operations, assistance and grants (including official hospitality) account, the sum of \$128,543 is hereby lapsed.

Sec. 34.

DEPARTMENT OF LABOR

(a) On the effective date of this act, any unencumbered balance in the welfare to work grant — state match account of the state general fund is hereby lapsed.

(b) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2005, by section 38(g) of chapter 184 of the 2004 Session Laws of Kansas for the department of labor is hereby decreased from 652.80 to 634.23.

Sec. 35.

KANSAS COMMISSION ON VETERANS AFFAIRS

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

Operating expenditures — veterans affairs	\$81,437
Persian Gulf War veterans health initiative program	\$7,385
Additional operating expenditures — soldiers and veterans homes.....	\$105,000
Operating expenditures — Kansas soldiers' home ..	\$100,000

(b) On the effective date of this act, of the \$437,902 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 97(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the operations — state veterans cemeteries account, the sum of \$20,000 is hereby lapsed.

Sec. 36.

DEPARTMENT OF HEALTH AND ENVIRONMENT — DIVISION OF HEALTH

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the food safety fund of the department of agriculture to the food inspection fee fund of the department of health and environment — division of health.

(b) On the effective date of this act, of the \$6,926,940 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 98(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$73,162 is hereby lapsed.

Sec. 37.

DEPARTMENT ON AGING

(a) On the effective date of this act, of the \$123,683 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 100(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the administration — assessments account, the sum of \$11,841 is hereby lapsed.

(b) On the effective date of this act, of the \$33,530 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 100(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the administration — assessments — Level II care account, the sum of \$8,051 is hereby lapsed.

(c) On the effective date of this act, of the \$283,645 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 100(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the administration — assessments — Level I care account, the sum of \$68,200 is hereby lapsed.

(d) On the effective date of this act, of the \$1,687,989 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 100(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the administration — medicaid account, the sum of \$189,445 is hereby lapsed.

(e) On the effective date of this act, of the \$182,473 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 100(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the administration — older Americans act match account, the sum of \$27,469 is hereby lapsed.

(f) On the effective date of this act, of the \$6,000,000 appropriated for the above agency for the fiscal year ending June 30, 2005, by

(continued)

section 100(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the senior care act account, the sum of \$394,234 is hereby lapsed.

(g) On the effective date of this act, of the \$1,951,769 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 100(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the LTC — medicaid assistance — TCM/FE account, the sum of \$142,952 is hereby lapsed.

(h) On the effective date of this act, of the \$24,091,046 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 100(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the LTC — medicaid assistance — HCBS/FE account, the sum of \$8,331,877 is hereby lapsed.

(i) On the effective date of this act, of the \$127,660,800 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 100(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the LTC — medicaid assistance — NF account, the sum of \$11,059,854 is hereby lapsed.

(j) On the effective date of this act, of the \$2,084,764 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 100(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the nursing facilities regulation account, the sum of \$109,404 is hereby lapsed.

(k) On the effective date of this act, of the \$967,622 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 100(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the nursing facilities regulation — title XIX account, the sum of \$59,202 is hereby lapsed.

(l) On the effective date of this act, the expenditure limitation established by section 100(b) of chapter 123 of the 2004 Session Laws of Kansas on the intergovernmental transfer administration fund, is hereby decreased from no limit to \$41,127.

Sec. 38.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

Youth services aid and assistance	\$6,881,172
Other medical assistance	\$21,204,145
Cash assistance.....	\$2,402,714
Mental health and retardation services aid and assistance.....	\$215,672

(b) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2005, by section 101(c) of chapter 123 of the 2004 Session Laws of Kansas from the children’s initiatives fund in the children’s cabinet accountability fund account, the sum of \$300,318 is hereby lapsed.

(c) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2005, by section 101(c) of chapter 123 of the 2004 Session Laws of Kansas from the children’s initiatives fund in the children’s cabinet early childhood discretionary grant program account, the sum of \$827,280 is hereby lapsed.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 101(b) of chapter 123 of the 2004 Session Laws of Kansas on the social welfare fund is hereby increased from \$58,335,575 to \$59,418,068.

(e) On the effective date of this act, of the \$22,809,476 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 101(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the Larned state hospital — operating expenditures account, the sum of \$585,149 is hereby lapsed.

(f) On the effective date of this act, of the \$3,841,426 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 101(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the Rainbow mental health facility —

operating expenditures account, the sum of \$162,577 is hereby lapsed.

(g) On the effective date of this act, the amount established by section 101(b) of chapter 123 of the 2004 Session Laws of Kansas as the amount that the secretary of social and rehabilitation services is to certify on June 30, 2005, to the director of the budget that expenditures for state operations from the social services clearing fund during fiscal year 2005 did not exceed, is hereby increased from \$306,526,585 to \$313,302,061.

(h) On the effective date of this act, of the \$6,772,365 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 24(g) of chapter 184 of the 2004 Session Laws of Kansas from the state institutions building fund in the rehabilitation and repair projects account, the sum of \$1,759,394 is hereby lapsed.

(i) In addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2005 as authorized by chapter 123 or chapter 184 of the 2004 Session Laws of Kansas or by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by the department of social and rehabilitation services from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2005 to prepare a report on the costs and other matters involved in increasing the rates paid during fiscal year 2006 for the state medicaid program and the state children’s health insurance program to the level of the rates paid by the federal medicare program and to report back to the committee on appropriations of the house of representatives during the 2005 regular session of the legislature during consideration of the omnibus appropriation bill and the omnibus reconciliation spending limit bill for the 2005 regular session.

Sec. 39.

DEPARTMENT OF EDUCATION

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

School district juvenile detention facilities and Flint Hills job corps center grants.....	\$987,795
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(b) On the effective date of this act, of the \$134,979,253 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 105(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the KPERS — employer contributions account, the sum of \$99,733 is hereby lapsed.

Sec. 40.

STATE LIBRARY

(a) On the effective date of this act, of the \$1,550,466 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 106(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$30,000 is hereby lapsed.

Sec. 41.

KANSAS STATE SCHOOL FOR THE BLIND

(a) On the effective date of this act, of the \$4,501,339 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 108(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$108,722 is hereby lapsed.

Sec. 42.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2005, for the capital improvement project or projects specified as follows:

Rehabilitation and repair of Pawnee Indian village historic site.....	\$125,000
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Sec. 43.

WICHITA STATE UNIVERSITY

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

Aviation research debt service \$1,057,482

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

Leveraging educational assistance partnership — federal fund..... No limit
Sec. 44.

STATE BOARD OF REGENTS

On the effective date of this act, of the \$3,132,222 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 120(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$558,702 is hereby lapsed.

Sec. 45.

DEPARTMENT OF CORRECTIONS

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

Treatment and programs..... \$221,400
Facilities operations..... \$187,163
Winfield correctional facility — facilities operations..... \$100,468

(b) On the effective date of this act, of the \$12,448,462 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 121(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the Norton correctional facility — facilities operations account, the sum of \$32,000 is hereby lapsed.

(c) On the effective date of this act of the \$32,910,090 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 121(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the Lansing correctional facility — facilities operations account, the sum of \$68,468, is hereby lapsed.

(d) On the effective date of this act, the \$1,460,000 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 37(a) of chapter 184 of the 2004 Session Laws of Kansas from the state general fund in the bedspace contracts account, is hereby lapsed.

Sec. 46.

JUVENILE JUSTICE AUTHORITY

(a) On the effective date of this act, of the \$27,534,760 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 122(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$49,317 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 122(c) of chapter 123 of the 2004 Session Laws of Kansas on the juvenile detention facilities fund is hereby increased from \$3,602,740 to \$4,000,000.

(c) On the effective date of this act, of the \$5,414,487 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 122(b) of chapter 123 of the 2004 Session Laws of Kansas from the children’s initiatives fund in the prevention program grant account, the sum of \$149,368 is hereby lapsed.

(d) On the effective date of this act, of the \$3,585,513 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 122(b) of chapter 123 of the 2004 Session Laws of Kansas from the children’s initiatives fund in the intervention and graduated sanctions community grants account, the sum of \$147,504 is hereby lapsed.

(e) On the effective date of this act, of the \$5,855,242 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 122(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the Atchison juvenile correctional facility operations account, the sum of \$15,590 is hereby lapsed.

(f) On the effective date of this act, of the \$4,688,537 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 122(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the Beloit juvenile correctional facility operations account, the sum of \$93,886 is hereby lapsed.

(g) On the effective date of this act, of the \$7,870,781 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 122(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the Larned juvenile correctional facility operations account, the sum of \$160,960 is hereby lapsed.

(h) On June 30, 2005, any unencumbered balance in the following account of the state institutions building fund is hereby lapsed: Construction and remodeling juvenile correctional facilities.

(i) On the effective date of this act, the \$1,120,000 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 167(a) of chapter 123 of the 2004 Session Laws of Kansas from the state institutions building fund in the capital improvements — rehabilitation, remodeling, renovation and repair of juvenile correctional facilities account, is hereby lapsed.

(j) On the effective date of this act, of the \$4,001,013 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 167(a) of chapter 123 of the 2004 Session Laws of Kansas from the state institutions building fund in the debt service — Topeka complex and Larned juvenile correctional facility account, the sum of \$2,006,181 is hereby lapsed.

(k) On the effective date of this act, the \$494,908 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 167(a) of chapter 123 of the 2004 Session Laws of Kansas from the state institutions building fund in the install back-up generator at Topeka juvenile correctional facility account, is hereby lapsed.

(l) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2005, by section 187 of chapter 123 of the 2004 Session Laws of Kansas from the state institutions building fund in the capital improvements — rehabilitation, remodeling, renovation and repair of juvenile correctional facilities account, the sum of \$398,192 is hereby lapsed.

Sec. 47.

ADJUTANT GENERAL

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

Military activation payments..... \$250,000

Provided, That all expenditures from the military activation payments account shall be for military activation payments which are hereby authorized and directed to be made in accordance with and subject to the procedures, guidelines, limitations and restrictions, including the eligibility conditions, prescribed in executive directive no. 05-356, to officers and employees of state agencies in the executive, judicial or legislative branches of state government, who are called or have been called to active military duty on or after September 11, 2001.

(b) On the effective date of this act, of the \$912,005 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 165(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the debt service — rehabilitation and repair of the statewide armories account, the sum of \$287,421 is hereby lapsed.

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the Kansas military emergency relief fund for fiscal year 2005, as authorized by section 41(a) of chapter 184 of the 2004 Session Laws of Kansas or by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the Kansas military emergency relief fund for fiscal year 2005, for grants and interest—free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and con-

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ditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization, to provide assistance to eligible family members experiencing financial emergencies: *Provided*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *Provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the Kansas military emergency relief fund.

(d) During the fiscal year ending June 30, 2005, in addition to the other purposes for which transfers may be made by the adjutant general from the moneys appropriated in the nuclear safety emergency management fee fund for fiscal year 2005 by chapter 123 of the 2004 Session Laws of Kansas or by this or other appropriation act of the 2005 regular session of the legislature, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2005 pursuant to agreements which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act.

Sec. 48.

STATE FIRE MARSHAL

(a) On or after the effective date of this act, upon certification by the director of the budget to the director of accounts and reports, the director of accounts and reports shall transfer \$225,000 from the fire marshal fee fund to the hazardous materials emergency fund of the state fire marshal. Upon making such certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of the legislative research department.

Sec. 49.

KANSAS HIGHWAY PATROL

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2005, by section 137(a) of chapter 123 of the 2004 Session Laws of Kansas for the Kansas highway patrol is hereby increased from 823.8 to 824.1.

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

Motor vehicle fuel and storeroom sales fund..... No limit
Provided, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *And provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the motor vehicle fuel and storeroom sales fund.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 164(a) of chapter 123 of the 2004 Session Laws of Kansas on the debt service — training center — Salina account of the highway patrol training center fund is hereby decreased from \$599,975 to \$508,788.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 164(b) of chapter 123 of the 2004 Session Laws of Kansas on the debt service — vehicle inspection facility — Olathe account of the vehicle identification number fee fund is hereby decreased from \$59,848 to \$59,094.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 164(c) of chapter 123 of the 2004 Session Laws of Kansas on the debt service — Topeka fleet service account of the Kansas highway patrol operations fund is hereby increased from \$283,788 to \$374,975.

(f) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$91,187 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund. In addition to the other purposes for which expenditures may be made from the state highway fund during fiscal year 2005 and notwithstanding the provisions of K.S.A. 68-416 and amendments thereto or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2005 for support and maintenance of the Kansas highway patrol.

(g) On the effective date of this act, the interagency motor vehicle fuel sales fund of the Kansas highway patrol is hereby redesignated as the motor vehicle fuel and storeroom sales fund of the Kansas highway patrol.

Sec. 50.

KANSAS SENTENCING COMMISSION

(a) On the effective date of this act, of the \$5,291,441 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 129(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the substance abuse treatment programs account, the sum of \$293,055 is hereby lapsed.

(b) On the effective date of this act, of the \$543,098 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 129(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$20,709 is hereby lapsed.

Sec. 51.

STATE FAIR BOARD

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

State fair debt service..... \$892,772

Sec. 52.

STATE CONSERVATION COMMISSION

(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 shall not exceed the following:

Agency motor pool fund No limit
Irrigation transition assistance program — federal fund..... No limit
NRCS contribution agreement 2002 farm bill — federal fund..... No limit

Sec. 53.

KANSAS WATER OFFICE

(a) On the effective date of this act, any unencumbered balance in excess of \$24,945 in the KSIP account of the state general fund is hereby lapsed.

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

Reclamation bureau drought assistance — federal fund No limit
 Sec. 54.

DEPARTMENT OF WILDLIFE AND PARKS

(a) The secretary of wildlife and parks is hereby directed, after authorizing expenditures from the department access road fund or the bridge maintenance fund for the purpose of paying operating expenditures other than capital improvement projects, to pledge when sufficient funds are available on or after June 30, 2005, in the parks fee fund, to repay from the parks fee fund any and all amounts expended from the department access road fund or the bridge maintenance fund for the purpose of paying operating expenditures other than capital improvements.

Sec. 55.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 136(b) of chapter 123 of the 2004 Session Laws of Kansas on the agency operations account of the state highway fund is hereby decreased from \$238,895,934 to \$238,224,523.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 136(b) of chapter 123 of the 2004 Session Laws of Kansas on the construction, remodeling and special maintenance projects for buildings account of the state highway fund is hereby decreased from \$4,635,671 to \$1,112,948.

(c) On the effective date of this act, notwithstanding the provisions of K.S.A. 68-416 and amendments thereto or any other statute, the director of accounts and reports shall transfer \$4,194,134 from the state highway fund of the department of transportation to the state general fund: *Provided*, That the amount transferred from the state highway fund of the department of transportation 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.

(d) 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 shall not exceed the following:

Other federal grants fund No limit
Provided, That no moneys received by the department of transportation that are highway trust funds or moneys that are received by the department of transportation under federal grants received on an ongoing basis shall be credited to the other federal grants fund.

Sec. 56.

STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 63(a) of chapter 123 of the 2004 Session Laws of Kansas on the veterinary examiners fee fund is hereby decreased from \$281,238 to \$257,723.

(b) In addition to the other purposes for which expenditures may be made by the state board of veterinary examiners from the veterinary examiners fee fund for fiscal year 2005 as authorized by chapter 138 or 160 of the 2003 Session Laws of Kansas, by chapter 123 of the 2004 Session Laws of Kansas or by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made by the state board of veterinary examiners from the veterinary examiners fee fund for fiscal year 2005 for the costs of litigation and fees for private attorneys: *Provided*, That all such expenditures for fiscal year 2005 for the costs of litigation and fees for private attorneys shall be in addition to any expenditure limitation imposed on the veterinary examiners fee fund for fiscal year 2005.

Sec. 57.

ATTORNEY GENERAL

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

Operating expenditures..... \$48,374

(b) On the effective date of this act, the limitation established by section 76(a) of chapter 123 of the 2004 Session Laws of Kansas on the costs of defending the state or any employee of the state in any actions or proceedings on claims against the state or an employee of the state under the tort claims act or under the civil rights laws of the United States or of the state of Kansas is hereby increased from \$1,176,072 to No limit.

Sec. 58. (a) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2005 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2005 as authorized by chapter 123 or chapter 184 of the 2004 Session Laws of Kansas or by this or other appropriation act of the 2005 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2005 to provide a military pay differential for officers or employees of the state agency who are called or have been called to active military duty on or after September 11, 2001: *Provided, however*, That all such expenditures shall be made in accordance with and subject to the procedures, guidelines, limitations and restrictions, including the eligibility conditions, prescribed in executive directive no. 05-356.

(b) As used in this section, "state agency" means any state agency in the executive, judicial or legislative branches of state government.

Sec. 59.

ABSTRACTERS' BOARD OF EXAMINERS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Abstracters' fee fund
 For the fiscal year ending June 30, 2006..... \$21,539
 For the fiscal year ending June 30, 2007..... \$21,719

Sec. 60.

BOARD OF ACCOUNTANCY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Board of accountancy fee fund
 For the fiscal year ending June 30, 2006..... \$273,442

Provided, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2006, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2007..... \$278,284

Provided, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2007, for official hospitality shall not exceed \$500.

Special litigation reserve fund
 For the fiscal year ending June 30, 2006..... No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2006, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the re-

(continued)

requested action would be contrary to clause (3) of this proviso, (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2007..... No limit
Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2007, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso, (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2006, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund to the special litigation reserve fund of the board of accountancy: Provided, That the aggregate of such transfers for the fiscal year ending June 30, 2006, shall not exceed \$15,000: And provided further, That the executive director of the board of accountancy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of the legislative research department.

Sec. 61.

STATE BANK COMMISSIONER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Bank commissioner fee fund

For the fiscal year ending June 30, 2006..... \$6,634,368

Provided, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2006, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: Provided further, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2006, for official hospitality for the division of banking shall not exceed \$1,000.

For the fiscal year ending June 30, 2007..... \$6,832,648

Provided, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2007, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: Provided further, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2007, for official hospitality for the division of banking shall not exceed \$1,000.

Bank examination and investigation fund

For the fiscal year ending June 30, 2006..... No limit

For the fiscal year ending June 30, 2007..... No limit

Consumer education settlement fund

For the fiscal year ending June 30, 2006..... No limit

Provided, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2006, for consumer education purposes, which may be in accordance with contracts for such activities which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

For the fiscal year ending June 30, 2007..... No limit

Provided, That expenditures may be made from the consumer edu-

cation settlement fund for the fiscal year ending June 30, 2007, for consumer education purposes, which may be in accordance with contracts for such activities which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

(b) During the fiscal years ending June 30, 2006, and June 30, 2007, notwithstanding the provisions of K.S.A. 9-2209, 9-2218, 16a-2-302 and 16a-6-104 and amendments thereto or any other statute, all moneys received under the Kansas mortgage business act or the uniform consumer credit code for fines or settlements shall be deposited in the state treasury to the credit of the consumer education settlement fund.

(c) (1) During the fiscal year ending June 30, 2006, one or more transfers of moneys may be made from the bank commissioner fee fund to the appropriate account of the restricted fees fund of Wichita state university pursuant to a contract which is hereby authorized to be entered into by the deputy commissioner of the consumer and mortgage lending division and the Kansas council on economic education of Wichita state university to conduct a consumer credit education program: Provided, however, That the total amount of such transfers for the fiscal year ending June 30, 2006, shall not exceed \$70,000.

(2) During the fiscal year ending June 30, 2007, one or more transfers of moneys may be made from the bank commissioner fee fund to the appropriate account of the restricted fees fund of Wichita state university pursuant to a contract which is hereby authorized to be entered into by the deputy commissioner of the consumer and mortgage lending division and the Kansas council on economic education of Wichita state university to conduct a consumer credit education program: Provided, however, That the total amount of such transfers for the fiscal year ending June 30, 2007, shall not exceed \$70,000.

Sec. 62.

KANSAS BOARD OF BARBERING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Board of barbering fee fund

For the fiscal year ending June 30, 2006..... \$132,790

For the fiscal year ending June 30, 2007..... \$134,568

Sec. 63.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Behavioral sciences regulatory board fee fund

For the fiscal year ending June 30, 2006..... \$551,670

Provided, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2006, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2007..... \$561,070

Provided, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2007, for official hospitality shall not exceed \$500.

Sec. 64.

STATE BOARD OF HEALING ARTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Healing arts fee fund

For the fiscal year ending June 30, 2006..... \$2,585,367
Provided, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2006, for official hospitality shall not exceed \$1,000; *Provided further*, That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2006, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2006.

For the fiscal year ending June 30, 2007..... \$2,701,908
Provided, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2007, for official hospitality shall not exceed \$1,000; *Provided further*, That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2007, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2007.

Sec. 65.

KANSAS STATE BOARD OF COSMETOLOGY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Cosmetology fee fund

For the fiscal year ending June 30, 2006..... \$737,008
 For the fiscal year ending June 30, 2007..... \$688,213

Sec. 66.

STATE DEPARTMENT OF CREDIT UNIONS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Credit union fee fund

For the fiscal year ending June 30, 2006..... \$933,062

Provided, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2006, for official hospitality shall not exceed \$300.

For the fiscal year ending June 30, 2007..... \$934,032

Provided, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2007, for official hospitality shall not exceed \$300.

Sec. 67.

KANSAS DENTAL BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dental board fee fund

For the fiscal year ending June 30, 2006..... \$292,304

Provided, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2006, for official hospitality shall not exceed \$400.

For the fiscal year ending June 30, 2007..... \$295,661

Provided, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2007, for official hospitality shall not exceed \$400.

(b) On July 1, 2005, the director of accounts and reports shall transfer \$4,817 from the state general fund to the dental board fee fund to finance the 27th payroll chargeable to fiscal year 2006.

(c) During the fiscal year ending June 30, 2006, the director of the budget and the director of the legislative research department shall consult periodically and review the balance credited to and the estimated receipts to be credited to the dental board fee fund during fiscal year 2006, and, upon a finding by the director of the budget in consultation with the director of the legislative research department

that the total of the unencumbered balance and estimated receipts to be credited to the dental board fee fund during fiscal year 2006 are insufficient to finance the budgeted expenditures for fiscal year 2006 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money as certified from the state general fund to the dental board fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures for fiscal year 2006 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification. On or before June 30, 2006, the director of accounts and reports shall transfer from the dental board fee fund to the state general fund to reimburse the state general fund the amount of money equal to the aggregate of all amounts transferred during fiscal year 2006 pursuant to this subsection.

Sec. 68.

STATE BOARD OF MORTUARY ARTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mortuary arts fee fund

For the fiscal year ending June 30, 2006..... \$242,623
 For the fiscal year ending June 30, 2007..... \$249,080

Sec. 69.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING AIDS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Hearing aid board fee fund

For the fiscal year ending June 30, 2006..... \$25,802
 For the fiscal year ending June 30, 2007..... \$26,306

(b) On July 1, 2005, the director of accounts and reports shall transfer \$658 from the state general fund to the hearing aid board fee fund to finance the 27th payroll chargeable to fiscal year 2006.

Sec. 70.

BOARD OF NURSING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Board of nursing fee fund

For the fiscal year ending June 30, 2006..... \$1,494,127

Provided, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2006, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2007..... \$1,517,295

Provided, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2007, for official hospitality shall not exceed \$500.

Gifts and grants fund

For the fiscal year ending June 30, 2006..... No limit
 For the fiscal year ending June 30, 2007..... No limit

Education conference fund

(continued)

For the fiscal year ending June 30, 2006..... No limit
 For the fiscal year ending June 30, 2007..... No limit

Sec. 71.

BOARD OF EXAMINERS IN OPTOMETRY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Optometry fee fund

For the fiscal year ending June 30, 2006..... \$119,214

Provided, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2006, for official hospitality shall not exceed \$300.

For the fiscal year ending June 30, 2007..... \$121,328

Provided, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2007, for official hospitality shall not exceed \$300.

Sec. 72.

STATE BOARD OF PHARMACY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State board of pharmacy fee fund

For the fiscal year ending June 30, 2006..... \$594,491

Provided, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2006, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2007..... \$608,844

Provided, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2007, for official hospitality shall not exceed \$500.

Federal grant fund

For the fiscal year ending June 30, 2006..... No limit

For the fiscal year ending June 30, 2007..... No limit

Sec. 73.

REAL ESTATE APPRAISAL BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Appraiser fee fund

For the fiscal year ending June 30, 2006..... \$256,054

For the fiscal year ending June 30, 2007..... \$262,214

Federal registry clearing fund

For the fiscal year ending June 30, 2006..... No limit

For the fiscal year ending June 30, 2007..... No limit

Sec. 74.

KANSAS REAL ESTATE COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Real estate fee fund

For the fiscal year ending June 30, 2006..... \$961,348

Provided, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2006, for official hospitality shall not exceed \$200.

For the fiscal year ending June 30, 2007..... \$964,464

Provided, That expenditures from the real estate fee fund for the

fiscal year ending June 30, 2007, for official hospitality shall not exceed \$200.

Real estate recovery revolving fund

For the fiscal year ending June 30, 2006..... No limit

For the fiscal year ending June 30, 2007..... No limit

Sec. 75.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Securities act fee fund

For the fiscal year ending June 30, 2006..... \$2,341,010

Provided, That, in the discretion of the securities commissioner, one or more transfers of money may be made from the securities act fee fund for the fiscal year ending June 30, 2006, to the appropriate account of the restricted fees fund of Wichita state university for the Kansas council on economic education to conduct an investor education program: *Provided further*, That the total amount of such transfers for the fiscal year ending June 30, 2006, shall not exceed \$20,000: *And provided further*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2006, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2007..... \$2,387,115

Provided, That, in the discretion of the securities commissioner, one or more transfers of money may be made from the securities act fee fund for the fiscal year ending June 30, 2007, to the appropriate account of the restricted fees fund of Wichita state university for the Kansas council on economic education to conduct an investor education program: *Provided further*, That the total amount of such transfers for the fiscal year ending June 30, 2007, shall not exceed \$20,000: *And provided further*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2007, for official hospitality shall not exceed \$2,000.

Investor education fund

For the fiscal year ending June 30, 2006..... No limit

Provided, That expenditures from the investor education fund for the fiscal year ending June 30, 2006, for official hospitality shall not exceed \$5,000.

For the fiscal year ending June 30, 2007..... No limit

Provided, That expenditures from the investor education fund for the fiscal year ending June 30, 2007, for official hospitality shall not exceed \$5,000.

Sec. 76.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Technical professions fee fund

For the fiscal year ending June 30, 2006..... \$527,025

Provided, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2006, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2007..... \$540,947

Provided, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2007, for official hospitality shall not exceed \$500.

Special litigation reserve fund

For the fiscal year ending June 30, 2006..... No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2006, except

upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso, (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2007..... No limit
Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2007, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso, (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

Sec. 77.

STATE BOARD OF VETERINARY EXAMINERS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Veterinary examiners fee fund
 For the fiscal year ending June 30, 2006..... \$265,837

Provided, That the state board of veterinary examiners may make expenditures from the veterinary examiners fee fund for fiscal year 2006 for the costs of litigation and fees for private attorneys: *Provided further*, That all such expenditures for the costs of litigation and fees for private attorneys shall be in addition to any expenditure limitation imposed on the veterinary examiners fee fund for fiscal year 2006.

For the fiscal year ending June 30, 2007..... \$267,673
Provided, That the state board of veterinary examiners may make expenditures from the veterinary examiners fee fund for fiscal year 2007 for the costs of litigation and fees for private attorneys: *Provided further*, That all such expenditures for the costs of litigation and fees for private attorneys shall be in addition to any expenditure limitation imposed on the veterinary examiners fee fund for fiscal year 2007.

Sec. 78.

GOVERNMENTAL ETHICS COMMISSION

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

Operating expenditures
 For the fiscal year ending June 30, 2006..... \$480,073

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

For the fiscal year ending June 30, 2007..... \$494,180
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007.

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

Governmental ethics commission fee fund
 For the fiscal year ending June 30, 2006..... \$136,534
 For the fiscal year ending June 30, 2007..... \$140,211

Sec. 79. *Position limitations*. The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal years specified made in this or other appropriation act of the 2005 or 2006 regular session of the legislature for the following agencies shall not exceed the following, except upon approval of the state finance council:

Abstracters' Board of Examiners	
For the fiscal year ending June 30, 2006.....	0
For the fiscal year ending June 30, 2007.....	0
Board of Accountancy	
For the fiscal year ending June 30, 2006.....	3.0
For the fiscal year ending June 30, 2007.....	3.0
State Bank Commissioner	
For the fiscal year ending June 30, 2006.....	90.0
For the fiscal year ending June 30, 2007.....	90.0
Kansas Board of Barbering	
For the fiscal year ending June 30, 2006.....	1.5
For the fiscal year ending June 30, 2007.....	1.5
Behavioral Sciences Regulatory Board	
For the fiscal year ending June 30, 2006.....	8.0
For the fiscal year ending June 30, 2007.....	8.0
State Board of Healing Arts	
For the fiscal year ending June 30, 2006.....	32.0
For the fiscal year ending June 30, 2007.....	32.0
Kansas State Board of Cosmetology	
For the fiscal year ending June 30, 2006.....	12.0
For the fiscal year ending June 30, 2007.....	12.0
State Department of Credit Unions	
For the fiscal year ending June 30, 2006.....	13.0
For the fiscal year ending June 30, 2007.....	13.0
Kansas Dental Board	
For the fiscal year ending June 30, 2006.....	3.0
For the fiscal year ending June 30, 2007.....	3.0
State Board of Mortuary Arts	
For the fiscal year ending June 30, 2006.....	3.0
For the fiscal year ending June 30, 2007.....	3.0
Kansas Board of Examiners in Fitting and Dispensing of Hearing Aids	
For the fiscal year ending June 30, 2006.....	0.4
For the fiscal year ending June 30, 2007.....	0.4
Board of Nursing	
For the fiscal year ending June 30, 2006.....	22.0
For the fiscal year ending June 30, 2007.....	22.0
Board of Examiners in Optometry	
For the fiscal year ending June 30, 2006.....	0.8
For the fiscal year ending June 30, 2007.....	0.8
State Board of Pharmacy	
For the fiscal year ending June 30, 2006.....	7.0
For the fiscal year ending June 30, 2007.....	7.0
Real Estate Appraisal Board	
For the fiscal year ending June 30, 2006.....	2.0
For the fiscal year ending June 30, 2007.....	2.0
Kansas Real Estate Commission	
For the fiscal year ending June 30, 2006.....	14.0
For the fiscal year ending June 30, 2007.....	14.0
Office of the Securities Commissioner of Kansas	
For the fiscal year ending June 30, 2006.....	30.0
For the fiscal year ending June 30, 2007.....	30.0
State Board of Technical Professions	
For the fiscal year ending June 30, 2006.....	6.0
For the fiscal year ending June 30, 2007.....	6.0
State Board of Veterinary Examiners	
For the fiscal year ending June 30, 2006.....	3.0
For the fiscal year ending June 30, 2007.....	3.0
Governmental Ethics Commission	
For the fiscal year ending June 30, 2006.....	9.0
For the fiscal year ending June 30, 2007.....	9.0

(continued)

Sec. 80. *Kansas savings incentive program.* (a) In addition to other expenditures authorized by law, expenditures may be made for fiscal year 2006 or fiscal year 2007, as the case may be, from any account of the state general fund reappropriated by this act for such fiscal year for any state agency named in section 79 of this act for the following purposes: (1) Salary bonus payments and the cost of non-monetary awards in accordance with the provisions of K.S.A. 2004 Supp. 75-37,105 and amendments thereto, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for such fiscal year submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (3) professional development training including official hospitality: *Provided*, That the total of all such expenditures from such account of the state general fund for such fiscal year shall not exceed the amount equal to 50% of the amount of the unencumbered balance as of the June 30 immediately preceding such fiscal year, in such account of the state general fund that is reappropriated for such fiscal year and that is in excess of the amount authorized to be expended for such fiscal year from such reappropriated balance, as determined by the director of accounts and reports: *Provided further*, That the total cost of all such non-monetary awards to any individual employee during such fiscal year that is paid under this subsection plus any amount paid for such awards under subsection (b) shall not exceed \$3,500: *And provided further*, That the total amount of any salary bonus payments to any individual employee during such fiscal year pursuant to subsection (g)(1)(A) of K.S.A. 2004 Supp. 75-37,105 and amendments thereto shall not exceed \$3,500: *And provided further*, That the provisions of this subsection shall apply only to that portion of any such account from which expenditures may be made for state operations: *And provided further*, That all such expenditures from the reappropriated balance in any such account for such fiscal year shall be in addition to any expenditure limitation imposed on expenditures from the reappropriated balance in any such account for such fiscal year.

(b) In addition to other expenditures authorized by law, expenditures may be made for fiscal year 2006 or fiscal year 2007, as the case may be, from any special revenue fund appropriated by this act for such fiscal year for a state agency named in section 79 of this act for the following purposes: (1) Salary bonus payments and the cost of non-monetary awards in accordance with the provisions of K.S.A. 2004 Supp. 75-37,105 and amendments thereto, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for such fiscal year submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (3) professional development training including official hospitality: *Provided*, That all such expenditures from such fund for such fiscal year shall be in addition to any expenditure limitation imposed on such fund or any account thereof for such fiscal year: *Provided, however*, That the total amount of such expenditures from such fund for such fiscal year shall not exceed the amount equal to 50% of the unexpended portion of the amount authorized to be expended from such fund for the fiscal year preceding such fiscal year for state operations, as determined by the director of accounts and reports, or, in the case of no limit appropriations, as determined by the director of the budget: *Provided further*, That the 50% limitation shall not apply to purchase or other acquisition of technology equipment which was included in the budget estimates for such fiscal year submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto: *And provided further*, That the total cost of all such non-monetary awards to any individual employee during such fiscal year that is paid under this subsection plus any amount paid for such awards under subsection (a) shall not exceed \$3,500: *And provided further*, That the total amount of any salary bonus payments to any individual employee during such fiscal year pursuant to subsection (g)(1)(A) of K.S.A. 2004 Supp. 75-37,105 and amendments thereto shall not exceed \$3,500: *And provided further*, That the provisions of this subsection shall apply only to: (1) That portion of the moneys in each account of a special revenue fund from which portion expenditures may be made for state operations, and (2) that portion of

the moneys in a special revenue fund, that does not have any such accounts specified in this or other appropriation act, from which portion expenditures may be made for state operations.

(c) (1) Any unencumbered balance in excess of \$100 as of June 30, 2005, in any account of the state general fund of any state agency named in section 79 of this act, which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2005 regular session of the legislature, is hereby reappropriated for the fiscal year ending June 30, 2006, and any unencumbered balance in excess of \$100 as of June 30, 2006, in any account of the state general fund of any state agency named in section 79 of this act, which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2005 regular session of the legislature, is hereby reappropriated for the fiscal year ending June 30, 2006, and may be expended for the purposes authorized in subsection (a).

(2) Any unencumbered balance in excess of \$100 as of June 30, 2005, in any Kansas savings incentive account or KSIP account of any special revenue fund of any state agency named in section 79 of this act, which was appropriated by section 23 of chapter 138 of the 2003 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2005 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2006, and any unencumbered balance in excess of \$100 as of June 30, 2006, in any such account of any such special revenue fund is hereby appropriated for the fiscal year ending June 30, 2007, and may be expended for fiscal year 2006 or fiscal year 2007, as the case may be, for the purposes authorized in subsection (a). All expenditures from any such account of any such special revenue fund shall be in addition to any expenditure limitation imposed on such special revenue fund for such fiscal year.

(d) No salary bonus payment paid pursuant to this section during fiscal year 2006 or fiscal year 2007 shall be compensation, within the meaning of K.S.A. 74-4901 et seq., and amendments thereto, for any purpose under the Kansas public employees retirement system and shall not be subject to deductions for employee contributions thereunder. Each salary bonus payment paid under this section shall be a bonus, as defined by 29 C.F.R. 778, and shall be in addition to the regular earnings which that employee may be entitled or for which the employee may become eligible.

Sec. 81.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Legislative coordinating council — operations.....	\$534,904
<i>Provided</i> , That any unencumbered balance in the legislative coordinating council — operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.	
Legislative research department — operations	\$2,973,041
<i>Provided</i> , That any unencumbered balance in the legislative research department — operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.	
Office of revisor of statutes — operations	\$2,568,126
<i>Provided</i> , That any unencumbered balance in the office of revisor of statutes — operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.	

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special revenue fund.....	No limit
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Sec. 82.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operations (including official hospitality) \$14,773,346
Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212 and amendments thereto for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a and amendments thereto for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that (1) the legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee, and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of any joint committee of the legislature during fiscal year 2006 unless such meeting is approved by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of the compensation commission established by K.S.A. 46-3101 and amendments thereto during fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special revenue fund..... No limit
Provided, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212 and amendments thereto for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a and amendments thereto for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that (1) the legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee, and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative co-

ordinating council: *And provided further*, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*, That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee of the legislature during fiscal year 2006 unless such meeting is approved by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this fund for any meeting of the compensation commission established by K.S.A. 46-3101 and amendments thereto during fiscal year 2006.

Capitol restoration — gifts and donations fund..... No limit
 Sec. 83.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operations (including legislative post audit committee)..... \$1,865,839

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Audit services fund..... No limit

Provided, That the division of post audit is hereby authorized to fix, charge and collect fees for copies of public records of the division, including distribution of such copies: *Provided further*, That such fees shall be fixed to recover all or part of the expenses incurred for reproducing and distributing such copies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a and amendments thereto: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the audit services fund.

Conversion of materials and equipment fund..... No limit

State agency audits fund No limit

Sec. 84.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Governor's department..... \$2,241,391

Provided, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year

(continued)

ending June 30, 2006, by subsection (a) from the state general fund in the governor's department account.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund..... No limit

Provided, That expenditures may be made from the special programs fund for operating expenditures for the governor's department, including conferences and official hospitality: Provided further, That the governor is hereby authorized to fix, charge and collect fees for such conferences: And provided further, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: And provided further, That all fees received for such conferences and all fees received by the governor's department under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

Intragovernmental service fund..... No limit

Provided, That expenditures may be made from the intragovernmental service fund for operating expenditures for the governor's department, including conferences and official hospitality: Provided further, That the governor is hereby authorized to fix, charge and collect fees for such conferences: And provided further, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: And provided further, That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the intergovernmental service fund.

Conversion of materials and equipment fund..... No limit

Federal grants fund..... No limit

Hispanic and Latino American affairs commission — donations fund..... No limit

Advisory commission on African-American affairs — donations fund..... No limit

Wireless enhanced 911 grant fund..... No limit

Provided, That expenditures may be made from the wireless enhanced 911 grant fund for operating expenditures for the governor's department, including conferences and official hospitality: Provided further, That the governor is hereby authorized to fix, charge and collect fees for such conferences: And provided further, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: And provided further, That all fees received for such conferences and all fees received by the governor's department under the open records act for providing access to or furnishing copies of public records, shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215 and amendments thereto: And provided further, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the wireless enhanced 911 grant fund.

Sec. 85.

LIEUTENANT GOVERNOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operations \$169,282

Provided, That any unencumbered balance in the operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor on official state business and for travel and sub-

sistence expenditures for security personnel when traveling with the lieutenant governor on official state business from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2006, in the operations account.

(c) Expenditures may be made by the above agency for official hospitality and contingencies from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2006, in the operations account without limit at the discretion of the lieutenant governor.

Sec. 86.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$4,321,265

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided, however, That expenditures from this account for official hospitality shall not exceed \$1,000: Provided further, That the attorney general may make expenditures from this account for the rent of office space in the memorial building.

Litigation costs \$42,025

Provided, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Operating expenditures relating to interstate water rights regarding the Republican river and its tributaries \$100,000

Provided, That any unencumbered balance in the operating expenditures relating to interstate water rights regarding the Republican river and its tributaries account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Additional operating expenditures for investigation and litigation regarding interstate water rights... \$1,090,000

Provided, That any unencumbered balance in the additional operating expenditures for investigation and litigation regarding interstate water rights account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Court cost fund..... No limit

Bond transcript review fee fund..... No limit

Conversion of materials and equipment fund..... No limit

Attorney general's antitrust special revenue fund ... No limit

Private gifts fund No limit

Medicaid fraud reimbursement fund No limit

Attorney general's antitrust suspense fund..... No limit

Attorney general's consumer protection clearing fund..... No limit

Attorney general's committee on crime prevention fee fund..... No limit

Provided, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: Provided further, That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: And provided further, That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: And provided further, That all fees received for conducting such seminars shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and

amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

Tort claims fund No limit

Provided, That, of the moneys transferred during fiscal year 2006 from the state general fund to the tort claims fund pursuant to K.S.A. 75-6117 and amendments thereto, the aggregate amount transferred during fiscal year 2006 for costs of defending the state or an employee of the state in any actions or proceedings on claims against the state or an employee of the state under the tort claims act or under the civil rights laws of the United States or of the state of Kansas, shall not exceed \$1,295,804, except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto: *Provided, however*, That such approval also may be given while the legislature is in session: *Provided further*, That expenditures may be made from the tort claims fund for defense of state officials in connection with litigation brought pursuant to 2002 House Resolution No. 6003: *And provided further*, That no such expenditures shall be made for defense of members of the Kansas legislature in connection with litigation brought pursuant to 2002 House Resolution No. 6003.

Crime victims compensation fund..... No limit

Provided, That expenditures from the crime victims compensation fund for state operations shall not exceed \$306,662: *Provided further*, That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance fund..... No limit

Protection from abuse fund No limit

Victims of crime assistance act — federal fund..... No limit

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

Provided, That all private grants and gifts received by the crime victims compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Attorney general's medicaid fraud control fund No limit

Other federal grants and reimbursement fund No limit

Debt collection administration cost recovery fund .. No limit

Provided, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719 and amendments thereto.

Medicaid fraud prosecution revolving fund..... No limit

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

Interstate water litigation fund..... No limit

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

Suspense fund..... No limit

Children's advocacy center fund..... No limit

(c) During the fiscal year ending June 30, 2006, grants made pursuant to K.S.A. 74-7325 and amendments thereto from the protection from abuse fund and grants made pursuant to K.S.A. 74-7334 and amendments thereto from the crime victims assistance fund shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

Sec. 87.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following: Any unencumbered balance in excess of \$100 as of June 30, 2005, in the HAVA match account is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Cemetery and funeral audit fee fund..... No limit

Conversion of materials and equipment fund..... No limit

Information and services fee fund..... No limit

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

State register fee fund..... No limit

Uniform commercial code fee fund..... No limit

State flag and banner fund..... No limit

Secretary of state fee refund fund..... No limit

Electronic voting machine examination fund..... No limit

Credit card clearing fund No limit

Suspense fund..... No limit

Prepaid services fund No limit

Athlete agent registration fee fund..... No limit

Franchise fee recovery fund..... No limit

Democracy fund..... No limit

Provided, That all expenditures from the democracy fund shall be to provide matching funds to implement title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.

Technology communication fee fund..... No limit

HAVA federal fund No limit

(c) During the fiscal year ending June 30, 2006, notwithstanding the provisions of this or any other appropriation act of the 2005 session of the legislature, no expenditures shall be made by the secretary of state for payment of any moneys appropriated in the HAVA federal fund to any county that has not remitted the fee to be paid by such county to provide part of the matching moneys required for the implementation of title II of the federal help America vote act of 2002, public law 107—252, pursuant to section 18(c) of chapter 184 of the 2004 Session Laws of Kansas.

(d) In addition to the other purposes for which expenditures may be made by the secretary of state from moneys appropriated in the HAVA match account of the state general fund for fiscal year 2006 as authorized by this or any other appropriation act of the 2005 regular session of the legislature, expenditures may be made by the secretary of state from moneys appropriated in the HAVA match account of the state general fund for fiscal year 2006 to provide part of the state matching requirement for the implementation of title II of the federal help America vote act of 2002, public law 107—252.

Sec. 88.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available

(continued)

in such fund or funds, except that expenditures shall not exceed the following:

Fiscal agency fund.....	No limit
Bond services fee fund.....	No limit
City bond finance fund.....	No limit
Local ad valorem tax reduction fund.....	No limit
County and city revenue sharing fund.....	No limit
Suspense fund.....	No limit
County and city retailers' sales tax fund.....	No limit
County and city compensating use tax fund.....	No limit
Local alcoholic liquor fund.....	No limit
Local alcoholic liquor equalization fund.....	No limit
Unclaimed property fee fund.....	No limit
Unclaimed property claims fund.....	No limit
Unclaimed property expense fund.....	No limit

Provided, That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.

County and city transient guest tax fund.....	No limit
Racing admissions tax fund.....	No limit
Rental motor vehicle excise tax fund.....	No limit
Transportation development district sales tax fund.....	No limit
Redevelopment bond fund.....	No limit
Services reimbursement fund.....	No limit

Provided, That the state treasurer is hereby authorized to charge cash management fees, banking services fees and fees for processing warrants, vouchers and direct deposits for the services that the state treasurer's office provides to other state agencies: *Provided, however,* That payroll warrants shall not be subject to any such fee, except for the charges to the state's operating account for processing such warrants: *Provided further,* That such fees shall be based upon the number and type of transactions processed for each agency: *And provided further,* That the fees shall be based upon a combination of the banking fees incurred by the state treasurer and the operating costs for providing each service: *And provided further,* That the state treasurer shall revise the schedule of fees annually after consulting with various state agencies: *And provided further,* That all such fees collected shall be deposited in the state treasury to the credit of the services reimbursement fund of the state treasurer: *And provided further,* That moneys in the services reimbursement fund may be expended for the general operating expenditures of the state treasurer's office in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or by a person designated by the state treasurer: *And provided further,* That the director of accounts and reports shall transfer to the services reimbursement fund one or more amounts certified by the state treasurer, for expenses incurred for unemployment insurance benefit warrants issued and processed and electronic transactions processed for the department of labor payable from the employment security fund, from moneys made available to the state under section 903(d) of the federal social security act, as amended, and credited to the employment security fund.

Municipal investment pool fund.....	No limit
Pooled money investment portfolio fee fund.....	No limit

Provided, That on or before the fifth day of each month of the fiscal year ending June 30, 2006, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further,* That prior to the 10th day of each month during the fiscal year ending June 30, 2006, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled

money investment portfolio during the second preceding month, as determined by the pooled money investment board.

Kansas postsecondary education savings program trust fund.....	No limit
Kansas postsecondary education savings program expense fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Tax increment financing revenue replacement fund.....	No limit

Sec. 89.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Insurance department service regulation fund.....	No limit
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Provided, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,000: *Provided further,* That transfers may be made from this fund to the insurance building principal and interest payment fund or the insurance department rehabilitation and repair fund of the department of insurance.

Insurance company examination fund.....	No limit
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Provided, That transfers may be made from the insurance company examination fund to the insurance building principal and interest payment fund or the insurance department rehabilitation and repair fund of the department of insurance.

Insurance company annual statement examination fund.....	No limit
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Insurance company examiner training fund.....	No limit
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Conversion of materials and equipment fund.....	No limit
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Commissioner's travel reimbursement fund.....	No limit
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Provided, That expenditures may be made from the commissioner's travel reimbursement fund only to reimburse the commissioner of insurance, or any designated employee, for expenses incurred for in-state or out-of-state travel for official purposes, including travel to meetings of public or private associations: *Provided further,* That all moneys received by the commissioner of insurance for such travel from any non-state agency source shall be deposited in the state treasury to the credit of this fund.

Workers compensation fund.....	No limit
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Provided, That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made: *Provided further,* That any transfers from the workers compensation fund to the insurance building principal and interest payment fund or the insurance department rehabilitation and repair fund of the department of insurance shall be in addition to any expenditure limitation imposed on the workers compensation fund.

State firefighters relief fund.....	No limit
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Provided, That transfers may be made from the state firefighters relief fund to the insurance building principal and interest payment fund or the insurance department rehabilitation and repair fund of the department of insurance.

Insurance company tax and fee refund fund.....	No limit
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Group-funded workers' compensation pools fee fund.....	No limit
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Provided, That transfers may be made from the group-funded workers' compensation pools fee fund to the insurance building principal and interest payment fund or the insurance department rehabilitation and repair fund of the department of insurance.

Municipal group-funded pools fee fund.....	No limit
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Provided, That transfers may be made from the municipal group-

funded pools fee fund to the insurance building principal and interest payment fund or the insurance department rehabilitation and repair fund of the department of insurance.

Uninsurable health insurance plan fund No limit
 Insurance education and training fund No limit

Provided, That expenditures may be made from the insurance education and training fund for training programs and official hospitality: *Provided further*, That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such training programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the insurance education and training fund.

Other federal grants fund No limit

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 2006 other than moneys appropriated by this or other appropriation act of the 2005 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 fiscal year 2006, other than moneys appropriated by this or other appropriation act of the 2005 regular session of the legislature.

Monumental life settlement fund \$12,396

Provided, That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: *Provided further*, That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.

Fines and penalties fund \$10,000

Provided, That, notwithstanding the provisions of K.S.A. 40-2606 and amendments thereto or any other statute, all moneys received during fiscal year 2006 for penalties imposed pursuant to K.S.A. 40-2606 and amendments thereto shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215 and amendments thereto: *Provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the fines and penalties fund.

Settlements fund No limit

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2006 as authorized by K.S.A. 40-223 and amendments thereto, notwithstanding the provisions of K.S.A. 40-223 or 75-3721 and amendments thereto or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2006 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

(c) On July 1, 2005, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 40-112 and amendments thereto or of any other statute, the director of accounts and reports shall transfer \$1,000,000 from the insurance department service regulation fund to the state general fund: *Provided*, That the transfer of

such amount shall be in addition to any other transfer from the insurance department service regulation fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the insurance department service regulation 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 insurance department by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 90.

HEALTH CARE STABILIZATION FUND
 BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Health care stabilization fund No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2006, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures \$1,118,907

Provided, That expenditures from the operating expenditures account for official hospitality shall not exceed \$500.

Fees — legal and professional services No limit

Provided, That expenditures from the fees — legal and professional services account for attorney fees and other professional service fees may be made regardless of when services were rendered or when the judgment or settlement was made.

Claims and benefits No limit

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

Sec. 91.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Judicial council fund No limit

Grants and gifts fund No limit

Provided, That all private grants and gifts received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

Publications fee fund No limit

(b) On June 30, 2006, the director of accounts and reports shall transfer the amount of any unencumbered balance in the publications fee fund as of June 30, 2006, in excess of \$175,000 from the publications fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the publications fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the publications 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 judicial council by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That when the judicial council must expend moneys

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for unforeseen and unbudgeted items, that such moneys shall be paid first from the judicial council fund and then from the publication fees fund.

Sec. 92.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$8,422,429

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided, however, That any expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: Provided further, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: And provided further, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111 and amendments thereto and shall not be subject to the provisions of K.S.A. 75-3739 and amendments thereto.

Assigned counsel expenditures..... \$6,845,663

Capital defense operations..... \$1,837,112

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2005, in the capital defense operations account is hereby reappropriated for fiscal year 2006.

Legal services for prisoners..... \$359,600

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Indigents' defense services fund..... No limit

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

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

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: Provided further, That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: And provided further, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: And provided further, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2006, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2006, from the state general fund the state board of indigents' defense services to any other item of appropriation for fiscal year 2006 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

Sec. 93.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Judiciary operations \$94,010,299

Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided further, That contracts for computer input of judicial opinions under this appropriation shall be executed in the name of the supreme court by the chief justice and may be interrelated with contracts for the comprehensive legislative information system: And provided further, That all such contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739 and amendments thereto: And provided further, That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: And provided further, That expenditures from the judiciary operations account for such contingencies shall not exceed \$25,000: And provided further, That expenditures from the judiciary operations account for official hospitality shall not exceed \$4,000: And provided further, That expenditures shall be made from the judiciary operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Emergency surcharge fee fund No limit
Library report fee fund..... No limit
Judiciary technology fund..... No limit
Judicial branch gifts fund No limit
Dispute resolution fund No limit
Judicial branch education fund No limit

Provided, That expenditures may be made from the judicial branch education fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114 and amendments thereto, educating and training municipal judges and municipal court support staff, and for the planning and implementation of a family court system, as provided by law, including official hospitality: Provided further, That the judicial administrator is hereby authorized to fix, charge and collect fees for such services and programs: And provided further, That such fees may be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: And provided further, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch education fund.

Conversion of materials and equipment fund No limit
Child welfare federal grant fund..... No limit
Child support enforcement contractual agreement fund..... No limit
Bar admission fee fund..... No limit
Permanent families account — family and children investment fund..... No limit
Duplicate law book fund..... No limit
Court reporter fund..... No limit
Access to justice fund..... No limit
Judicial technology and building and grounds fund..... No limit
Judicial branch nonjudicial salary initiative fund..... No limit

Sec. 94.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

13th retirement check — debt service \$3,211,692

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

special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund	No limit
<i>Provided</i> , That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.	
Group insurance reserve fund.....	No limit
Optional death benefit plan reserve fund.....	No limit
Kansas endowment for youth fund.....	No limit
Senior services trust fund.....	No limit
Family and children endowment account — family and children investment fund.....	No limit
Non-retirement administration fund.....	No limit

Provided, That the executive officer of the Kansas public employees retirement system shall certify to the director of accounts and reports the amount of moneys to transfer from the Kansas endowment for youth fund, the senior services trust fund, the family and children endowment account — family and children investment fund, and the unclaimed property account of the state general fund for the purpose of reimbursing the costs of non-retirement related administrative activities and investment-related expenses for managing such funds in accordance with K.S.A. 74-4909b and amendments thereto.

KDFA series 2003H bond debt service fund

	No limit
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Provided, That notwithstanding the provisions of K.S.A. 74-4921 et seq., and amendments thereto, any employer contributions remitted in accordance with the provisions of K.S.A. 20-2605, and amendments thereto, K.S.A. 74-4920, and amendments thereto, K.S.A. 74-4939 and amendments thereto, and K.S.A. 74-4967 and amendments thereto, for the purpose of paying the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be deposited in the KDFA series 2003H bond debt service fund: *Provided further*, That the executive director of the Kansas public employees retirement system shall certify to the director of accounts and reports an amount to reimburse the state general fund for bond debt service payments authorized in fiscal year 2006: *And provided further*, That the director of accounts and reports shall transfer to the state general fund such amount certified as provided by the executive director no later than June 30, 2006.

(c) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund for the fiscal year ending June 30, 2006, for the following specified purposes:

Agency operations	\$6,927,750
<i>Provided</i> , That expenditures from the agency operations account may be made for official hospitality.	
Investment-related expenses	No limit
KPERS technology project	No limit

(d) Expenditures may be made from the non-retirement administration fund for the fiscal year ending June 30, 2006, for the following specified purposes:

Agency operations	\$145,318
Investment-related expenses	No limit

(e) On July 1, 2005, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 38-2102 and amendments thereto or of any other statute, the director of accounts and reports shall transfer \$3,287,040 from the Kansas endowment for youth fund to the children's initiatives fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the Kansas endowment for youth fund to the children's initiatives fund as prescribed by law.

Sec. 95.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures.....	\$1,395,123
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, that expenditures from this account for official hospitality shall not exceed \$150: *Provided further*, That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Annual banquet fund	No limit

Provided, That expenditures may be made from the annual banquet fund for operating expenditures for the commission's annual banquet, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such banquet: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such banquet, including official hospitality: *And provided further*, That all fees received for such banquet shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the annual banquet fund.

Education and training fund.....	No limit
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Provided, That expenditures may be made from the education and training fund for operating expenditures for the commission's education and training programs for the general public, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto shall be credited to the education and training fund.

Sec. 96.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

Provided, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further*, That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*, That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services recovery fund of the department of administration for services rendered in collection efforts: *And provided further*, That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*, That the state corporation commission shall include as part

(continued)

of the fiscal year 2007 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717 and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2007, 2008 and 2009.

Natural gas underground storage fee fund	No limit
Gas pipeline inspection fee fund	No limit
Abandoned oil and gas well fund	No limit
Well plugging assurance fund	No limit
Facility conservation improvement program fund...	No limit
Gas pipeline safety program — federal fund	No limit
Energy related grants — federal fund	No limit
Energy grants management fund	No limit
Energy conservation plan — federal fund	No limit
Underground injection control class II — federal fund	No limit
Pipeline damage prevention grant program — federal fund	No limit
Other federal grants fund	No limit

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 2006 other than moneys appropriated by this or other appropriation act of the 2005 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 fiscal year 2006, other than moneys appropriated by this or other appropriation act of the 2005 regular session of the legislature.

Inservice education workshop fee fund No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: *Provided further*, That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the in service education workshop fee fund.

Base state registration clearing fund	No limit
Credit card clearing fund	No limit
Suspense fund	No limit

(b) Expenditures for the fiscal year ending June 30, 2006, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund shall not exceed, in the aggregate, \$15,110,676: *Provided*, That, within such limitation on the aggregate of expenditures, expenditures made for fiscal year 2006 from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund for official hospitality shall not exceed, in the aggregate, \$600: *Provided further*, That the state corporation commission is authorized to make expenditures from the public service regulation fund and the conservation fee fund for the operational costs of the Kansas energy council: *Provided, however*, That the operational costs of the Kansas energy council shall not include compensation for members of the Kansas energy council: *And provided further*, That expenditures from the public service regulation fund and the conservation fee fund for the operational costs of the Kansas energy council for fiscal year 2006 shall not exceed, in the aggregate, \$100,000.

(c) Expenditures for the fiscal year ending June 30, 2006, by the state corporation commission from the conservation fee fund or the abandoned oil and gas well fund may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells shall be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

Sec. 97.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund	\$716,093
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Provided, That expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund pursuant to contracts for professional services, which are hereby authorized to be entered into by the board: *Provided further*, That such professional services shall include but are not limited to the services of engineers, accountants, attorneys and economists, to assist in carrying out the duties of the board, which assistance may include preparation and presentation of expert testimony, when the expenses of such professional services are required to be assessed under K.S.A. 66-1502 and amendments thereto against the public utilities involved: *And provided further*, That such contracts shall be negotiated by a negotiating committee composed of the following persons: The consumer counsel of the citizens' utility ratepayer board or the consumer counsel's designee, the director of the budget or that director's designee, the director of accounts and reports or that director's designee, and the chairperson of the citizens' utility ratepayer board or the chairperson's designee: *And provided further*, That the consumer counsel of the citizens' utility ratepayer board or the consumer counsel's designee shall convene the negotiating committee for each such contract and the negotiating committee shall consider all proposals by persons applying to perform such contract and shall award the contract: *And provided further*, That such contracts shall not be subject to the provisions of K.S.A. 75-3739 and amendments thereto or to the provisions of the acts contained in article 58 of chapter 75 of the Kansas Statutes Annotated: *And provided further*, That, of the amount of additional expenditures authorized by the expenditure limitation prescribed by this subsection, no portion of such unspent expenditure authority for fiscal year 2006 shall be the basis for any amount being transferred into a Kansas savings incentive program account or KSIP account under the Kansas savings incentive program of any other Kansas savings incentive program section in this or other appropriation act of the 2005 regular session of the legislature: *Provided, however*, That, if the total amount of additional expenditures authorized by the expenditure limitation prescribed by this section are not expended or encumbered for fiscal year 2006, then the amount equal to the amount of such increased expenditure authority for fiscal year 2006 remaining may be expended from the utility regulatory fee fund for fiscal year 2007 pursuant to contracts for professional services and any such expenditure for fiscal year 2006 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for the fiscal year ending June 30, 2006.

(b) On July 1, 2005, October 1, 2005, January 1, 2006, and April 1, 2006, or as soon after each such date as moneys are available, and upon receipt of certification by the state corporation commission of the amount to be transferred, the director of accounts and reports shall transfer from the public service regulation fund of the state corporation commission to the utility regulatory fee fund of the citizens' utility ratepayer board all moneys assessed by the state corporation commission for the citizens' utility ratepayer board under

K.S.A. 66-1502 or 66-1503 and amendments thereto and deposited in the state treasury to the credit of the public service regulation fund.

Sec. 98.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

General administration \$980,556

Provided, That any unencumbered balance in the general administration account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the general administration account for three employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Department of administration systems \$2,684,329

Provided, That any unencumbered balance in the department of administration systems account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures for such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from the department of administration systems account for official hospitality shall not exceed \$1,000.

Personnel services \$1,721,400

Provided, That any unencumbered balance in the personnel services account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures for such reappropriated balance shall be made only upon approval of the state finance council.

Purchasing \$464,064

Provided, That any unencumbered balance in the purchasing account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures for such reappropriated balance shall be made only upon approval of the state finance council.

Budget analysis \$1,312,731

Provided, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the budget analysis account for two employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Public broadcasting council grants \$2,063,016

Provided, That any unencumbered balance in the public broadcasting council grants account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That all expenditures from the public broadcasting council grants account for capital equipment shall be made to provide matching funds for federal capital equipment grants awarded to eligible public broadcasting stations: *And provided further*, That expenditures from this account may be made to provide matching funds for capital equipment projects funded from any nonstate source in the event federal capital equipment grants are not awarded: *And provided further*, That in the event the federal facility programs cease to exist or fail to conduct grant solicitations, expenditures may be made from this account to provide matching funds for capital equipment projects funded from any nonstate source without first applying for federal capital equipment grants.

KPERS bonds debt service \$10,000,000
 Public TV digital conversion debt service \$470,570
 Policy analysis initiatives \$194,926

Provided, That any unencumbered balance in the policy analysis initiatives account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$5,000.

Long-term care ombudsman \$125,885

Provided, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures for such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Federal cash management fund No limit
 State leave payment reserve fund No limit
 Building and ground fund No limit

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

General fees fund No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including human resources programs and official hospitality: *Provided further*, That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*, That fees shall be fixed in order to recover all or part of the operating expenses incurred, including official hospitality: *And provided further*, That all fees received, including fees received under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the general fees fund of the department of administration.

Human resource information systems cost recovery fund No limit
 Budget fees fund No limit

Provided, That expenditures may be made from the budget fees fund for operating expenditures for the division of the budget, including training programs, special projects and official hospitality: *Provided further*, That the director of the budget is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs and special projects shall be fixed in order to recover all or part of the operating expenses incurred for such training programs and special projects, including official hospitality: *And provided further*, That all fees received for such training programs and special projects and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the budget fees fund.

Purchasing fees fund No limit

Provided, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*, That the director of purchases is hereby authorized to fix, charge and

(continued)

collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*, That all moneys received for such fees and all moneys received pursuant to the state travel services contract shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the purchasing fees fund.

Architectural services fee fund..... No limit
Provided, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: *Provided further*, That the director of facilities management is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for reproducing and distributing architectural information: *And provided further*, That all fees received for such reproduction and distribution of architectural information shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the architectural services fee fund.

- Budget equipment conversion fund..... No limit
- Conversion of materials and equipment fund..... No limit
- Architectural services equipment conversion fund .. No limit
- Property contingency fund..... No limit
- Flood control emergency — federal fund No limit
- CJIS Byrne Grant — federal fund No limit
- Digital orthophoto project — federal fund No limit
- FICA reimbursements medical residents fund No limit
- Information technology fund..... No limit
- Information technology reserve fund..... No limit
- Computer services recovery fund..... No limit

Provided, That expenditures may be made from the computer services recovery fund to provide central computer system development services, which shall be in addition to data processing services provided under K.S.A. 75-4704 and amendments thereto to other state agencies: *Provided further*, That the secretary of administration is hereby authorized, in accordance with the procedures and guidelines prescribed by K.S.A. 75-4703 and amendments thereto, to fix, charge and collect fees for such central computer system development services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the computer services recovery fund: *And provided further*, That all expenditures for the personnel/payroll project shall be made from the personnel/payroll project program account of this fund: *And provided further*, That amounts may be expended into this account from any state general fund account or any special revenue fund of the department of administration or any other state agency.

State buildings operating fund No limit
Provided, That expenditures may be made from the state buildings operating fund for operating and other expenses for the Hiram Price Dillon House: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for use of the rooms and other facilities of the Hiram Price Dillon House in accordance with policies adopted by the legislative coordinating council under K.S.A. 75-3682 and amendments thereto for approving the use of such property: *And provided further*, That fees for approved use of such property shall be reasonable and directly related to the costs of such use and shall be fixed in order to recover all or part of the operating expenses incurred for such use: *And provided further*, That all moneys received for such fees shall be deposited in the state

treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3739 and amendments thereto to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *And provided further*, That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3739 and amendments thereto shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*, That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by subsection (a) of K.S.A. 2004 Supp. 75-37,123 and amendments thereto shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee County including both state-owned and privately-owned buildings: *And provided further*, That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services recovery fund No limit
Provided, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration which are not specifically authorized by any other statute: *And provided further*, That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the accounting services recovery fund.

Architectural services recovery fund No limit
Provided, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further*, That, notwithstanding the provisions of subsection (b) of K.S.A. 75-4403 and amendments thereto, the director of facilities management may exchange an employee with the attorney general's office to assist in the enforcement of K.S.A. 58-1301 *et seq.*, and amendments thereto: *And provided further*, That the director of facilities management is hereby authorized to charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further*, That the director of facilities management is hereby authorized to charge and collect (1) a fee equal to 1% of the estimated cost of each capital improvement project for a state agency which is not financed, in whole or in part, by gifts, bequests, or donations made by one or more private individuals or other private entities and for which the division provides architectural, engineering or management services or, in the case of any capital improvement project for a state agency which is partially financed by gifts, bequests or donations made by one or more private individuals or other private entities, a fee equal to 1% of the pro-

portional amount of the estimated cost of such capital improvement project which is not financed by gifts, bequests or donations made by one or more private individuals or other private entities and for which the division provides architectural, engineering or management services, and (2) an additional fee equal to 8% of the construction cost of each capital improvement project for which the division provides in-house architectural and engineering design services: *And provided further*, That such services shall be subject to the limitations of K.S.A. 75-1253 and amendments thereto: *And provided further*, That all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the architectural services recovery fund.

Motor pool service fund.....	No limit
Kansas public employees retirement clearing fund.....	No limit
Intragovernmental printing service fund.....	No limit
Intragovernmental printing service depreciation reserve fund.....	No limit
Municipal accounting and training services recovery fund.....	No limit

Provided, That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: *Provided further*, That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees shall be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the municipal accounting and training services recovery fund.

Canceled warrants payment fund.....	No limit
State emergency fund.....	No limit
Bid and contract deposit fund.....	No limit
State workers compensation self-insurance fund....	No limit
Health and hospitalization insurance clearing fund.....	No limit
Federal withholding tax clearing fund.....	No limit
State gaming revenues fund.....	No limit
Health insurance premium reserve fund.....	No limit
Legal office collection clearing fund.....	No limit
Excise tax refund clearing fund.....	No limit
State withholding tax clearing fund.....	No limit
Unemployment compensation tax clearing fund.....	No limit
Construction defects recovery fund.....	No limit
Preventive health care program fund.....	No limit
Facilities conservation improvement fund.....	No limit
State revolving fund services fee fund.....	No limit
Cafeteria benefits fund.....	No limit

Provided, That expenditures from the cafeteria benefits fund for salaries and wages and other operating expenditures shall not exceed \$2,081,141.

Dependent care assistance program fund.....	No limit
Conversion of materials and equipment — recycling program fund.....	No limit
Curtis office building maintenance reserve fund....	No limit
Employees faithful performance bond clearing fund.....	No limit
Deferred compensation clearing fund.....	No limit
Deferred compensation fees fund.....	No limit
Equipment lease purchase program administration clearing fund.....	No limit

Suspense fund.....	No limit
Series E savings bond clearing fund.....	No limit
Optional life insurance clearing fund.....	No limit
Employee organization dues clearing fund.....	No limit
United Way contributions clearing fund.....	No limit
Setoff clearing fund.....	No limit
Parking fees clearing fund.....	No limit
BRAC donations fund.....	No limit
Electronic funds transfer suspense fund.....	No limit
State employee contribution clearing fund for OASDHI.....	No limit
Intergovernmental cooperation agreement for development of statewide cost allocation plan clearing fund.....	No limit
Medicare fund clearing account.....	No limit
Surplus property program fund — on budget.....	No limit
Surplus property program fund — off budget.....	No limit
Non-state employer group benefit fund.....	No limit
Leave payment reserve clearing fund.....	No limit
Administrative hearings office fund.....	No limit
Older Americans act long term care ombudsman federal fund.....	No limit
Office of health planning and finance fund.....	No limit
<i>Provided</i> , That expenditures from the office of health planning and finance fund for the fiscal year ending June 30, 2006, for official hospitality shall not exceed \$1,000.	
Long term care ombudsman gift and grant fund....	No limit
Title XIX — long-term care ombudsman medicaid federal grant fund.....	No limit
Wireless enhanced 911 grant fund.....	No limit

(c) On or before the 10th of each month during the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer from the state general fund to the deferred compensation fees fund of the department of administration interest earnings based on: (1) The average daily balance of moneys in the deferred compensation fees fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(d) On July 1, 2005, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(e) During the fiscal year ending June 30, 2006, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto.

(f) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or in any capital improvement account of the state general fund for the above agency for fiscal year 2006 by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or any such capital improvement account of the state general fund for fiscal year 2006 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of the legislative research department.

(g) (1) On July 1, 2005, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the

(continued)

budget which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2006, except that such amount shall be proportionally adjusted during fiscal year 2006 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2006. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2005 and fiscal year 2006 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2006 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2006, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2006.

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

(h) (1) On July 1, 2005, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2006, except that such amount shall be proportionally adjusted during fiscal year 2006 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2006. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2006 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2006, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2006.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the state economic development initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state economic development initiatives fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection (h) for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund shall be made after the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (j) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund.

(i) (1) On July 1, 2005, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget which shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2006, except that such amount shall be proportionally adjusted during fiscal year 2006 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2006. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2006 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2006, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2006.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the correctional institutions building fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the correctional institutions building fund by the state treasurer in accordance with the notice thereof.

(j) (1) On July 1, 2005, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget which shall be equal to 80% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2006, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2006 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2006, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2006.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the Kansas endowment for youth fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the Kansas endowment for youth fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection (j) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund shall be made before the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (h) for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund.

(k) During the fiscal year ending June 30, 2006, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2006, from the state general fund for the department of administration to another item of appropriation for fiscal year 2006 from the state general fund for the department of administration.

The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

(l) During the fiscal year ending June 30, 2006, upon the release of each encumbrance of moneys in the state budget stabilization fund, the director of accounts and reports shall transfer the amount equal to the unexpended balance of each such released encumbrance from the state budget stabilization fund to the state general fund.

(m) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2006, the following:

SIBF — state building insurance \$61,032

Provided, That, notwithstanding the provisions of K.S.A. 76-6b05 and amendments thereto, expenditures may be made by the above agency from the SIBF — state building insurance account of the state institutions building fund for state building insurance premiums.

(n) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2006, the following:

EBF — state building insurance \$356,227

Provided, That, notwithstanding the provisions of K.S.A. 76-6b02 and amendments thereto, expenditures may be made by the above agency from the EBF — state building insurance account of the Kansas educational building fund for state building insurance premiums.

(o) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2006, the following:

CIBF — state building insurance \$56,133

Provided, That, notwithstanding the provisions of K.S.A. 76-6b09 and amendments thereto, expenditures may be made by the above agency from the CIBF — state building insurance account of the correctional institutions building fund for state building insurance premiums.

(p) On July 1, 2005, the director of accounts and reports shall transfer all moneys in the state budget stabilization fund of the department of administration to the state general fund. On the effective date of this act, all liabilities of the state budget stabilization fund of the department of administration are hereby transferred to and imposed on the state general fund and the state budget stabilization fund of the department of administration is hereby abolished.

Sec. 99.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$1,313,345

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund..... \$5,000

BOTA filing fee fund \$264,000

Sec. 100.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$19,980,191

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reap-

propriated for fiscal year 2006: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund..... No limit
Division of vehicles operating fund \$40,404,963

Provided, That all receipts collected under authority of K.S.A. 74-2012 and amendments thereto shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2006: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416 and amendments thereto or of any statute, expenditures may be made from this fund for other operating expenditures of the department of revenue.

Vehicle dealers and manufacturers fee fund No limit

Kansas qualified agricultural ethyl alcohol producer incentive fund..... No limit

Local report fee fund..... No limit

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

Conversion of materials and equipment fund..... No limit

Forfeited property fee fund No limit

Setoff services revenue fund No limit

Publications fee fund No limit

State bingo regulation fund..... No limit

Child support enforcement contractual agreement fund No limit

County treasurers' vehicle licensing fee fund No limit

Reappraisal reimbursement fund..... No limit

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

Special training fund..... No limit

Provided, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*, That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*, That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the special training fund.

Recovery fund for enforcement actions and attorney fees..... No limit

Federal commercial motor vehicle safety fund No limit

Central stores fund..... No limit

Provided, That expenditures may be made from the central stores fund to operate and maintain a central stores activity to sell supplies to other state agencies: *Provided further*, That all moneys received for such supplies shall be deposited in the state treasury in accord-

(continued)

ance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the central stores fund.

Microfilming fund No limit

Provided, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: Provided further, That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the microfilming fund.

Miscellaneous trust bonds fund No limit

Liquor excise tax guarantee bond fund No limit

Non-resident contractors cash bond fund No limit

Bond guaranty fund No limit

Interstate motor fuel user cash bond fund No limit

Motor fuel distributor cash bond fund No limit

Special county mineral production tax fund No limit

County drug tax fund No limit

Escheat proceeds suspense fund No limit

Privilege tax refund fund No limit

Suspense fund No limit

Cigarette tax refund fund No limit

Motor-vehicle fuel tax refund fund No limit

Cereal malt beverage tax refund fund No limit

Income tax refund fund No limit

Sales tax refund fund No limit

Compensating tax refund fund No limit

Alcoholic liquor tax refund fund No limit

Cigarette/tobacco products regulation fund No limit

Motor carrier tax refund fund No limit

Car company tax fund No limit

Protested motor carrier taxes fund No limit

Tobacco products refund fund No limit

Transient guest tax refund fund established by K.S.A. 12-1694a No limit

Interstate motor fuel taxes clearing fund No limit

Bingo refund fund No limit

Transient guest tax refund fund established by K.S.A. 12-16,100 No limit

Interstate motor fuel taxes refund fund No limit

Interfund clearing fund No limit

Local alcoholic liquor clearing fund No limit

International registration plan distribution clearing fund No limit

Rental motor vehicle excise tax refund fund No limit

International fuel tax agreement clearing fund No limit

Mineral production tax refund fund No limit

Special fuels tax refund fund No limit

LP-gas motor fuels refund fund No limit

Local alcoholic liquor refund fund No limit

Sales tax clearing fund No limit

Rental motor vehicle excise tax clearing fund No limit

VIPS/CAMA technology hardware fund No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-2021 and amendments thereto or of any other statute, expenditures may be made from VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.

County and city retailers sales tax clearing fund —

county and city sales tax No limit

City and county compensating use tax clearing fund No limit

County and city transient guest tax clearing fund ... No limit

Automated tax systems fund No limit

Dyed diesel fuel fee fund No limit

Electronic databases fee fund No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-2022 and

amendments thereto or of any other statute, expenditures may be made from electronic databases fee fund for the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.

Photo fee fund No limit

Provided, That expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of implementing Chapter 5 and Chapter 63 of the 2003 Session Laws of Kansas.

Estate tax abatement refund fund No limit

Distinctive license plate fund No limit

(c) On July 1, 2005, October 1, 2005, January 1, 2006, and April 1, 2006, the director of accounts and reports shall transfer \$9,317,925.75 from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2005, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund of the department of administration to the setoff services revenue fund of the department of revenue for reimbursing costs of recovering amounts owed state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) On August 1, 2005, the director of accounts and reports shall transfer \$60,000 from the social welfare fund of the department of social and rehabilitation services to the child support enforcement contractual agreement fund of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the agreement.

Sec. 101.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund No limit

Lottery operating fund No limit

Provided, That all expenditures from the lottery operating fund for on-line terminal communication charges, for on-line vendor commission payments, for instant ticket printing charges, or for refunds and transfers shall be in addition to any expenditure limitation imposed on this fund: Provided further, That expenditures from this fund for official hospitality shall not exceed \$5,000: And provided further, That any expenditure from the lottery operating fund to reimburse the audit services fund of the division of legislative post audit for audits performed pursuant to K.S.A. 74-8707 and amendments thereto in amounts certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the lottery operating fund for the fiscal year ending June 30, 2006.

(b) Notwithstanding the provisions of K.S.A. 74-8711 and amendments thereto and subject to the provisions of this subsection, an amount of not less than \$4,500,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2005, and on or before the 15th of each month thereafter through July 15, 2006: Provided, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund to the state gaming revenues fund and shall credit such amount to the state

gaming revenues fund for the fiscal year ending June 30, 2006: *Provided, however*, That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2006 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15th of each month through July 15, 2006, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,500,000: *Provided further*, That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2006 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2006 is equal to or more than \$66,000,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2006 pursuant to this subsection shall be equal to or more than \$66,000,000: *And provided further*, That the transfers prescribed by this subsection shall be made in lieu of transfers under subsection (d) of K.S.A. 74-8711 and amendments thereto for fiscal year 2006.

Sec. 102.

KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund \$2,754,564

Provided, That all expenditures from the state racing fund for refunds and transfers shall be in addition to any expenditure limitation imposed on this fund: *Provided further*, That expenditures from this fund for official hospitality shall not exceed \$2,500: *And provided further*, That any expenditure from the state racing fund to reimburse the audit services fund of the division of legislative post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the state racing fund for the fiscal year ending June 30, 2006.

Racing reimbursable expense fund.....	No limit
Racing applicant deposit fund.....	No limit
Kansas horse breeding development fund	No limit
Kansas greyhound breeding development fund.....	No limit
Racing investigative expense fund.....	No limit
Horse fair racing benefit fund.....	No limit
Tribal gaming fund.....	No limit

Provided, That expenditures from the tribal gaming fund for the fiscal year ending June 30, 2006, for official hospitality shall not exceed \$1,500.

(b) On July 1, 2005, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund of the Kansas racing and gaming commission.

(c) On July 1, 2005, the director of accounts and reports shall transfer \$200,000 from the state general fund to the state racing fund.

(d) During the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2006 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund of the Kansas racing and gaming commission during fiscal year 2006

for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(e) During the fiscal year ending June 30, 2006, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with subsection (b) of K.S.A. 75-5516 and amendments thereto, pursuant to bills which are presented in a timely manner by the Kansas bureau of investigation for services rendered. Any expenditure from the state racing fund during fiscal year 2006 to reimburse the Kansas bureau of investigation for professional services and fees in an amount certified by the director of the Kansas bureau of investigation shall be in addition to any expenditure limitation imposed on the state racing fund for the fiscal year ending June 30, 2006.

(f) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund for fiscal year 2006 for the Kansas racing and gaming commission by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 2006 for the state gaming agency regulatory oversight of class III gaming, including but not limited to the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, and investigations of other criminal activities related to tribal gaming, which are hereby authorized.

(g) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the state racing fund for fiscal year 2006 for the Kansas racing and gaming commission by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made from the state racing fund for fiscal year 2006 for paying salaries and wages of agency personnel performing criminal history record checks, background investigations and other investigations specified in statute.

Sec. 103.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Senior community service employment program.... \$4,444

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2005, in the senior community service employment program account is hereby reappropriated for fiscal year 2006.

Kansas commission on disability concerns \$189,805

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2005, in the Kansas commission on disability concerns account is hereby reappropriated for fiscal year 2006.

Athletic commission operations..... \$29,204

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2006, the following:

Older Kansans employment program..... \$239,430

Operating grant (including official hospitality)..... \$15,421,339

Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures may be made from the operating grant (including official hospitality) account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the agricultural value added center program: *And provided further*, That expenditures may be made from the operating

(continued)

grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce: *And provided further*, That during fiscal year 2006, expenditures made by the department of commerce from the operating grant (including official hospitality) account of the state economic development initiatives fund shall be made for the purpose of achieving the following outcome measures:

Measure	Budget Year Projection FY 2006
Jobs created by projects utilizing KDOC assistance	6,500
Jobs retained by projects utilizing KDOC assistance	8,500
Payroll generated by projects utilizing KDOC assistance	\$205,000,000
Capital investment in Kansas resulting from projects utilizing KDOC assistance	\$313,000,000
Funds leveraged through match in projects utilizing KDOC assistance	\$16,500,000
Individuals trained through workforce development programs	9,000
Sales generated by projects utilizing KDOC assistance	\$69,500,000
Increase in visitation resulting from KDOC tourism promotion efforts	318,000
Tourism revenue generated as a result of KDOC tourism promotion	\$32,000,000
Kansans served with counseling, technical assistance or business services	4,400
Number of communities receiving community assistance services	300

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Publication and other sales fund.....	No limit
Conversion of equipment and materials fund.....	No limit
Conference registration and disbursement fund.....	No limit
Kansas venture capital companies certificate fee fund.....	No limit
Trademark fund.....	No limit
Flood mitigation assistance federal fund.....	No limit
Trade show promotion fund.....	No limit
Kansas tourist attraction matching grant development fund.....	No limit
Greyhound tourism fund.....	No limit
Reimbursement and recovery fund.....	No limit
Community development block grant — federal fund.....	No limit
Community development block grant — federal fund — revolving loan account.....	No limit
Other federal grants fund.....	No limit

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 2006 other than moneys appropriated by this or other appropriation act of the 2005 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 fiscal year 2006, other than moneys appropriated by this or other appropriation act of the 2005 regular session of the legislature.

National main street center fund.....	No limit
IMPACT program services fund.....	No limit
IMPACT program repayment fund.....	No limit
Kansas partnership fund.....	No limit

Provided, That the interest rate on any loan made from the Kansas partnership fund shall be annually indexed to the federal discount rate.

Goodyear bond repayment fund..... No limit
Provided, That, on July 1, 2005, or as soon thereafter as moneys are available, the director of the division of accounts and reports shall transfer from the state general fund to the Goodyear bond repayment fund in an amount or amounts sufficient to pay annual debt service on the bond obligations authorized pursuant to K.S.A. 74-8942 through 74-8945 and amendments thereto as certified by the secretary of commerce, in accordance with and subject to the provisions of K.S.A. 74-8943 and amendments thereto.

Goodyear revenue anticipation note fund.....	No limit
General fees fund.....	No limit

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

Market development fund..... No limit
Provided, That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the agricultural value added center program: *Provided further*, That all moneys received by the department of commerce for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the market development fund.

Kansas economic opportunity initiatives fund.....	No limit
Kansas existing industry expansion fund.....	No limit

Provided, That expenditures may be made from the Kansas existing industry expansion fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the Kansas existing

industry expansion program: *Provided further*, That all moneys received by the department of commerce for repayment of loans made under the Kansas existing industry expansion program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the Kansas existing industry expansion fund.

Kansas community entrepreneurship fund	No limit
Athletic fee fund	No limit
Wheat harvest program — non-federal fund ..	No limit
Adult program — WIA — federal fund	No limit
Youth program — WIA — federal fund.....	No limit
Dislocated worker — WIA — federal fund....	No limit
Trade adjustment assistance — federal fund ..	No limit
Workforce opportunity tax credit — federal fund	No limit
Alien labor certification — federal fund.....	No limit
Local veterans employment representative — federal fund.....	No limit
Disabled veterans outreach program — federal fund	No limit
Wagner Peyser — federal fund	No limit
Re-employment services — federal fund	No limit
Senior community service employment program — federal fund	No limit
Indirect cost fund.....	No limit
Kansas commission on disability concerns operating fund.....	No limit
Kansas commission on disability concerns — donations fund.....	No limit
Kansas commission on disability concerns — private grant fund.....	No limit
Apprenticeship — federal fund	No limit
WIA — setaside — federal fund.....	No limit

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2006, for (1) the provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute, (2) sale of *Kansas!* magazine and other publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute, and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce, including those provided at tourist information centers: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to one or more special revenue funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from such special revenue funds of the department of commerce for fiscal year 2006, in accordance with the provisions

of this or other appropriation act of the 2005 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund for fiscal year 2006 for the department of commerce as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund for fiscal year 2006 for official hospitality.

(f) On August 15, 2005, and December 15, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,500,000 from the state economic development initiatives fund to the Kansas economic opportunity initiatives fund of the department of commerce.

(g) On or after July 1, 2005, during the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer the amount or amounts specified by the secretary of commerce from the Kansas venture capital companies certificate fee fund to the general fees fund to reimburse the amount expended from the general fees fund for consulting services purchased by the department of commerce in connection with establishing a program to administer the certified capital formation company act.

Sec. 104.

KANSAS, INC.

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2006, the following:

Operations (including official hospitality)	\$371,674
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

Sec. 105.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2006, the following:

Operations, assistance and grants (including official hospitality)	\$11,824,260
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Provided, That any unencumbered balance in the operations, assistance and grants (including official hospitality) account as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

MAMTC federal fund	No limit
KTEC special revenue fund.....	No limit

(c) No moneys appropriated for the fiscal year or years specified, by this or other appropriation act of the 2005 regular session of the legislature for the Kansas technology enterprise corporation shall be

(continued)

expended for any bonus or other payment of additional compensation for any officer or employee of the Kansas technology enterprise corporation, or any subsidiary corporation, agency or instrumentality thereof, except longevity bonus payments pursuant to K.S.A. 75-5541 and amendments thereto or as otherwise specifically authorized by statute.

Sec. 106.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$334,787

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided further, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2006, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-5413 et seq., and 75-4321 et seq., and amendments thereto: And provided further, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen’s compensation fee fund \$11,373,866
Occupational health and safety — federal fund..... No limit
Boiler inspection fee fund No limit
General fees fund No limit
Special employment security fund No limit

Provided, That expenditures may be made from the special employment security fund for payment for the department of administration’s lease space agreement: Provided further, That expenditures from this fund for payment of such lease space agreement shall not exceed \$7,228: And provided further, That expenditures may be made from the special employment security fund for payment of communications costs: And provided further, That expenditures from this fund for payment of communications costs shall not exceed \$30,000.

Employment security administration fund..... No limit
State workplace health and safety fund..... No limit
Wage claims assignment fee fund No limit
Employment security computer systems institute fund No limit
Workforce investment act state operations fund..... No limit
Workforce investment act non-state operations fund No limit
Department of labor special projects fund..... No limit
Federal indirect cost offset fund..... \$351,715
Dispute resolution fund No limit

Provided, That all moneys received by the secretary of labor for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-5427 and amendments thereto and for fact-finding under K.S.A. 72-5428 and amendments thereto shall be deposited in the state treasury and credited to the dispute resolution fund: Provided further, That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-5427 and amendments thereto and for fact-finding under K.S.A. 72-5428 and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees’ organization involved in such mediation and fact-finding procedures.

Employment security fund..... No limit

(c) In addition to the other purposes for which expenditures may be made by the department of labor from the moneys appropriated from the state general fund or from any special revenue fund for

fiscal year 2006 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by the department of labor for moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto to finance grants for an information technology project to upgrade the unemployment insurance benefit system: Provided, That such information technology project is hereby approved for the department of labor for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: Provided further, That no such bonds shall be issued until the department of labor has first advised and consulted on any such project with the joint committee on information technology: And provided, further, That the amount of the bond proceeds that may be utilized for any such information technology project shall be subject to approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except that such approval also may be given while the legislature is in session: And provided, further, That the department of labor may make expenditures from the moneys received for the issuance of any such bonds for such information technology project: Provided, however, That expenditures from the moneys received from the issuance of any such bonds for such information technology project shall not exceed \$21,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such information technology projects during the implementation of such projects and any required reserves for the payment of principal and interest on the bonds: And provided further, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: And provided further, That debt service for any such bonds for such information technology projects shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds, including federal Reed act funds as made available to the state pursuant to section 903(d) of the federal social security act.

(d) In addition to the other purposes for which expenditures may be made by the department of labor from the employment security fund for fiscal year 2006 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2006 from the employment security fund from moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of debt service on a bond anticipation note issued for the rewrite of the unemployment insurance benefit system: Provided, That expenditures from the employment security fund during fiscal year 2006 of moneys made available to the state under section 903(d) of the federal social security act, as amended, shall be made only for payment of such debt service: Provided further, That expenditures from the employment security fund during fiscal year 2006 of moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of such debt service shall not exceed \$140,129.

Sec. 107.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures — veterans affairs \$1,771,763

Provided, That any unencumbered balance in the operating expenditures — veterans affairs account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Operations — state veterans cemeteries \$438,770

Provided, That any unencumbered balance in the operations — state veterans cemeteries account in excess of \$100 as of June 30, 2005,

is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$500.

Operating expenditures — Kansas soldiers' home .. \$2,264,107
Provided, That any unencumbered balance in the operating expenditures — Kansas soldiers' home account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Operating expenditures — Kansas veterans' home \$2,192,270
Provided, That any unencumbered balance in the operating expenditures — Kansas veterans' home account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Additional operating expenditures — soldiers and veterans homes \$355,000
Provided, That any unencumbered balance in the additional operating expenditures — soldiers and veterans homes account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund	\$2,073,151
Soldiers' home benefit fund	No limit
Soldiers' home work therapy fund.....	No limit
Veterans' home fee fund	\$2,947,854
Persian Gulf War veterans health initiative fund	No limit
Veterans' home canteen fund	No limit
Veterans' home benefit fund	No limit
Soldiers' home outpatient clinic fund.....	No limit
State veterans cemeteries fee fund.....	No limit
State veterans cemeteries donations and contributions fund	No limit
Outpatient clinic patient federal reimbursement fund — federal.....	No limit
VA burial reimbursement fund — federal.....	No limit
Veterans home federal fund	No limit
Soldiers home federal fund.....	No limit
Commission on veterans affairs federal fund.....	No limit

Sec. 108.

DEPARTMENT OF HEALTH AND ENVIRONMENT —
 DIVISION OF HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality) \$6,676,379

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account of the department of health and environment — division of health in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

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

Provided, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Vaccine purchases \$869,598

Provided, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

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

Provided, That any unencumbered balance in the infant and toddler program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Aid to local units..... \$5,065,614

Provided, That any unencumbered balance in the aid to local units

account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures from the aid to local units account for child care licensure activities are hereby authorized to be made for contracts which are hereby authorized to be entered into by the secretary of health and environment with local health departments, private individuals and others: *And provided further*, That all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246 and amendments thereto.

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

Provided, That any unencumbered balance in the aid to local units — primary health projects account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That no expenditures shall be made from the aid to local units — primary health projects account to disburse any amount to a local government or other health care unit until the amount has been matched on a \$1 for \$1 basis by the local government or other health care unit on a cash or in-kind basis, or some combination thereof, as approved by the secretary of health and environment.

Teen pregnancy prevention activities \$537,660

Provided, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures from the teen pregnancy prevention activities account shall be made to give highest priority to recipients of temporary assistance to families and other medicaid eligible teens: *And provided further*, That expenditures may be made from this account for grants made pursuant to K.S.A. 65-1,158 and amendments thereto: *And provided further*, That no expenditures shall be made from this account to disburse any amount to the recipient of any grant pursuant to K.S.A. 65-1,158 and amendments thereto until the amount has been matched in the manner prescribed by K.S.A. 65-1,158 and amendments thereto.

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

Provided, That any unencumbered balance in the aid to local units — family planning account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That all expenditures from the aid to local units — family planning account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients: *And provided further*, That all expenditures from this account pursuant to such grant agreements shall be made only for the costs of pap smears or initial and follow-up laboratory tests.

Immunization programs \$350,000

Prescription support for community based primary care clinics \$750,000

Provided, That any unencumbered balance in the prescription support for community based primary care clinics account in excess of \$100 as of June 30, 2006, is hereby reappropriated for fiscal year 2007: *Provided further*, That expenditures shall be made from the prescription support for community based primary care clinics account for: (1) Purchase of drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs at not-for-profit or publicly-funded primary care clinics, including federally qualified community health centers and federally qualified community health center look-alikes as defined by 42 U.S.C. 330, that provide comprehensive primary health care services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay.

(continued)

Policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Title XIX fund	No limit
Health care database fee fund	No limit
Breast and cervical cancer program and detection fund	No limit
Health and environment training fee fund — health	No limit

Provided, That expenditures may be made from the health and environment training fee fund — health for acquisition and distribution of division of health program literature and films and for participation in or conducting training seminars for training employees of the division of health of the department of health and environment, for training recipients of state aid from the division of health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the health and environment training fee fund — health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of health from moneys appropriated from the health and environment training fee fund — health for fiscal year 2006, expenditures may be made by the department of health and environment from the health and environment training fee fund — health for fiscal year 2006 for agency operations for the division of health.

Health facilities review fund	No limit
Food service inspection reimbursement fund	No limit
Food inspection fee fund	No limit

Provided, That expenditures may be made from the food inspection fee fund for operating expenditures for the food inspection program and other activities for the regulation of food service establishments under the food service and lodging act: *Provided further*, That, notwithstanding the provisions of K.S.A. 36-512 and amendments thereto to the contrary, all moneys received from fees charged and collected by the secretary of health and environment under the food inspection program and other activities for the regulation of food service establishments under the food service and lodging act shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the food inspection fee fund: *And provided further*, That, on July 1, 2005, and on the first day of each month thereafter, the director of accounts and reports shall transfer from the food inspection fee fund to the food service inspection reimbursement fund an amount equal to 80% of all fees credited to the food inspection fee fund where food service inspection services are provided by a local agency under contract with the secretary to inspect food service establishments located in a municipality.

Insurance statistical plan fund	No limit
Health and environment publication fee fund — health	No limit

Provided, That expenditures from the health and environment publication fee fund — health shall be made only for the purpose of

paying the expenses of publishing documents as required by K.S.A. 75-5662 and amendments thereto.

District coroners fund	No limit
Sponsored project overhead fund — health	No limit
Child care facilities licensure fund	No limit
Federal cancer registry fund	No limit
Child care and development block grant — federal fund	No limit
Office of rural health — federal fund	No limit
Medicare fund — federal	No limit

Provided, That transfers of moneys from the medicare fund — federal to the state fire marshal may be made during fiscal year 2006 pursuant to a contract which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.

Federal migrant health program fund	No limit
Veneral disease control project fund — federal ...	No limit
Disease prevention and health promotion federal grants fund	No limit

Provided, That no moneys from any grant that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year shall be deposited to the credit of the disease prevention and health promotion federal grants fund: *Provided further*, That transfers or payments from this fund to other state agencies shall be in addition to any expenditure limitation placed on this fund.

Federal women, infants and children health program fund	No limit
Federal occupational health and safety statistics program fund	No limit
Other federal grants fund — health	No limit

Provided, That the department of health and environment is authorized to make expenditures for the division of health and environment from the other federal grants fund — health of any moneys credited to this fund from any individual grant if the grant is: (1) Less than or equal to \$500,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2006 other than moneys appropriated by this or other appropriation act of the 2005 regular session of the legislature: *Provided, however*, That, upon application to and authorization by the governor, the division of health and environment may make expenditures for the division of health and environment of moneys credited to this fund from any individual federal grant which is more than \$500,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year: *Provided further*, That transfers or payments from this fund to other state agencies shall be in addition to any expenditure limitation placed on this fund.

Immunization grant funds — federal fund	No limit
Title I — P.L. 99-457 child development — federal fund	No limit
Preventive health and health services block grant fund	No limit
Maternal and child health services block grant fund	No limit
National center for health statistics fund — federal	No limit
Federal title X family planning fund	No limit
Early childhood developmental services — federal fund	No limit
Commodity supplemental food program fund	No limit
Special child clinic program — federal fund	No limit
Make a difference information network — federal fund	No limit
Ryan White Title II — federal fund	No limit
Bicycle helmet revolving fund	No limit

SSA fee fund	No limit
Lead poisoning prevention — federal fund	No limit
Title IV-E — federal fund	No limit
Trauma fund	No limit

Provided, That, notwithstanding the provisions of K.S.A. 2004 Supp. 75-5670 and amendments thereto, expenditures may be made by the department of health and environment for fiscal year 2006 for the stroke prevention project from the trauma fund of the department of health and environment.

Federal homeland security fund	No limit
AIDS project — education and risk reduction fund — federal	No limit
Medical student loan repayment fund — federal ...	No limit
HRSA federal grant fund	No limit
Gifts, grants and donations fund — health	No limit
Special bequest fund — health	No limit
Civil registration and health statistics fee fund.....	No limit
Tobacco use prevention and control program fund	No limit
Lead-based paint hazard fee fund	No limit
Census of traumatic occupational fatalities — federal fund.....	No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2006, the following: Healthy start..... \$250,000

Provided, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Infants and toddlers program \$800,000

Provided, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

Smoking prevention..... \$500,000

Provided, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

(d) On July 1, 2005, and on other occasions during fiscal year 2006 when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment — division of health or of the department of health and environment — division of environment, to the sponsored project overhead fund — health of the department of health and environment — division of health.

(e) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$716,343 from the child care and development fund of the department of social and rehabilitation services to the child care and development block grant — federal fund of the department of health and environment.

(f) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$913,045 from the foster care assistance federal fund of the department of social and rehabilitation services to the title IV-E — federal fund of the department of health and environment.

(g) During the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment — division of health, which have available moneys, to the sponsored project overhead fund — health of the department of health and environment — division of health for expenditures, as the case may be, for administrative expenses.

(h) In addition to the other purposes for which expenditures may be made by the department of health and environment from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made by the department of health and environment from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 for up to four full-time equivalent positions in the unclassified service under the Kansas civil service act: *Provided*, That all such additional full-time equivalent positions in the unclassified service under the Kansas civil service act shall be in addition to other positions within the department of health and environment in the unclassified service as prescribed by law and shall be established by the secretary of health and environment within the position limitation established for the department of health and environment on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2006 made by this or other appropriation act of the 2005 regular session of the legislature: *Provided, however*, That the authority to establish such additional positions in the unclassified service shall not affect the classified service status of any person who is an employee of the department of health and environment in the classified service under the Kansas civil service act.

(i) During the fiscal year ending June 30, 2006, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment — division of health to the sponsored project overhead fund — health of the department of health and environment — division of health pursuant to this section may include amounts equal to up to 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(j) During the fiscal year ending June 30, 2006, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2006, from the state general fund for the department of health and environment — division of health or the department of health and environment — division of environment to another item of appropriation for fiscal year 2006 from the state general fund for the department of health and environment — division of health or the department of health and environment — division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

(k) In addition to the other purposes for which expenditures may be made by the department of health and environment — division of health from moneys appropriated from the district coroners fund for fiscal year 2006, as authorized by this or other appropriation act of the 2005 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245 and amendments thereto, or any other statute, expenditures may be made by the department of health and environment — division of health from such moneys appropriated from the district coroners fund for fiscal year 2006 pursuant to K.S.A. 22a-242 and amendments thereto.

(l) On July 1, 2005, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund of the health care stabilization fund board of governors to the health facilities re-

(continued)

view fund of the department of health and environment for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 et seq., and amendments thereto.

Sec. 109.

DEPARTMENT OF HEALTH AND ENVIRONMENT — DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality) \$9,555,137

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account of the department of health and environment — division of environment in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Any unencumbered balance in the stream II account of the department of health and environment — division of environment in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Radiation control operations fee fund No limit
Mined-land conservation and reclamation fee fund No limit
Solid waste management fund No limit

Provided, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2006, for official hospitality: Provided further, That such expenditures for official hospitality shall not exceed \$2,500.

Public water supply fee fund No limit
Voluntary cleanup fund No limit
Storage tank fee fund No limit
Air quality fee fund No limit
Hazardous waste collection fund No limit
Power generating facility fee fund No limit
Health and environment training fee fund — environment No limit

Provided, That expenditures may be made from the health and environment training fee fund — environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: Provided further, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: And provided further, That such fees may be fixed in order to recover all or part of such costs: And provided further, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the health and environment training fee fund — environment: And provided further, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund — environment for fiscal year 2006, expenditures may be

made by the department of health and environment from the health and environment training fee fund — environment for fiscal year 2006 for agency operations for the division of environment.

Driving under the influence equipment fund No limit
Provided, That expenditures from the driving under the influence equipment fund may be made only for the purpose of purchasing blood or breath alcohol concentration testing equipment, and other related expenditures.

Nuclear safety emergency preparedness special revenue fund No limit
Provided, That all moneys received from the adjutant general from the nuclear safety management fee fund of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment — division of environment.

Waste tire management fund No limit
Health and environment publication fee fund — environment No limit
Provided, That expenditures from the health and environment publication fee fund — environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662 and amendments thereto.

Local air quality control authority regulation services fund No limit
Environmental response fund No limit
Sponsored project overhead fund — environment .. No limit
Resource conservation and recovery act — federal fund No limit
Water supply fund — federal No limit
EPA voluntary cleanup federal fund No limit

Provided, That all expenditures from the EPA voluntary cleanup federal fund during fiscal year 2006 shall be supplemental to fees collected for direct or indirect costs of administering the voluntary cleanup and property redevelopment act: Provided, however, That such expenditures shall be in accordance with the federal agreement entered into by the secretary of health and environment for the grant moneys.

Clinical laboratory improvement amendments — federal fund No limit
EPA — core support fund No limit
Other federal grants fund — environment No limit

Provided, That the department of health and environment is authorized to make expenditures for the division of environment from the other federal grants fund — environment of any moneys credited to this fund from any individual grant if the grant is: (1) Less than or equal to \$500,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2006 other than moneys appropriated by this or other appropriation act of the 2005 regular session of the legislature: Provided, however, That, upon application to and authorization by the governor, the department of health and environment may make expenditures for the division of environment of moneys credited to this fund from any individual federal grant which is more than \$500,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year: Provided further, That transfers or payments from this fund to other state agencies shall be in addition to any expenditure limitation placed on this fund.

Resource conservation and recovery act — federal fund No limit
Federal air quality program fund No limit
Leaking underground storage tank trust — federal fund No limit
National surface mining control and reclamation act — federal fund No limit
Abandoned mined-land fund No limit

State indoor radon grant — federal fund	No limit
EPA non-point source implementation — federal fund	No limit
Pollution prevention program — federal fund	No limit
Gifts, grants and donations fund — environment ...	No limit
Special bequest fund — environment	No limit
Aboveground petroleum storage tank release trust fund	No limit
Underground petroleum storage tank release trust fund	No limit
Drycleaning facility release trust fund	No limit
Public water supply loan fund	No limit
Public water supply loan operations fund	No limit
Kansas water pollution control revolving fund	No limit

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

Kansas water pollution control operations fund	No limit
Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds	No limit
Surcharge fund for Kansas water pollution control revolving fund revenue bonds	No limit
Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds	No limit
Debt service reserve fund	No limit
EPA water related federal grants fund	No limit

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

Chemical control fund — federal	No limit
Subsurface hydracarbon storage fund	No limit
Clean air leadership fund — federal	No limit
Natural resources damages trust fund	No limit
Hazardous waste management fund	No limit
Brownfields revolving loan federal fund	No limit
Mined—land reclamation fund	No limit
104 (6) (1) outreach operator training program — federal fund	No limit
Underground storage tank fund — federal	No limit
Federal EPA underground injection control fund ...	No limit
Laboratory medicaid cost recovery fund — environment	No limit
Diagnostic X-ray program — federal fund	No limit
Environmental control use fund	No limit
Environmental response remedial activity specific site — lead site federal fund	No limit
Emergency environmental response — nonspecific sites federal fund	No limit
Chemical control fund	No limit
Medicare fund — federal — environment fund	No limit
Federal EPA 106 water pollution control fund	No limit
Salt mining well plugging fund	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2006, for the state water plan project or projects specified as follows:

Contamination remediation	\$983,867
<i>Provided</i> , That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.	
TMDL initiatives and use attainability analysis	\$323,338
Watershed restoration and protection plan (WRAPS)	\$800,000

Local environmental protection program	\$1,502,737
<i>Provided</i> , That any unencumbered balance in the local environmental protection program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.	
Nonpoint source program	\$385,975

(d) During the fiscal year ending June 30, 2006, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2006 from the state water plan fund for the department of health and environment to another item of appropriation for fiscal year 2006 from the state water plan fund for the department of health and environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

(e) During the fiscal year ending June 30, 2006, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund of the department of health and environment which are directed to be made on or before the 10th day of each month by K.S.A. 65-3024 and amendments thereto.

(f) On July 1, 2005, and on other occasions during fiscal year 2006 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment — division of health or of the department of health and environment — division of environment, to the sponsored project overhead fund — environment of the department of health and environment — division of environment.

(g) During the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment — division of environment, which have available moneys, to the sponsored project overhead fund — environment of the department of health and environment — division of environment or to the sponsored project overhead fund — health of the department of health and environment — division of health, as the case may be, for expenditures for administrative expenses.

(h) During the fiscal year ending June 30, 2006, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2006, from the state general fund for the department of health and environment — division of health or the department of health and environment — division of environment to another item of appropriation for fiscal year 2006 from the state general fund for the department of health and environment — division of health or the department of health and environment — division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

(i) During the fiscal year ending June 30, 2006, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment — division of environment to the sponsored project overhead fund — environment of the department of health and environment — division of environment pursuant to this section may include amounts equal to up to 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

Sec. 110.

DEPARTMENT ON AGING

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

(continued)

Administration \$268,416
Provided, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$10,164, except upon approval of the state finance council: *Provided further*, That expenditures from this account for official hospitality by the secretary of aging shall not exceed \$550: *And provided further*, That expenditures from this account may be made for printing the agency's newsletter: *And provided further*, That printing the agency's newsletter shall not be subject to K.S.A. 75-1005 and amendments thereto.

Administration — assessments \$95,899
Provided, That any unencumbered balance in the administration — assessments account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$1,267, except upon approval of the state finance council.

Administration — assessments — Level II care \$34,088
Provided, That any unencumbered balance in the administration — assessments — Level II care account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Administration — assessments — Level I care \$289,783
Provided, That any unencumbered balance in the administration — assessments — Level I care account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Administration — medicaid \$1,644,897
Provided, That any unencumbered balance in the administration — medicaid account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$24,194, except upon approval of the state finance council.

Administration — older Americans act match \$181,855
Provided, That any unencumbered balance in the administration — older Americans act match account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Senior care act \$2,000,000
Provided, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary of aging a report for federal fiscal year 2005 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2005: *And provided further*, That the secretary of aging shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the regular session of the legislature in 2006 a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2005: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Program grants — nutrition — state match \$2,270,510
Provided, That any unencumbered balance in the program grants — nutrition — state match account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That each grant agreement with an area agency on aging for a grant from the program grants — nutrition — state match account shall require the area agency on aging to submit to the secretary of aging a report for federal fiscal year 2005 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal

fiscal year 2005: *And provided further*, That the secretary of aging shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the regular session of the legislature in 2006 a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2005: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC — medicaid assistance — TCM/FE \$1,951,769
Provided, That any unencumbered balance in the LTC — medicaid assistance — TCM/FE account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$404,467, except upon approval of the state finance council: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from the LTC — medicaid assistance — TCM/FE account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC — medicaid assistance — HCBS/FE \$25,439,852
Provided, That any unencumbered balance in the LTC — medicaid assistance — HCBS/FE account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from the LTC — medicaid assistance — HCBS/FE account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC — medicaid assistance — NF \$129,514,620
Provided, That any unencumbered balance in the LTC — medicaid assistance — NF account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures may be made from the LTC — medicaid assistance — NF account for the PACE program: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures: *And provided further*, That the secretary of aging shall implement a base-year model of reimbursement for nursing facilities for state fiscal year 2006: *And provided further*, That information from the 2001 cost reports shall be used to calculate the base year: *And provided further*, That increases in reimbursement rates for nursing facilities may be made annually on an incremental basis and the secretary of aging may use a nationally recognized source to determine an appropriate inflationary factor in calculating such increases: *And provided further*, That the base year model shall allow for incentives and pass-through mechanisms to encourage desired behaviors from the nursing facility industry and to recognize potential increases beyond the rate of normal inflation: *And provided further*, That any decision by the secretary of aging to initiate an incentive or pass-through mechanism shall be effectuated and funded within direct appropriations: *And provided further*, That expenditures may be made from this account for expanding the PACE program to the Topeka area during fiscal year 2006.

Nursing facilities regulation \$1,964,491
Provided, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$25,944, except upon approval of the state finance council.

Nursing facilities regulation — title XIX \$1,031,537
Provided, That any unencumbered balance in the nursing facilities

regulation — title XIX account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$17,939, except upon approval of the state finance council.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Older Americans act — federal fund	No limit
Title XIX fund — federal	No limit

Provided, That transfers of moneys from the title XIX fund — federal to the state fire marshal may be made during fiscal year 2006 pursuant to a contract which is hereby authorized to be entered into by the secretary of aging with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Senior care act — social service block grant fund...	\$4,500,000
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Provided, That each grant agreement with an area agency on aging for a grant from the senior care act — social service block grant fund shall require the area agency on aging to submit to the secretary of aging a report for federal fiscal year 2005 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2005: *Provided further*, That the secretary of aging shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the regular session of the legislature in 2006 a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2005: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services which are determined to be the most economical services available.

Nutrition fund — federal	No limit
Senior citizen nutrition check-off fund	No limit
Conferences and workshops attendance and publications fees fund	No limit

Provided, That the secretary of aging is hereby authorized to fix, charge and collect conference and workshop attendance fees for conferences and workshops sponsored by the department on aging and fees for copies of publications: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the conferences and workshops attendance and publications fees fund: *And provided further*, That expenditures may be made from this fund to defray all or part of the costs of such conferences and workshops including official hospitality and of such publications.

General fees fund	No limit
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Provided, That the secretary of aging is hereby authorized to collect (1) fees from the sale of surplus property, (2) fees charged for searching, copying and transmitting copies of public records, (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property, and (4) other miscellaneous fees: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the general fees fund: *And provided further*, That expenditures shall be made from this fund to meet the obligations of the department on aging, or to benefit and meet the mission of the department on aging.

Gifts and donations fund	No limit
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Provided, That the secretary of aging is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury and credited to the gifts and donations fund.

Medical resources and collection fund No limit
Provided, That all moneys received or collected by the secretary of aging due to medicaid overpayments shall be deposited in the state treasury and credited to the medical resources and collection fund and expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *Provided further*, That all moneys received or collected by the secretary of aging due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury and credited to this fund and expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

SHICK fund — grants — federal	No limit
SHICK fund — state operations — federal	No limit
Senior services fund.....	\$1,200,000
Long-term care loan and grant fund.....	No limit
Intergovernmental transfer administration fund.....	\$53,000
Non-government grant fund.....	No limit
Other federal grants and assistance fund.....	No limit

Provided, That the above agency is authorized to make expenditures from the other federal grants and assistance 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 2006 other than moneys appropriated by this or other appropriation act of the 2005 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.

Alzheimer's disease demonstration grant — federal fund	No limit
Health facilities review fund.....	No limit
Adult care licensing revolving fund	No limit
Medicare fund — federal	No limit

(c) During the fiscal year ending June 30, 2006, the secretary of aging, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2006, from the state general fund for the department on aging to another item of appropriation for fiscal year 2006 from the state general fund for the department on aging. The secretary of aging shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

(d) In addition to the other purposes for which expenditures may be made by the department on aging from the senior care act account of the state general fund for fiscal year 2006 as authorized by this section, expenditures shall be made by the above agency from the senior care act account of the state general fund for fiscal year 2006 for the senior companion program: *Provided*, That expenditures for such purpose from the senior care act account of the state general fund for fiscal year 2006 shall not exceed \$25,000.

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

(continued)

Sec. 111.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

State operations..... \$96,608,245

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided further, That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01 and amendments thereto: And provided further, That expenditures from this account for official hospitality by the secretary of social and rehabilitation services shall not exceed \$500.

Alcohol and drug abuse services grants \$3,557,716

Provided, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided, however, That expenditures from such reappropriated balance shall not exceed \$49,750 except upon approval of the state finance council.

Mental health and retardation services aid and assistance..... \$152,587,618

Provided, That any unencumbered balance in the mental health and retardation services aid and assistance account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided further, That, during the fiscal year ending June 30, 2006, of the expenditures from the mental health and retardation services aid and assistance account for HCBS/MRDD services as authorized by this or other appropriation act of the 2005 regular session, reimbursement rates for consumers with documented extraordinary needs who currently receive, have been approved for or leave a state institution or private institutional setting and are approved for special tier or individualized rates shall be maintained at a level no lower than the rate of reimbursement for these consumers on July 1, 2002: And provided further, That the department of social and rehabilitation services shall report to the legislature at the beginning of the regular session in 2006 with expenditure data regarding this group: Provided further, That nothing in this or any other statute shall prohibit a reduction or guarantee an increase in the reimbursement rate for consumers with documented extraordinary needs because of a change as a result of the annual basis assessment: And provided further, That any reductions in the HCBS/MRDD funding in fiscal year 2006 shall be implemented based on information and recommendations obtained in the most recent rate study required under subsection (a)(3) of K.S.A. 39-1806 and amendments thereto: And provided further, That the secretary of social and rehabilitation services shall not expand the existing public mental health provider system by opening up the medical card for the provision of mental health services to other than the existing medicaid eligible providers of mental health services as of March 1, 2005: And provided further, That the secretary of social and rehabilitation services shall work with the association of community mental health centers of Kansas, inc., to identify and address concerns related to service delivery, access and choice within the structure of the existing public mental health system.

Kansas neurological institute — operating expenditures..... \$10,623,189

Provided, That any unencumbered balance in the Kansas neurological institute — operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided, however, That expenditures from such reappropriated balance shall not exceed \$750,000 except upon approval of the state finance council: Provided further, That expenditures from the Kansas neurological institute — operating expenditures account for official hospitality by the superintendent shall not exceed \$150: And provided further, That expenditures may be made from this account for ed-

ucational services contracts which are hereby authorized to be negotiated and entered into by Kansas neurological institute with unified school districts or other public educational services providers: And provided further, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto: And provided further, That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital — operating expenditures \$22,843,570

Provided, That any unencumbered balance in the Larned state hospital — operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided, however, That expenditures from such reappropriated balance shall not exceed \$750,000 except upon approval of the state finance council: Provided further, That expenditures from the Larned state hospital — operating expenditures account for official hospitality by the superintendent shall not exceed \$150: And provided further, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: And provided further, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto.

Larned state hospital — sexual predator treatment program \$7,370,785

Provided, That any unencumbered balance in the Larned state hospital — sexual predator treatment program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Osawatomie state hospital — operating expenditures \$8,333,958

Provided, That any unencumbered balance in the Osawatomie state hospital — operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided further, That expenditures from the Osawatomie state hospital — operating expenditures account for official hospitality by the superintendent shall not exceed \$150: And provided further, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Osawatomie state hospital with unified school districts or other public educational services providers: And provided further, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto.

Parsons state hospital and training center — operating expenditures..... \$7,743,594

Provided, That any unencumbered balance in the Parsons state hospital and training center — operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided further, That expenditures from the Parsons state hospital and training center — operating expenditures account for official hospitality by the superintendent shall not exceed \$150: And provided further, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: And provided further, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto: And provided further, That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Rainbow mental health facility — operating expenditures \$3,671,552
Provided, That any unencumbered balance in the Rainbow mental health facility — operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures from the Rainbow mental health facility — operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Rainbow mental health facility with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto.

Children’s mental health initiative..... \$1,500,000
Provided, That any unencumbered balance in the children’s mental health initiative account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That no expenditures shall be made from the children’s mental health initiative account for inpatient hospital beds for children.

Children’s health insurance..... \$14,181,675
Provided, That any unencumbered balance in the children’s health insurance account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$1,004,274 except upon approval of the state finance council.

Youth services aid and assistance \$63,968,530
Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Vocational rehabilitation aid and assistance..... \$4,558,621
Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *Provided, however*, That all such expenditures for durable equipment or assistive technology devices shall require a \$1 for \$1 match from non-state sources: *And provided further*, That expenditures may be made from this account by the secretary of social and rehabilitation services for the purchase of worker’s compensation insurance for consumers of vocational rehabilitation services and assessments at work site and job tryout sites throughout the state.

Cash assistance..... \$59,698,116
Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Community based services..... \$44,592,859
Provided, That any unencumbered balance in the community based services account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Other medical assistance \$426,715,237
Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Sex predator program..... \$295,653
Provided, That any unencumbered balance in the sex predator program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available

in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund \$45,795,587
Provided, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and retardation services may be credited to the title XIX fund: *Provided further*, That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act, for expenditures for premiums and surcharges required to be paid for physicians’ malpractice insurance, and for transfers to the other federal grants and assistance fund.

Nonfederal reimbursements fund No limit
Provided, That all nonfederal reimbursements received by the department of social and rehabilitation services shall be deposited in the state treasury and credited to the nonfederal reimbursements fund: *Provided further*, That moneys in the nonfederal reimbursements fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act, for expenditures for premiums and surcharges required to be paid for physicians’ malpractice insurance, and for transfers to the social welfare fund.

Kansas neurological institute fee fund..... \$1,119,211
 Kansas neurological institute — foster grandparents program — federal fund No limit
 Larned state hospital fee fund \$3,465,843
 Larned state hospital — elementary and secondary education fund — federal..... No limit
 Larned state hospital — vocational education fund — federal No limit
 Larned state hospital — ECIA fund — federal No limit
 Larned state hospital — motor pool revolving fund..... No limit
 Osawatomi state hospital fee fund \$4,228,183

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomi state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the video teleconferencing fee account of the Osawatomi state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomi state hospital: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomi state hospital fee fund.

Osawatomi state hospital — ECIA fund — federal No limit
 Osawatomi state hospital — motor pool revolving fund No limit
 Osawatomi state hospital — training fee revolving fund No limit

Provided, That all moneys received as fees for training activities for Osawatomi state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the Osawatomi state hospital — training fee revolving fund: *Provided further*, That the superintendent of Osawatomi state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomi state hospital: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomi state hospital.

(continued)

Parsons state hospital and training center fee fund \$1,364,346

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: Provided further, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: And provided further, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

Rainbow mental health facility fee fund..... \$975,939
Rainbow mental health facility — elementary and secondary education fund — federal No limit
Social services clearing fund..... No limit
Social welfare fund..... \$73,404,396
Health committee insurance fund No limit
Other state fees fund No limit
Alcohol and drug abuse block grant federal fund ... No limit
Ryan White title II federal fund..... No limit
Child welfare services block grant federal fund..... No limit
Mental health block grant federal fund No limit
Social services block grant — federal fund No limit
Child care and development federal fund No limit
Children’s cabinet grants federal fund..... No limit
Temporary assistance to needy families federal fund No limit
Disability determination services federal fund No limit
Food stamp assistance federal fund..... No limit
Foster care assistance federal fund..... No limit
Medical assistance federal fund..... No limit
Rehabilitation services federal fund..... No limit
Other federal grants and assistance fund..... No limit
SRS enterprise fund No limit
SRS trust fund No limit

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

SRS AIDS drug reimbursement — federal fund.... No limit
SRS — IGT fund..... No limit
Child support enforcement administration fund.... No limit
Energy assistance block grant federal fund..... No limit
Children’s health insurance federal fund..... No limit
Family and children trust account — family and children investment fund No limit

Provided, That expenditures from the family and children trust account — family and children investment fund for official hospitality shall not exceed \$1,500.

Health care access improvement fund..... No limit

(c) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2006, the following:

Children’s cabinet accountability fund..... \$541,802

Provided, That any unencumbered balance in the children’s cabinet accountability fund account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Children’s mental health waiver \$3,800,000

Provided, That any unencumbered balance in the children’s mental

health waiver account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Family centered system of care..... \$5,000,000

Provided, That any unencumbered balance in the family centered system of care account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Therapeutic preschool..... \$1,000,000

Provided, That any unencumbered balance in the therapeutic preschool account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Child care..... \$1,400,000

Provided, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Community services for child welfare \$3,492,101

Provided, That any unencumbered balance in the community services for child welfare account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

HealthWave \$2,000,000

Provided, That any unencumbered balance in the HealthWave account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Children’s cabinet early childhood discretionary grant program..... \$8,887,828

Provided, That any unencumbered balance in the children’s cabinet early childhood discretionary grant program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided further, That \$200,000 shall be expended from the children’s cabinet early childhood discretionary grant program account for fiscal year 2006 for the department of health and environment infants and toddlers program.

Medicaid \$3,000,000

Provided, That any unencumbered balance in the medicaid account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Immunization outreach..... \$500,000

Provided, That any unencumbered balance in the immunization outreach account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Family preservation \$2,957,899

Provided, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

School violence prevention \$228,000

Provided, That any unencumbered balance in the school violence prevention account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

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

Provided, That any unencumbered balance in the attendant care for independent living account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(d) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2006, the following:

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

(e) During the fiscal year ending June 30, 2006, the secretary of social and rehabilitation services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2006, from the state general fund for the department of social and rehabilitation services or any institution or facility under the general supervision and management of the secretary of social and rehabilitation services to another item of appropriation for fiscal year 2006 from the state general fund for the de-

partment of social and rehabilitation services or any institution or facility under the general supervision and management of the secretary of social and rehabilitation services. The secretary of social and rehabilitation services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

(f) On July 1, 2005, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital — canteen fund to the Osawatomie state hospital — patient benefit fund.

(g) On July 1, 2005, the superintendent of Parsons state hospital and training center, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center — canteen fund to the Parsons state hospital and training center — patient benefit fund.

(h) (1) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the title XIX fund to the other federal grants and assistance fund the amount specified by the secretary of social and rehabilitation services.

(2) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the nonfederal reimbursements fund to the social welfare fund the amount specified by the secretary of social and rehabilitation services.

(i) During the fiscal year ending June 30, 2006, all moneys received by the secretary of social and rehabilitation services, to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund, shall be deposited in the state treasury to the credit of the family and children endowment account of the family and children investment fund.

(j) During the fiscal year ending June 30, 2006, to the extent it is determined by the secretary of social and rehabilitation services to be cost effective, the secretary of social and rehabilitation services shall apply for and accept donations from private sources to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund. During the fiscal year ending June 30, 2006, upon receipt of one or more donations of moneys from private sources for deposit to the credit of the family and children endowment account of the family and children investment fund, in addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from any moneys appropriated from the state general fund or any special revenue fund or funds for the fiscal year 2006, as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by the department of social and rehabilitation services from any such moneys appropriated for fiscal year 2006 for payments into the family and children endowment account of the family and children investment fund that match the aggregate amount of all such donations and that are equal to the aggregate amount of moneys donated to and credited to the family and children endowment account of the family and children investment fund during fiscal year 2006.

(k) In addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2006 for the department of social and rehabilitation services as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by the secretary of social and rehabilitation services for fiscal year 2006 to fix, charge and collect fees from parents for services provided to their children by an institution or program of the department of social and rehabilitation services: *Provided*, That, in accordance with the provisions of federal law, the secretary of social

and rehabilitation services shall not deny services to children under the home and community based services programs based on the failure of any parent to pay such fees: *Provided further*, That such fees shall be fixed by adoption of a sliding fee scale established by the secretary of social and rehabilitation services and such fees shall recover all or part of the expenses incurred in providing such services: *And provided further*, That such fees shall be reduced or waived in cases of demonstrable hardship and for families who are at or below 200% of the federal poverty level and who are receiving home and community based services: *And provided further*, That all moneys received by the department of social and rehabilitation services for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the social welfare fund.

(l) During the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer the amounts specified by the director of the budget from the LTC — medicaid assistance — NF account of the state general fund of the department on aging to the LTC — medicaid assistance — HCBS/FE account of the state general fund of the department on aging or to the community based services account of the department of social and rehabilitation services: *Provided*, That such amounts to be transferred shall be certified by the director of the budget on December 1, 2005, and on June 1, 2006, to reflect the nursing facility rate paid for persons moving from a nursing facility to the home and community-based services waiver for the physically disabled or the frail elderly for the six months preceding the date of certification: *Provided further*, That the aggregate of all such transfers certified during fiscal year 2006 shall not exceed the amount required to support the movement of 80 individuals from nursing facilities to home and community-based services: *And provided further*, That each of the 80 individuals must meet the requirements described in a policy jointly developed by the secretary of aging and the secretary of social and rehabilitation services governing the operations of this transfer: *And provided further*, That the director of the budget shall transmit a copy of each such certification to the director of the legislative research department: *And provided further*, That the department of social and rehabilitation services shall report to the legislature at the beginning of the regular session in 2006 with expenditure data regarding this program.

(m) On July 1, 2005, the child care mandatory federal fund of the department of social and rehabilitation services is hereby redesignated as the child care and development federal fund of the department of social and rehabilitation services.

Sec. 112.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Kansas guardianship program \$1,042,007

Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

Grants and gifts fund No limit

Sec. 113.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality) \$9,377,980

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(continued)

Governor's teaching excellence scholarships and awards \$222,000

Provided, That all expenditures from the governor's teaching excellence scholarships and awards account for teaching excellence scholarships shall be to provide grants of \$1,000 each to Kansas elementary and secondary public school teachers who are accepted to participate in the national board for professional teaching standards certification program under the governor's teaching excellence scholarships program which shall be administered by the state board of education: Provided further, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: And provided further, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: And provided further, That all moneys received by the department of education for repayment of grants for governor's teaching excellence scholarships shall be deposited in the state treasury and credited to the governor's teaching excellence scholarships program repayment fund.

Mentor teacher program grants..... \$1,000,000
General state aid..... \$1,799,498,000

Provided, That any unencumbered balance in the general state aid account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Special education services aid..... \$267,491,845

Provided, That expenditures shall not be made from the special education services aid account for the provision of instruction for any homebound or hospitalized child unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: Provided further, That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-983 and amendments thereto: And provided further, That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing proviso, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-978 and amendments thereto: And provided further, That for expenditures from the special education services aid account of the above agency, fully-trained reading recovery teacher leaders, selected by the agency in accordance with established criteria, shall be considered to be special teachers as defined in subsection (j)(1) of K.S.A. 72-962 and amendments thereto for the purpose of determining amounts of payments to be made to school districts in accordance with the provisions of K.S.A. 72-978 and amendments thereto from the amount remaining in the special education services aid account after deduction of expenditures made in accordance with the provisions of K.S.A. 72-893 and amendments thereto: Provided, however, That expenditures for fully-trained reading recovery teacher leaders considered to be special teachers shall not exceed \$180,000.

Supplemental general state aid \$164,984,000

Provided, That any unencumbered balance in the supplemental general state aid account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Kansas foundation for agriculture project grant \$35,000

Provided, That expenditures from the Kansas foundation for agriculture project grant account shall be used for agriculture in the classroom programs to supplement existing elementary and secondary curricula with agricultural information: Provided further, That expenditures from this account shall be made only if private funding sources are available to match such state grants on a 60% state and 40% private basis.

Discretionary grants..... \$130,000
School food assistance \$2,510,486

School safety hotline \$10,000
KPERS — employer contributions..... \$158,509,969

Provided, That any unencumbered balance in the KPERS — employer contributions account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided further, That all expenditures from the KPERS — employer contributions account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939 and amendments thereto: And provided further, That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

Teacher performance assessment..... \$325,000
Parent education program \$4,817,000

Provided, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount which is equal to not less than 65% of the grant: Provided further, That expenditures from this account for fiscal year 2006 for establishing and maintaining a Kansas training model that meets the requirement for the parents as teachers program shall not exceed \$27,500.

Educable deaf-blind and severely handicapped children's programs aid \$110,000

School district juvenile detention facilities and Flint Hills job corps center grants..... \$6,587,188

Provided, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-8187 and amendments thereto.

(b) There is appropriated from the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State school district finance fund..... No limit
School district capital improvements fund..... No limit

Provided, That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-6761 and amendments thereto.

Conversion of materials and equipment fund..... No limit
State safety fund..... No limit
School bus safety fund..... No limit
Goals 2000 federal fund..... No limit
Motorcycle safety fund..... No limit
Federal indirect cost reimbursement fund No limit
Certificate fee fund No limit
Food assistance — federal fund No limit
Food assistance — school breakfast program — federal fund No limit
Food assistance — national school lunch program — federal fund..... No limit
Food assistance — child and adult care food program — federal fund No limit
Elementary and secondary school aid — federal fund..... No limit
Elementary and secondary school aid — educationally deprived children — federal fund..... No limit
Educationally deprived children — state operations — federal fund..... No limit
Elementary and secondary school — educationally deprived children — LEA's fund..... No limit
ESEA chapter II — state operations — federal fund..... No limit

Education of handicapped children fund — federal	No limit
Education of handicapped children fund — state operations — federal.....	No limit
Education of handicapped children fund — pre-school — federal fund.....	No limit
Education of handicapped children fund — pre-school state operations — federal	No limit
Elementary and secondary school aid — federal fund — migrant education fund	No limit
Elementary and secondary school aid — federal fund — migrant education — state operations ..	No limit
Vocational education amendments of 1968 — federal fund	No limit
Vocational education title II — federal fund.....	No limit
Vocational education title II — federal fund — state operations	No limit
Educational research grants and projects fund.....	No limit
Education for economic security act — federal fund	No limit
Drug abuse fund — department of education — federal	No limit
Federal class size reduction fund.....	No limit
School renovation grants — federal fund	No limit
Drug abuse funds — federal — state operations fund	No limit
Inservice education workshop fee fund	No limit
Private donations, gifts, grants and bequests fund...	No limit
Interactive video fee fund.....	No limit
Governor’s teaching excellence scholarships program repayment fund.....	No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the inservice education workshop fee fund.

Provided, That expenditures may be made from the interactive video fee fund for operating expenditures incurred in conjunction with the operation and use of the interactive video conference facility of the department of education: *Provided further*, That the state board of education is hereby authorized to fix, charge and collect fees for the operation and use of such interactive video conference facility: *And provided further*, That all fees received for the operation and use of such interactive video conference facility shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the interactive video fee fund.

Provided, That all expenditures from the governor’s teaching excellence scholarships program repayment fund shall be to provide grants of \$1,000 each to Kansas elementary and secondary public school teachers who are accepted to participate in the national board for professional teaching standards certification program under the governor’s teaching excellence scholarships program which shall be administered by the state board of education: *Provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to

complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants made under the governor’s teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the governor’s teaching excellence scholarships program repayment fund.

Elementary and secondary school aid — federal fund — reading first	No limit
Elementary and secondary school aid — federal fund — reading first — state operations.....	No limit
State grants for improving teacher quality — federal fund	No limit
State grants for improving teacher quality — federal fund — state operations.....	No limit
Community service grants — federal fund	No limit
21st century community learning centers — federal fund	No limit
State assessments — federal fund.....	No limit
Rural and low-income schools program — federal fund	No limit
Language assistance state grants — federal fund....	No limit
Service clearing fund	No limit
Helping schools license plate program fund.....	No limit

(c) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2006, the following:

Grant to the Kansas optometric association for vision study	\$300,000
Parent education program	\$2,500,000
Special education services aid.....	\$1,225,000
General state aid four-year-old at-risk	\$5,304,045

(d) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund of the department of social and rehabilitation services to the communities in schools program fund of the department of education.

(e) On July 1, 2005, and quarterly thereafter, the director of accounts and reports shall transfer \$54,162 from the state highway fund of the department of transportation to the school bus safety fund of the department of education.

(f) On July 1, 2005, or as soon thereafter as moneys are available therefor, notwithstanding the provisions of K.S.A. 8-267 or 8-272 and amendments thereto or any other statute, the director of accounts and reports shall transfer \$2,600,000 from the state safety fund of the department of education to the state general fund: *Provided*, That the amount transferred from the state safety fund of the department of education 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

(continued)

the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 114.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$1,569,764
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided, however, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

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

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

Sec. 115.

KANSAS ARTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$347,781
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: Provided, however, That expenditures from the operating expenditures account for official hospitality shall not exceed \$4,000: Provided further, That expenditures may be made by the above agency from any amount of savings in the operating expenditures account for the purpose of matching an equal or greater amount of federal grant moneys or local grant moneys, or both, for arts programming projects.

Arts programming grants and challenge grants \$1,173,633
Provided, That expenditures from the arts programming grants and challenge grants account shall be made only for the purpose of matching an equal or greater amount of federal grant moneys or local grant moneys, or both, for arts programming projects: Provided further, That expenditures from this account shall be made in a manner to benefit the maximum number of Kansas communities in the development of Kansas talent and art.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas arts commission fee fund..... No limit
Kansas arts commission gifts, grants and bequests — federal fund..... No limit
Kansas arts commission special gifts fund..... No limit
Arts programming grants fund..... No limit

Provided, That moneys received by the Kansas arts commission from the remittance of the unexpended balance of arts programming grants to the commission shall be deposited in the state treasury and

credited to the arts programming grants fund: Provided further, That expenditures from this fund shall be made only for the purpose of matching an equal or greater amount of federal grant moneys or local grant moneys, or both, for arts programming projects.

Sec. 116.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$4,605,012
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Arts for the handicapped..... \$150,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund..... No limit
Local services reimbursement fund..... No limit

Provided, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: Provided further, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the local services reimbursement fund.

Student activity fees fund..... No limit
Special bequest fund..... No limit
Gift fund..... No limit
Technology lending library fund..... No limit
Food assistance — cash for commodities — federal fund..... No limit
Food assistance — breakfast — federal fund..... No limit
Food assistance — lunch — federal fund..... No limit
Chapter I handicapped — federal fund..... No limit
Education improvement — federal fund..... No limit
Math and science improvement — federal fund.... No limit
Elementary and secondary — federal fund..... No limit
Supported employment initiative — federal fund... No limit

Sec. 117.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$7,623,643
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund..... No limit
Local services reimbursement fund..... No limit

Provided, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: Provided further, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the local services reimbursement fund: And provided further, That all expenditures from this fund shall be for capital outlay.

Student activity fees fund..... No limit
Elementary and secondary education act — federal fund..... No limit

Vocational education fund — federal.....	No limit
Special bequest fund.....	No limit
Special workshop fund.....	No limit
Gift fund.....	No limit

Sec. 118.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures.....	\$5,515,193
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,500.

Kansas humanities council.....	\$81,830
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Credit card clearing fund.....	No limit
Vehicle repair and replacement fund.....	No limit
General fees fund.....	No limit
Archeology fee fund.....	No limit

Provided, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the archeology fee fund.

Archeology federal fund.....	No limit
Microfilm fees fund.....	No limit

Provided, That expenditures may be made from the microfilm fees fund for operating expenses for providing microfilming services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing microfilming services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the microfilm fees fund.

Records center fee fund.....	No limit
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Provided, That expenditures may be made from the records center fee fund for operating expenses for providing copying and related services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the records center fee fund.

Historic properties fee fund.....	No limit
National historic preservation act fund — state.....	No limit
Historic preservation overhead fees fund.....	No limit
National historic preservation act fund — local.....	No limit
Private gifts, grants and bequests fund.....	No limit
Museum and historic sites visitor donation fund.....	No limit
Insurance collection replacement/reimbursement fund.....	No limit

Heritage trust fund.....	No limit
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Provided, That expenditures from the heritage trust fund for state operations shall not exceed \$96,472.

Land survey fee fund.....	No limit
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Provided, That, notwithstanding the provisions of K.S.A. 58-2011 and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year ending June 30, 2006, for operating expenditures that are not related to administering the land survey program.

State historical society facilities fund.....	No limit
Historic properties fund.....	No limit
Law enforcement memorial fund.....	No limit
Other federal grants fund.....	No limit

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 2006 other than moneys appropriated by this or other appropriation act of the 2005 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.

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

Sec. 119.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality).....	\$31,879,264
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

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

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

Restricted fees fund.....	No limit
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Provided, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; performing arts center services; farm income; choral music clinic; yearbook; off-campus tours; memorial union activities; student activity (unallocated); Leader (newspaper); conferences, clinics and workshops — noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated

(continued)

ated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101 and amendments thereto: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the midwestern student exchange account of the restricted fees fund.

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

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

Commencement fees fund..... No limit
 Health fees fund..... No limit

Provided, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees fund..... No limit
 Kansas career work study program fund No limit
 Economic opportunity act — federal fund No limit
 Kansas comprehensive grant fund..... No limit
 Faculty of distinction matching fund No limit
 Nine month payroll clearing account fund..... No limit
 Federal Perkins student loan fund No limit
 Housing system revenue fund..... No limit
 Institutional overhead fund..... No limit
 Oil and gas royalties fund No limit
 Housing system suspense fund..... No limit
 Housing system operations fund..... No limit
 Housing system repairs, equipment and improvement fund..... No limit
 Sponsored research overhead fund..... No limit
 Kansas distinguished scholarship fund..... No limit
 University federal fund..... No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund to the federal Perkins student loan fund.

Sec. 120.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality) \$104,478,615

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund..... No limit
 Faculty of distinction matching fund No limit
 General fees fund No limit

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

Interest on endowment fund..... No limit
 Restricted fees fund..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; human resources management system; computer services; copy centers; standardized test fees; placement center; recreational services; college of technology and aviation; motor pool; music; professorships; student activities fees; army and aerospace uniforms; aerospace uniform augmentation; biology sales and services; chemistry; field camps; state department of education; physics storeroom; sponsored research, instruction, public service, equipment and facility grants; chemical engineering; nuclear engineering; contract-post office; library collections; civil engineering; continuing education; sponsored construction or improvement projects; attorney, educational and personal development, human resources; student financial assistance; application for undergraduate programs; speech and hearing fees; gifts; human development and family research and training; college of education — publications and services; guaranteed student loan application processing; student identification card; auditorium receipts; catalog sales; emission spectroscopy fees; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; human ecology storeroom; college of human ecology sales; family resource center fees; human movement performance; application for post baccalaureate programs; art exhibit fees; college of education — Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; biotechnology facility; English language program; international programs; Branlage coliseum; planning and analysis; telecommunications; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for

and authorize the purchase of such insurance: *And provided further*, That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages.

Kansas career work study program fund No limit
 Service clearing fund No limit

Provided, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

Sponsored research overhead fund..... No limit

Provided, That the above agency may transfer moneys from the sponsored research overhead fund of Kansas state university to the sponsored research overhead fund of Kansas state university extension systems and agriculture research programs.

Housing system suspense fund..... No limit

Housing system operations fund..... No limit

Housing system repairs, equipment and improvement fund..... No limit

Mandatory retirement annuity clearing fund..... No limit

Student health fees fund No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Scholarship funds fund No limit

Perkins student loan fund..... No limit

Board of regents — U.S. department of education awards fund..... No limit

State agricultural university fund No limit

Federal extension civil service retirement clearing fund..... No limit

Salina — student union fees fund..... No limit

Salina — housing system operation fund No limit

Kansas distinguished scholarship fund..... No limit

Kansas comprehensive grant fund..... No limit

Temporary deposit fund..... No limit

Business procurement card clearing fund..... No limit

Suspense fund..... No limit

Voluntary tax shelter annuity clearing fund..... No limit

Agency payroll deduction clearing fund..... No limit

Payroll clearing fund..... No limit

Pre-tax parking clearing fund..... No limit

University federal fund No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed \$97,924 from the general fees fund to the Perkins student loan fund.

Sec. 121.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality) \$772,695

Provided, That any unencumbered balance in the operating expend-

itures (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Cooperative extension service (including official hospitality) \$18,211,367

Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Agricultural experiment stations (including official hospitality) \$29,676,506

Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy — Ashland farm; KSU agricultural research center — Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy — general; agronomy — experimental field crop sales; entomology sales; grain science and industry — Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; animal resource facility; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2006.

Fertilizer research fund No limit

Sponsored research overhead fund..... No limit

Federal extension fund..... No limit

Federal experimental station fund..... No limit

Federal awards — advance payment fund..... No limit

Smith-Lever special program grant — federal fund..... No limit

Faculty of distinction matching fund No limit

Kansas artificial breeding service unit fees fund..... No limit

Agricultural land use-value fund..... No limit

University federal fund No limit

Provided, That expenditures may be made by the above agency from

(continued)

the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures.....	\$300,000
Sec. 122.	

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality)	\$9,988,928
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

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

Hospital and diagnostic laboratory revenue fund....	No limit
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Faculty of distinction matching fund	No limit
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Hospital and diagnostic laboratory improvement fund	No limit
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Restricted fees fund.....	No limit
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Provided, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; storerooms; departmental receipts for all sales refunds and other collections; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: Provided, however, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: Provided further, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: And provided further, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Sponsored research overhead fund.....	No limit
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Health professions student loan fund.....	No limit
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H.E.W. veterinary revolving student loan fund.....	No limit
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Suspense fund.....	No limit
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University federal fund	No limit
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Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a

total of \$10,000 from the general fees fund to the health professions student loan fund.

Sec. 123.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality)	\$30,617,797
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Reading recovery program.....	\$242,889
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Nat'l Board Cert/Future Teacher Academy	\$145,766
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

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

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

Interest on state normal school fund fund.....	No limit
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Restricted fees fund.....	No limit
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Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern exchange; departmental receipts — for all sales, refunds and other collections or receipts not specifically enumerated above: Provided, however, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: Provided further, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: And provided further, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: And provided further, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the midwestern student exchange account of the restricted fees fund.

Service clearing fund	No limit
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Provided, That the service clearing fund shall be used for the following service activities: Telecommunications services; office supplies inventory; state car operation; E.S.U. press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; data processing center; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

Commencement fees fund.....	No limit
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Kansas career work study program fund	No limit
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Student health fees fund	No limit
<i>Provided</i> , That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.	
Faculty of distinction matching fund	No limit
Bureau of educational measurements fund.....	No limit
National direct student loan fund	No limit
Economic opportunity act — work study — federal fund	No limit
Educational opportunity grants — federal fund	No limit
Basic opportunity grant program — federal fund ...	No limit
Research and institutional overhead fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund.....	No limit
Kansas distinguished scholarship fund.....	No limit
University federal fund	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership federal fund

No limit

(c) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Emporia state university of not to exceed \$30,000 from the general fees fund to the national direct student loan fund.

(d) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$52,117 from the student union account of the restricted fees fund of Emporia state university to the state general fund.

(e) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,515 from the housing systems operations fund of Emporia state university to the state general fund.

Sec. 124.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality)	\$33,570,974
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund	No limit
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Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund	No limit
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Provided, That all moneys received for tuition received from students participating in the contiguous county program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*, That expenditures may be made from the general fees fund to match federal grant moneys.

Restricted fees fund.....	No limit
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Provided, That restricted fees shall be limited to receipts for the

following accounts: Computer services; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; and grants from other state agencies; *Midwest Quarterly*; chamber music series; contract — post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity — state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships.

Service clearing fund	No limit
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Provided, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

Hospital and student health fees fund.....	No limit
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Provided, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further*, That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund.....	No limit
Faculty of distinction matching fund	No limit
Perkins student loan fund.....	No limit
Sponsored research overhead fund.....	No limit
College work study fund	No limit
Nursing student loan fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Kansas distinguished scholarship program fund	No limit
University federal fund	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) During the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Perkins student loan fund; nursing student loan fund.

(continued)

Sec. 125.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality) \$130,552,281

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Geological survey \$6,093,902

Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities revenue fund No limit
Faculty of distinction matching fund No limit
General fees fund No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: Provided further, That all moneys received for tuition for students enrolled in courses offered at the regents center on the Edwards campus shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to this fund: And provided further, That the director of accounts and reports shall transfer on a periodic basis amounts generated from such courses as specified by the chancellor of the university of Kansas, or the chancellor's designee, from the general fees fund to the regents center development fund.

Regents center development fund No limit

Provided, That expenditures shall be made from the regents center development fund for program operations and development and for capital improvements at the Edwards campus: Provided further, That the fund may be pledged to debt service for capital improvements at the Edwards campus.

Interest fund No limit
Sponsored research overhead fund No limit
Law enforcement training center fund No limit

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

Law enforcement training center fees fund No limit

Provided, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Institute for public policy and business research; technology equipment; clinical psychology conference; concert course; residence hall maintenance; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; housing and

residence halls; endowment research salaries; engineering research salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; engineering equipment fee; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: Provided, however, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: Provided further, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: And provided further, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: And provided further, That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund No limit

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

Health service fund No limit

Provided, That expenditures from the health service fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Kansas career work study program fund No limit
Student union fund No limit
Federal Perkins loan fund No limit

Provided, That expenditures from the national direct student loan fund shall be used for the federal Perkins student loan program, federal supplemental educational opportunity program and federal disadvantaged student loan program.

Ford foundation — forgivable loan fund No limit
Health professions student loan fund No limit
Housing system suspense fund No limit
Housing system revenue fund No limit
Scientific research and development project — special revenue fund No limit
Housing system operations fund No limit
Housing system repairs, equipment and improvement fund No limit

Educational opportunity act — federal fund No limit
Loans for disadvantaged students fund No limit
Prepaid tuition fees clearing fund No limit
Kansas comprehensive grant fund No limit
Fire service training fund No limit
University federal fund No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$285,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Federal Perkins student loan program account of the national direct student loan fund; federal supplemental educational opportunity program account of the national direct student loan fund; federal disadvantaged student loan program account of the national direct student loan fund; health professions student loan fund.

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2006, for the water plan project or projects specified, the following:

Geological survey \$40,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2005, in the geological survey account is hereby reappropriated for fiscal year 2006.

(e) During the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer one or more amounts specified by the chancellor of the university of Kansas from one or more accounts of the restricted fees fund to the multicultural resource center — construction fund.

Sec. 126.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality) \$101,627,744

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures may be made from this account for the purchase of malpractice insurance for students in training at the university of Kansas school of medicine, nursing and allied health: *And provided further*, That such malpractice insurance shall be approved by the commissioner of insurance of the state of Kansas: *And provided further*, That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans \$2,786,764

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund No limit

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

Faculty of distinction matching fund No limit

Restricted fees fund No limit

Provided, That restricted fees shall be limited to the following accounts: Technology equipment; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; computer remote access; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; student union fees; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy ca-

davers; biotechnology services; energy center funded depreciation; fungal sales; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; department of social and rehabilitation services cost-sharing: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *And provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development — special revenue fund No limit
 Sponsored research overhead fund No limit
 Parking fees fund No limit
 Services to hospital authority fund No limit
 Direct medical education reimbursement fund No limit
 Service clearing fund No limit

Provided, That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; clothing (uniforms); physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; graphic services; instructional services; biomedical engineering; audiovisual services; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

Educational nurse faculty loan program fund No limit
 Federal college work study fund No limit
 AMA education and research grant fund No limit
 Federal health professions/primary care student loan fund No limit
 Federal nursing student loan fund No limit
 Suspense fund No limit
 Federal student educational opportunity grant fund No limit
 Federal Pell grant fund No limit
 Federal Perkins student loan fund No limit
 Medical loan repayment fund No limit

Provided, That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund or on the total expenditures from the medical loan repayment fund.

Graduate medical education administration reserve fund No limit
 University of Kansas medical center private practice foundation reserve fund No limit
 Robert Wood Johnson award fund No limit
 Federal scholarship for disadvantaged students fund No limit
 University federal fund No limit

(continued)

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following funds: Federal Perkins student loan fund; federal nursing student loan fund; federal student education opportunity grant fund; federal college work study fund; educational nurse faculty loan program fund; federal health professions/primary care student loan fund.

(d) During the fiscal year ending June 30, 2006, medical students enrolled at the university of Kansas medical center are hereby self-insured by the state of Kansas while in clinical training at the university of Kansas medical center or at other health care institutions. Such individuals shall be considered employees for purposes of the Kansas tort claims act and shall be provided defense and indemnification for claims arising out of their clinical training at the university of Kansas medical center or at other health care institutions in accordance with the provisions of the Kansas tort claims act. Within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for such medical students. Any such malpractice insurance purchase shall be approved by the commissioner of insurance of the state of Kansas.

(e) During the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer an amount specified by the chancellor prior to July 1, 2005, from the general fees fund to the student health insurance premiums account of the restricted fees fund.

(f) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2006, the following:

Telekid health care link \$250,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2005, in the telekid health care link account is hereby reappropriated for fiscal year 2006.

Sec. 127.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality) \$65,502,086

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Aviation research \$2,000,000

Provided, That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund No limit

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

Restricted fees fund No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art ob-

jects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts — for all sales, refunds and other collections or receipts not specifically enumerated above:

Provided, however, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: Provided further, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: And provided further, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: And provided further, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: And provided further, That expenditures may be made from this fund for official hospitality.

Service clearing fund No limit

Provided, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunication; computer service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

Faculty of distinction matching fund No limit

Kansas career work study program fund No limit

Scholarship funds fund No limit

Sponsored research fund No limit

Sponsored research overhead fund No limit

Economic opportunity act — federal fund No limit

Education opportunity grant — federal fund No limit

Matching education opportunity grant fund No limit

Health professions student assistance program — loans fund No limit

Nine month payroll clearing account fund No limit

Pell grants fund No limit

Housing system suspense fund No limit

Housing system operations fund No limit

Housing system renovation principal and interest fund No limit

Housing system renovation and bond reserve fund No limit

WSU housing system depreciation and replacement fund No limit

Perkins loan fund No limit

Kansas distinguished scholarship fund No limit

Kansas comprehensive grant fund No limit

WSU housing systems revenue fund No limit

University federal fund No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership — federal fund No limit

(c) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$42,150 from the WSU housing systems revenue fund of Wichita state university to the state general fund.

Sec. 128.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures (including official hospitality) \$3,179,703

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That, in addition to other expenditures made by the above agency from the operating expenditures (including official hospitality) account during fiscal year 2006, expenditures shall be made from this account for the purpose of examining opportunities available to increase the number of seats at dental schools contracted through the reciprocal agreement or to establish a dental school in Kansas.

State scholarship program \$1,133,199

Provided, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 72-6816 and amendments thereto and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283 and amendments thereto: *And provided further*, That of the total amount appropriated in the state scholarship program account the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program..... \$13,189,878

Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Ethnic minority scholarship program \$315,213

Provided, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Kansas work-study program \$528,172

Provided, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 *et seq.*, and amendments thereto: *And provided further*, That all moneys transferred from this account to the Kansas career work study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC scholarship reimbursement \$186,401

Provided, That any unencumbered balance in the ROTC scholarship reimbursement account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Teachers scholarship program \$326,744

Provided, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

National guard educational assistance \$925,838

Provided, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Vocational scholarships \$121,275

Provided, That any unencumbered balance in the vocational scholarships account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Nursing student scholarship program..... \$243,592

Provided, That any unencumbered balance in the nursing student

scholarship program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Optometry education program \$113,850

Provided, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Municipal university operating grant..... \$11,012,456

Postsecondary aid for vocational education \$20,673,603

Adult basic education \$1,148,998

Community college operating grant..... \$91,130,331

Technology equipment at community colleges and Washburn university \$424,077

Provided, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of education.

Faculty salary enhancement \$3,333,426

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

Operating grant \$11,643,908

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

Payment to KPERS \$1,756,004

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

Provided, That any unencumbered balance in the southwest Kansas access project account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from this account to the appropriate account or accounts of the state general fund of any state educational institution under the control and supervision of the state board of regents.

Out-district tuition off-set..... \$3,200,000

Provided, That the state board of regents is hereby authorized to make expenditures from the out-district tuition off-set account for grants to community colleges and Washburn university: *Provided further*, That such grants shall be distributed in proportion to the amount of out-district tuition received by the community colleges and Washburn university.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship repayment fund No limit

Vocational education scholarship discontinued attendance fund..... No limit

Leveraging educational assistance program fund — federal No limit

Regents' scholarship gift fund..... No limit

Provided, That expenditures may be made from the regents' scholarship gift fund for scholarships awarded to Kansas residents who are attending institutions of postsecondary education in Kansas which are authorized under the laws of this state to award academic degrees and who meet academic and other eligibility criteria established by the state board of regents by rules and regulations: *Pro-*

(continued)

vided, however, That a financial needs test shall not be one of the eligibility criteria established by the state board of regents for such scholarships: *Provided further*, That no scholarship awarded from this fund shall exceed \$2,000 per academic year: *And provided further*, That any recipient of a scholarship awarded from this fund may also receive either a state scholarship under K.S.A. 72-6810 through 72-6816 and amendments thereto or a tuition grant under K.S.A. 72-6107 through 72-6111 and amendments thereto, or both: *And provided further*, That there shall be no reduction of any scholarship awarded from this fund for the amount of any such state scholarship or tuition grant received.

KAN-ED fund	No limit
<i>Provided</i> , That expenditures may be made from the KAN-ED fund for official hospitality for the purposes of the KAN-ED act.	
KAN-ED federal fund.....	No limit
Earned indirect costs fund — federal	No limit
Faculty of distinction program fund	No limit
Paul Douglas teacher scholarship fund — federal...	No limit
GED credentials processing fees fund	No limit
Proprietary school fee fund.....	No limit
Tuition waiver gifts, grants and reimbursements fund	No limit
Adult basic education — federal fund.....	No limit
Truck driver training fund	No limit
No child left behind federal fund	No limit
Comprehensive grant program discontinued attendance fund	No limit
State scholarship discontinued attendance fund	No limit
Kansas ethnic minority fellowship program fund....	No limit
Private postsecondary educational institution degree authorization expense reimbursement fee fund	No limit
Substance abuse education fund — federal	No limit
Nursing service scholarship program fund.....	No limit
Kansas ethnic minority discontinued attendance fund	No limit
Clearing fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Teacher scholarship program fund.....	No limit
Financial aid services fee fund	No limit

Provided, That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: *Provided further*, That the executive director of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications for student financial assistance under programs administered by the state board of regents: *And provided further*, That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the financial and services fee fund.

Inservice education workshop fee fund	No limit
Optometry education repayment fund.....	No limit
Teacher scholarship repayment fund	No limit
Advanced registered nurse practitioner service scholarship program fund.....	No limit
Nursing service scholarship repayment fund	No limit
ROTC service scholarship program fund	No limit
ROTC service scholarship repayment fund.....	No limit
Carl D. Perkins vocational and technical education — federal fund.....	No limit
Carl D. Perkins vocational and technical education — federal fund — state operations	No limit
Other federal grants fund.....	No limit

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 \$750,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2006 other than moneys appropriated by this or other appropriation act of the 2005 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 \$750,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during fiscal year 2006, other than moneys appropriated by this or other appropriation act of the 2005 regular session of the legislature.

Kansas national guard educational assistance program repayment fund.....	No limit
Carl D. Perkins technical preparation — federal fund	No limit
Grants fund.....	No limit
Workforce development loan fund.....	No limit
FICA recovery fund.....	No limit

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

Regents clearing fund	No limit
Private and out-of-state postsecondary educational institution fee fund.....	No limit

(c) During the fiscal year ending June 30, 2006, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2006, to another item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2006. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the legislative research department. As used in this subsection, "account" (1) means the operating expenditures (including official hospitality) account of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university; and (2) includes each account of the state general fund of the state board of regents.

(d) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2006, the following:

Vocational education capital outlay aid	\$2,565,000
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Provided, That expenditures from the vocational education capital outlay aid account for each grant of vocational educational capital outlay aid shall be matched by the area vocational school, the area vocational-technical school or the technical college in an amount which is equal to 50% of the grant: *Provided further*, That any unencumbered balance in excess of \$100 as of June 30, 2005, in the vo-

ational education capital outlay aid account is hereby reappropriated for fiscal year 2006.

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

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2005, in the postsecondary aid for vocational education account is hereby reappropriated for fiscal year 2006.

Technology innovation and internship program \$180,500

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2005, in the technical innovation and internship program account is hereby reappropriated for fiscal year 2006.

(e) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 for such state educational institution as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2006: *Provided, however*, That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided, further*, That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*, That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal or greater than the cost of debt service on such bonds: *And provided further*, That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection at the beginning of the 2006 regular session of the legislature.

(2) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(f) In addition to other expenditures authorized to be made from the comprehensive grant program account of the state general fund for fiscal year 2006 for the awards of Kansas comprehensive grants in accordance with the provisions of K.S.A. 74-32,120 through 74-32,125, and amendments thereto, and policies and rules and regulations adopted by the state board of regents for the administration of the Kansas comprehensive grant program, expenditures shall be made from the comprehensive grant program account of the state general fund for fiscal year 2006 for awards of Kansas comprehensive grants to eligible Kansas students who are enrolling or enrolled at an

institution of higher education which is accredited by the Association for Biblical Higher Education and which has its main campus or principal place of operation located in Kansas, and otherwise in accordance with and subject to the provisions of K.S.A. 74-32,120 through 74-32,125, and amendments thereto, and policies and rules and regulations adopted by the state board of regents for the administration of the Kansas comprehensive grant program.

Sec. 129.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Central administration operations and parole and postrelease supervision operations \$14,913,120

Provided, That any unencumbered balance in the central administration operations and parole and postrelease supervision operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$176,561 except upon approval of the state finance council: *Provided further*, That expenditures from the central administration operations and parole and postrelease supervision operations account for official hospitality shall not exceed \$2,000.

Community corrections..... \$15,261,958

Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$286,954, except upon approval of the state finance council: *Provided further*, That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2006 which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Day reporting centers \$2,091,697

Provided, That any unencumbered balance in the day reporting center state match account in excess of \$100 as of June 30, 2005, is hereby reappropriated to the day reporting centers account for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$37,523, except upon approval of the state finance council: *Provided further*, That all expenditures from the day reporting centers account shall be made pursuant to a contract which is hereby authorized to be entered into by the secretary of corrections with a private entity for operation of such day reporting centers: *And provided further*, That such contract shall be designed to use day reporting centers to divert offenders who would otherwise occupy prison space making additional prison space available for violent offenders.

Local jail payments..... \$1,861,000

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

Community correctional conservation camp..... \$2,363,300
 Conservation camp for female offenders..... \$969,674

Provided, That any unencumbered balance in the conservation camp for female offenders account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

(continued)

Treatment and programs..... \$42,853,796
Provided, That expenditures from the treatment and programs account for malpractice insurance shall not be greater than the amount obtained by multiplying \$5,000 by the approved number of positions equated to full-time for individuals employed as physician specialists, physician assistants and dentists.

Topeka correctional facility — facilities operations..... \$10,696,856
Provided, That any unencumbered balance in the Topeka correctional facility — facilities operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$1,614 except upon approval of the state finance council: *Provided further*, That expenditures from the Topeka correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility — facilities operations..... \$25,257,903
Provided, That any unencumbered balance in the Hutchinson correctional facility — facilities operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$3,182 except upon approval of the state finance council: *Provided further*, That expenditures from the Hutchinson correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility — facilities operations..... \$33,300,762
Provided, That any unencumbered balance in the Lansing correctional facility — facilities operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$1,501 except upon approval of the state finance council: *Provided further*, That expenditures from the Lansing correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility — facilities operations..... \$10,929,770
Provided, That any unencumbered balance in the Ellsworth correctional facility — facilities operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$1,690 except upon approval of the state finance council: *Provided further*, That expenditures from the Ellsworth correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility — facilities operations..... \$10,314,856
Provided, That any unencumbered balance in the Winfield correctional facility — facilities operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from the Winfield correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility — facilities operations..... \$12,660,982
Provided, That any unencumbered balance in the Norton correctional facility — facilities operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from the Norton correctional facility — facilities operations account for official hospitality shall not exceed \$500.

ity — facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility — facilities operations..... \$21,400,558
Provided, That any unencumbered balance in the El Dorado correctional facility — facilities operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from the El Dorado correctional facility — facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility — facilities operations..... \$8,411,359
Provided, That any unencumbered balance in the Larned correctional mental health facility — facilities operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from the Larned correctional mental health facility — facilities operations account for official hospitality shall not exceed \$500.

Facilities operations..... \$14,022,625
Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Other federal grants fund..... No limit

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 \$1,000,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2006 other than moneys appropriated by this or other appropriation act of the 2005 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 \$1,000,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year.

Supervision fees fund..... No limit
 Asset forfeiture — federal fund..... No limit
 Residential substance abuse treatment — federal fund..... No limit
 Justice assistance — federal fund..... No limit
 Department of corrections state asset forfeiture fund..... No limit
 Carl Perkins act — federal fund..... No limit
 Violent offender incarceration and truth in sentencing incentive grants — federal fund..... No limit
 Chapter I — federal fund..... No limit
 Correctional industries fund..... No limit

Provided, That expenditures may be made from the correctional industries fund for official hospitality.

Alcohol and drug abuse treatment fund..... No limit
Provided, That expenditures may be made from the alcohol and drug abuse fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

State of Kansas — department of corrections inmate benefit fund	No limit
Department of corrections — alien incarceration grant fund — federal	No limit
Department of corrections — general fees fund	No limit
<i>Provided</i> , That expenditures may be made from the department of corrections — general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: <i>Provided further</i> , That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: <i>And provided further</i> , That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to this fund.	
Topeka correctional facility — community development block grant — federal fund.....	No limit
Topeka correctional facility — bureau of prisons contract — federal fund.....	No limit
Topeka correctional facility — general fees fund....	No limit
Hutchinson correctional facility — general fees fund	No limit
Lansing correctional facility — general fees fund	No limit
Ellsworth correctional facility — general fees fund	No limit
Winfield correctional facility — general fees fund ..	No limit
Norton correctional facility — general fees fund....	No limit
El Dorado correctional facility — general fees fund	No limit
El Dorado correctional facility — community transition program federal fund.....	No limit
Larned correctional mental health facility — general fees fund	No limit

(c) During the fiscal year ending June 30, 2006, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2006, from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2006 from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

(d) Notwithstanding the provisions of K.S.A. 75-3731 and amendments thereto or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim from the local jail payments account of the state general fund during fiscal year 2006 for costs pursuant to subsection (b) of K.S.A. 19-1930 and amendments thereto even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) On July 1, 2005, and on October 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$434,500 from the correctional industries fund to the department of corrections — general fees fund.

(f) On July 1, 2005, the day reporting center state match account of the state general fund of the department of corrections is hereby redesignated as the day reporting center account of the state general fund of the department of corrections.

Sec. 130.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$27,499,381
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Management information systems..... \$1,129,994
Provided, That any unencumbered balance in the management information systems account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Kansas juvenile correctional complex facility operations..... \$14,459,727
Provided, That any unencumbered balance in the Kansas juvenile correctional complex account in excess of \$100 as of June 30, 2005, and any unencumbered balance in the Topeka juvenile correctional facility operations account in excess of \$100 as of June 30, 2005, are hereby reappropriated to the Kansas juvenile correctional complex facility operations account for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$288,177 except upon approval of the state finance council: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 and amendments thereto.

Atchison juvenile correctional facility operations \$5,913,025
Provided, That any unencumbered balance in the Atchison juvenile correctional facility operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 and amendments thereto.

Beloit juvenile correctional facility operations \$4,463,738
Provided, That any unencumbered balance in the Beloit juvenile correctional facility operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 and amendments thereto.

Larned juvenile correctional facility operations..... \$7,761,839
Provided, That any unencumbered balance in the Larned juvenile correctional facility operations account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto.

(b) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2006, the following:

(continued)

Prevention program grant..... \$5,414,487
Provided, That any unencumbered balance in the prevention program grant account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That all expenditures by the above agency from the prevention program grant account shall be for prevention program grants and evaluation of prevention programs for fiscal year 2006: *Provided further*, That money awarded as grants from this account shall be distributed during fiscal year 2006 on the basis of the average amount of prevention grant awards received for the judicial district during fiscal year 2004 and fiscal year 2005: *And provided further*, That money awarded as grants from this account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

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

Provided, That any unencumbered balance in the intervention and graduated sanctions community grants account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Title XIX fund	No limit
Title IV-E fund	No limit
Juvenile accountability incentive block grant — federal fund	No limit
Juvenile justice delinquency prevention — federal fund	No limit
Juvenile detention facilities fund	\$4,000,000
Juvenile justice fee fund — central office.....	No limit
Juvenile justice federal fund — Atchison juvenile correctional facility	No limit
Juvenile justice federal fund — Beloit juvenile correctional facility	No limit
Juvenile justice federal fund — Larned juvenile correctional facility	No limit
Juvenile justice federal fund — Kansas juvenile correctional complex.....	No limit
Juvenile justice federal fund.....	No limit
Kansas juvenile delinquency prevention trust fund	No limit
Going home — federal fund	No limit
Byrne grant — federal fund.....	No limit
Atchison juvenile correctional facility fee fund.....	No limit
Atchison juvenile correctional facility — elementary and secondary education fund — federal	No limit
Beloit juvenile correctional facility fee fund.....	No limit
Beloit juvenile correctional facility — elementary and secondary education fund — federal	No limit
Larned juvenile correctional facility fee fund	No limit
Kansas juvenile correctional complex fee fund.....	No limit
Kansas juvenile correctional complex improvement fund.....	No limit
Kansas juvenile correctional complex — elementary and secondary education fund — federal	No limit

(d) During the fiscal year ending June 30, 2006, the commissioner of juvenile justice, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2006, from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to another item of appropriation for fiscal year 2006 from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice.

The commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

(e) In addition to the other purposes for which expenditures may be made by the juvenile justice authority from the juvenile detention facilities fund for fiscal year 2006, notwithstanding the provisions of K.S.A. 79-4803 and amendments thereto, the juvenile justice authority is hereby authorized and directed to make expenditures from the juvenile detention facilities fund for fiscal year 2006 for purchase of services.

(f) On July 1, 2005, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4803 and amendments thereto or any other statute, the director of accounts and reports shall transfer \$300,000 from the juvenile detention facilities fund to the state general fund: *Provided*, That the amount transferred from the juvenile detention facilities 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 juvenile justice authority by other state agencies which receive appropriations from the state general fund to provide such services.

(g) On July 1, 2005, the director of accounts and reports shall transfer all moneys in the Topeka juvenile correctional facility fee fund of the juvenile justice authority to the Kansas juvenile correctional complex fee fund of the juvenile justice authority. On July 1, 2005, all liabilities of the Topeka juvenile correctional facility fee fund of the juvenile justice authority are hereby transferred to and imposed on the Kansas juvenile correctional complex fee fund of the juvenile justice authority and the Topeka juvenile correctional facility fee fund of the juvenile justice authority is hereby abolished.

(h) On July 1, 2005, the director of accounts and reports shall transfer all moneys in the Topeka juvenile correctional facility — elementary and secondary education fund — federal of the juvenile justice authority to the Kansas juvenile correctional complex — elementary and secondary education fund — federal of the juvenile justice authority. On July 1, 2005, all liabilities of the Topeka juvenile correctional facility — elementary and secondary education fund — federal of the juvenile justice authority are hereby transferred to and imposed on the Kansas juvenile correctional complex — elementary and secondary education fund — federal of the juvenile justice authority and the Topeka juvenile correctional facility — elementary and secondary education fund — federal of the juvenile justice authority is hereby abolished.

(i) On July 1, 2005, the director of accounts and reports shall transfer all moneys in the juvenile justice federal fund — Topeka juvenile correctional facility of the juvenile justice authority to the juvenile justice federal fund — Kansas juvenile correctional complex of the juvenile justice authority. On July 1, 2005, all liabilities of the juvenile justice federal fund — Topeka juvenile correctional facility of the juvenile justice authority are hereby transferred to and imposed on the juvenile justice federal fund — Kansas juvenile correctional complex of the juvenile justice authority and the juvenile justice federal fund — Topeka juvenile correctional facility of the juvenile justice authority is hereby abolished.

(j) On July 1, 2005, the director of accounts and reports shall transfer all moneys in the Topeka juvenile correctional facility improvement fund of the juvenile justice authority to the Kansas juvenile correctional facility improvement fund of the juvenile justice authority. On July 1, 2005, all liabilities of the Topeka juvenile correctional facility improvement fund of the juvenile justice authority are hereby transferred to and imposed on the Kansas juvenile correctional facility improvement fund of the juvenile justice authority and the Topeka juvenile correctional facility improvement fund of the juvenile justice authority is hereby abolished.

(k) On July 1, 2005, the Topeka juvenile correctional facility KSHIP account of the state general fund of the juvenile justice authority is

hereby redesignated as the Kansas juvenile correctional complex KSIP account of the state general fund of the juvenile justice authority.

(l) No amount of more than \$100,000 may be transferred from one item of appropriation for the fiscal year ending June 30, 2006, from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to another item of appropriation for fiscal year 2006 from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice, except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75- 3711c, and amendments thereto.

(m) During the fiscal year ending June 30, 2006, no expenditures shall be made by the juvenile justice authority from any moneys appropriated by this or other appropriation act of the 2006 regular session from the state general fund or any special revenue fund for fiscal year 2006 for the closure of any juvenile correctional facility under the jurisdiction of the juvenile justice authority or for the consolidation of any such juvenile correctional facility with any other such juvenile correctional facility.

Sec. 131.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$4,152,440

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,250.

Civil air patrol — operating expenditures..... \$27,351

Any unencumbered balance in excess of \$100 as of June 30, 2005, in each of the following accounts is hereby reappropriated for fiscal year 2006: Military activation payments; 2002 ice storm disaster relief.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Conversion of materials and equipment fund — military division..... No limit
- Training and support of title III — federal fund.... No limit
- Emergency management — federal fund matching — equipment fund..... No limit
- Emergency management — federal fund matching — administration fund..... No limit
- Emergency management — RADEF instrument — maintenance — federal fund..... No limit
- State disaster coordination — federal fund..... No limit
- Emergency management — nuclear civil protection — federal fund..... No limit
- Payment of death, disability, and medical benefit claims fund..... No limit
- Expenses under national guard mutual assistance compact fund..... No limit
- Nuclear safety emergency management fee fund ... No limit

Provided, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2006 pursuant to agreements which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act.

Military fees fund — federal..... No limit
Provided, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the military fees fund — federal.

- Homeland security federal fund..... No limit
- State emergency fund allocation — flood relief fund..... No limit
- Emergency management — fee fund..... No limit
- Armories and units general fees fund..... No limit
- Emergency management — disaster fund — federal fund..... No limit
- State emergency fund allocation — several disasters fund..... No limit
- State emergency fund several disasters — summer 2004 fund..... No limit
- Radioactive materials fund..... No limit
- Hazardous materials emergency preparedness federal fund..... No limit
- Civil air patrol — grants and contributions — federal fund..... No limit
- Emergency management performance grant (EMPG) — federal fund..... No limit
- EMPG terrorism consequence management preparedness grant (TCMPA) — federal fund..... No limit
- NG — federal forfeiture fund..... No limit
- Inaugural expense fund..... No limit
- Emergency management indirect cost fee fund..... No limit
- Kansas military emergency relief fund..... No limit

Provided, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the Kansas military emergency relief fund.

Emergency management assistance compact federal fund..... No limit

Sec. 132.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, 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:

Fire marshal fee fund..... \$3,264,893

Provided, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$500.

(continued)

Other federal grants fund..... No limit
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 2006 other than moneys appropriated by this or other appropriation act of the 2005 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.

Gifts, grants and donations fund..... No limit
 Hazardous material program fund..... \$426,920
 Intragovernmental service fund..... No limit
 Liquified petroleum gas fee fund..... \$151,197
 Hazardous materials emergency fund \$250,000

Provided, That expenditures may be made by the state fire marshal from the hazardous materials emergency fund for fiscal year 2006 for the purposes of responding to specific incidences of emergencies related to hazardous materials without prior approval of the state finance council: *Provided, however*, That expenditures from the hazardous materials emergency fund during fiscal year 2006 for the purposes of responding to any specific incidence of an emergency related to hazardous materials without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except that such approval also may be given while the legislature is in session.

(b) On July 1, 2005, and January 1, 2006, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$219,898 from the fire marshal fee fund to the hazardous materials program fund of the state fire marshal.

(c) During the fiscal year ending June 30, 2006, the director of the budget and the director of the legislative research department shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund during fiscal year 2006, and, upon a finding by the director of the budget in consultation with the director of the legislative research department that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2006 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2006 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the hazardous materials emergency fund to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2006 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

Sec. 133.

KANSAS PAROLE BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Parole from adult correctional institutions..... \$439,261

Provided, That any unencumbered balance in the parole from adult correctional institutions account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Sec. 134.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$34,239,866

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$3,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund No limit

Provided, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury and credited to the general fees fund all, except as otherwise provided by law: *Provided further*, That all proceeds from the sale of personal sidearms to retiring troopers and other retiring sworn officers of the Kansas highway patrol, which sales upon retirement are hereby authorized, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the general fees fund: *Provided, however*, That each such sale of a retiring sworn officer's personal sidearm upon retirement shall be for an amount of not less than the replacement cost of the sidearm: *And provided further*, That the Kansas highway patrol is hereby authorized to sell and a trooper or other sworn officer of the Kansas highway patrol who resigns from the Kansas highway patrol to accept employment with a local, state or federal law enforcement agency is hereby authorized to purchase such trooper or other sworn officer's personal sidearm with a trigger lock upon resignation in the same manner as prescribed in this subsection for retiring troopers and sworn officers of the Kansas highway patrol for the amount equal to the total of the replacement cost of the sidearm plus the cost of the trigger lock: *And provided further*, That no sale of a personal sidearm shall be made to any trooper or sworn officer of the Kansas highway patrol upon resignation unless the superintendent of the Kansas highway patrol determines that the employment record and performance evaluations of each such trooper or sworn officer of the Kansas highway patrol is satisfactory: *And provided further*, That all proceeds from the sale of personal sidearms and trigger locks to such resigning troopers and other sworn officers shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the general fees fund.

Homeland security — federal fund No limit

For patrol of Kansas turnpike fund No limit

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

Highway patrol motor vehicle fund No limit

Highway patrol — federal fund..... No limit

Kansas highway patrol state forfeiture fund No limit

Gifts and donations fund..... No limit

Federal forfeiture fund..... No limit

Motor carrier safety assistance program state fund No limit

Provided, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225 and amendments thereto.

Motor carrier safety assistance program — federal fund No limit

Provided, That expenditures shall be made from the motor carrier safety assistance program — federal fund for necessary moving expenses in accordance with K.S.A. 75-3225 and amendments thereto.

COPS grant — federal fund..... No limit

Highway patrol training center clearing fund No limit

Provided, That expenditures may be made from the highway patrol training center clearing fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the highway patrol training center clearing fund.

Highway safety fund No limit

Capitol area security fund..... No limit

Vehicle identification number fee fund No limit

Motor vehicle fuel and storeroom sales fund..... No limit

Provided, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol operations fund..... \$14,034,381

Provided, That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105 and amendments thereto: *Provided further*, That expenditures from this fund for official hospitality shall not exceed \$3,000: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225 and amendments thereto.

Highway patrol training center fund..... No limit

Executive aircraft fund No limit

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

1122 program clearing fund No limit

Special services fund..... No limit

(c) On or before the 10th of each month during the fiscal year ending June 30, 2006, the director of accounts and reports shall trans-

fer from the state general fund to the 1122 program clearing fund interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(d) On July 1, 2005, and January 1, 2006, the director of accounts and reports shall transfer \$325,049 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program state fund of the Kansas highway patrol.

(e) On July 1, 2005, October 1, 2005, January 1, 2006, and April 1, 2006, the director of accounts and reports shall transfer \$3,508,595.25 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2006 and notwithstanding the provisions of K.S.A. 68-416 and amendments thereto or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2006 for support and maintenance of the Kansas highway patrol.

(f) On July 1, 2005, the director of accounts and reports shall transfer \$150,000 from the state highway fund of the department of transportation to the highway safety fund of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(g) On July 1, 2005, the director of accounts and reports shall transfer \$260,000 from the state highway fund of the department of transportation to the general fees fund of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(h) On March 1, 2006, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 74-2136 and amendments thereto or any other statute, the director of accounts and reports shall transfer \$1,000,000 from the Kansas highway patrol motor vehicle fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the Kansas state highway patrol vehicle fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the Kansas highway patrol motor vehicle 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 service and other governmental services which are performed on behalf of the Kansas highway patrol by other agencies which receive appropriations from the state general fund to provide such services.

(i) On July 1, 2005, October 1, 2005, January 1, 2006, and April 1, 2006, the director of accounts and reports shall transfer \$8,079,771.25 from the state highway fund of the department of transportation to the state general fund. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2006 and notwithstanding the provisions of K.S.A. 68-416 and amendments thereto or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2006 for the support and maintenance of the Kansas highway patrol.

(j) On July 1, 2005, the director of accounts and reports shall transfer all moneys in the motor carrier inspection fund to the Kansas highway patrol operations fund. On July 1, 2005, all liabilities of the motor carrier inspection fund are hereby transferred to and imposed on the Kansas highway patrol operations fund and the motor carrier inspection fund is hereby abolished.

(k) On and after the effective date of this act, during the fiscal year ending June 30, 2005, and during the fiscal year ending June 30, 2006, in addition to the other purposes for which expenditures may be made by the Kansas highway patrol and the department of administration from the moneys appropriated from the state general fund or any special revenue fund for fiscal years 2005 and 2006 by

(continued)

this or other appropriation act of the 2005 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures shall be made by the Kansas highway patrol and the department of administration from the moneys appropriated from the state general fund or any special revenue fund for fiscal year 2005 and fiscal year 2006 to adopt policies and procedures for use by officers and employees of the Kansas highway patrol to facilitate and provide for automatic issuance of purchasing contract waivers or exemptions to permit each troop headquarters to purchase automotive parts and supplies from vendors other than those prescribed in existing purchasing contracts in those cases when vendors prescribed in existing purchasing contracts are not located within the five-digit zip code of the troop headquarters.

Sec. 135.

ATTORNEY GENERAL — KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following: Operating expenditures..... \$13,200,171 *Provided*, That any unencumbered balance in the operating expenditures — salaries and wages account in excess of \$100 as of June 30, 2005, and any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, are hereby reappropriated to the operating expenditures account for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state forfeiture fund.....	No limit
Kansas bureau of investigation federal forfeiture fund.....	No limit
Kansas bureau of investigation federal grants fund.....	No limit

Provided, That the above agency is authorized to make expenditures from the Kansas bureau of investigation federal grants fund of any moneys credited to this fund from any individual federal grant if the grant is less than or equal to \$500,000 in the aggregate and the grant does not require the matching expenditure of any moneys in the state treasury during the current or any ensuing fiscal year, other than moneys appropriated by this or other appropriation act of the 2005 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 \$500,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year not appropriated by this or other appropriation act of the 2005 regular session of the legislature.

High intensity drug trafficking area — federal fund.....	No limit
Private detective fee fund.....	\$74,433
Kansas bureau of investigation motor vehicle fund.....	\$89,544

Provided, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*, That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials fee fund..... No limit *Provided*, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation incurred for laboratory tests conducted for noncriminal justice entities, including governmental agencies and private organizations, which testing activity is hereby authorized: *Provided, however*, That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to subsection (a) of K.S.A. 28-176 and amendments thereto shall be for the purposes authorized by subsection (c) of K.S.A. 28-176 and amendments thereto: *Provided further*, That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees for laboratory tests conducted for such noncriminal justice entities: *And provided further*, That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting laboratory tests for such noncriminal justice entities: *And provided further*, That all fees received for such laboratory tests, including all moneys received pursuant to subsection (a) of K.S.A. 28-176 and amendments thereto shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the forensic laboratory and materials fee fund.

KBI general fees fund..... No limit *Provided*, That expenditures may be made from the KBI general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however*, That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; (4) sale and distribution of crime prevention materials: *Provided further*, That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the KBI general fees fund: *And provided further*, That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the KBI general fees fund: *And provided further*, That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the KBI general fees fund: *And provided further*, That expenditures from any moneys received from the division of alcoholic beverage control and credited to the KBI general fees fund may be made by the Kansas bureau of investigation

for all purposes for which expenditures may be made for operating expenditures.

Record check fee fund No limit
Provided, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the record check fee fund: *Provided further*, That expenditures from the record check fee fund may be made only for the expenses of conducting criminal history record checks.

Intergovernmental service fund..... No limit
 (c) On or after July 1, 2005, during fiscal year 2006, upon certification by the director of the budget to the director of accounts and reports, the director of accounts and reports shall transfer \$118,799 from the Kansas bureau of investigation motor vehicle fund to the KBI general fees fund of the Kansas bureau of investigation.

Sec. 136.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Rural health options grant fund..... No limit
 Rural access to emergency devices grant — federal fund No limit
 Emergency medical services operating fund \$1,067,981

Provided, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the emergency medical services operating fund: *And provided further*, That expenditures from the emergency medical services operating fund for the operating costs of the emergency medical services board shall not exceed \$984,416: *And provided further*, That expenditures from the emergency medical services operating fund shall not exceed \$116,250 to provide additional funding to the regional councils: *And provided further*, That, notwithstanding any provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute to the contrary, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*, That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$1,000.

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the board of emergency medical services operating fund for fiscal year 2006 by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made by the emergency medical services board from the board of emergency medical services operating fund for fiscal year 2006 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance

services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants, instructor-coordinators and training officers: *Provided further*, That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants, instructor-coordinators and training officers: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants, instructor-coordinators and training officers who are obtaining a post-secondary education degree: *And provided further*, That expenditures for such grant program from the board of emergency medical services operating fund for fiscal year 2006 shall not exceed \$200,000.

(c) On July 1, 2005, and June 1, 2006, or as soon after each such date as moneys are available, notwithstanding the provisions of K.S.A. 75-1514 and amendments thereto or of any other statute, the director of accounts and reports shall transfer \$500,000 from the emergency medical services operating fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the emergency medical services operating fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the emergency medical services operating 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 emergency medical services board by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 137.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$549,501
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.
 Substance abuse treatment programs..... \$5,274,400
Provided, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund No limit
 Statistical analysis — federal fund..... No limit

Sec. 138.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$10,030,997
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures may be made from this account for expenses incurred in holding the annual meeting: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$5,000: *And provided further*, That the above agency may negotiate and enter into contracts to carry out its functions at the annual meeting: *And provided further*, That such contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30,

(continued)

2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dairy fee fund	No limit
Meat and poultry inspection fee fund	No limit
Wheat quality survey fund	No limit
Entomology fee fund	No limit
Laboratory equipment fund	No limit
Water structures — state highway fund	\$94,570
Soil amendment fee fund	No limit
Agricultural liming materials fee fund	No limit
Weights and measures fee fund	No limit
Water appropriation certification fund	\$675,171
Water resources cost fund	No limit

Provided, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 2004 Supp. 82a-761 through 82a-773 and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the water resources cost fund.

Agriculture seed fee fund	No limit
Chemigation fee fund	No limit
Agriculture statistics fund	No limit
Petroleum inspection fee fund	No limit
Water transfer hearing fund	No limit
Grain commodity commission services fund	No limit
Kansas agricultural remediation board fund	No limit
Kansas agricultural remediation fund	No limit
Warehouse fee fund	No limit
U.S. geological survey cooperative gauge agreement grants fund	No limit

Provided, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*, That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Computer services fund	No limit
Agricultural chemical fee fund	No limit
Feeding stuffs fee fund	No limit
Fertilizer fee fund	No limit
Plant pest emergency response fund	No limit
Pesticide use fee fund	No limit
Geographic information system fee fund	No limit
Egg fee fund	No limit
Fertilizer/pesticide compliance admin fund	No limit
Water structures fund	\$111,200
Meat and poultry inspection fund — federal	No limit
EPA pesticide performance partnership grant fund	No limit
FEMA dam safety fund	No limit
FEMA dam safety No. 2 fund	No limit
FEMA stream mapping fund	No limit
Pest detection and survey — federal fund	No limit
USDA NASS postage fund	No limit
FDA tissue residue fund — federal	No limit
Conversion of materials and equipment fund	No limit
Speciality crop block grant fund	No limit
Publications fee fund	No limit

Provided, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publica-

tion of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-1005 and amendments thereto to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*, That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the publications fee fund.

Other federal grants fund

No limit

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 \$500,000 in the aggregate, and (2) does not require the matching expenditure of any moneys in the state treasury during fiscal year 2006 other than moneys appropriated by this or other appropriation act of the 2005 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 \$500,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during fiscal year 2006, other than moneys appropriated by this or other appropriation act of the 2005 regular session of the legislature: *Provided further*, That no grant for the farmers' assistance, counseling and training program shall be deposited to the credit of this fund.

Civil litigation fee fund

No limit

Provided, That the above agency is authorized to make expenditures from the civil litigation fee fund for costs or other expenses associated with investigation and litigation regarding fraudulent meat sales: *Provided further*, That a portion of the moneys received by the state from fines and other moneys collected as a result of the settlement of fraudulent meat sales cases, as determined by the secretary of agriculture and the attorney general, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the fund by the attorney general.

Information technology fund

No limit

Food safety fund

No limit

Provided, That expenditures may be made from the food safety fund for operating expenditures for the food inspection program and other activities for the regulation of food service establishments, food vending machines, food vending machine companies and food vending machine dealers under the food service and lodging act: *Provided further*, That, notwithstanding the provisions of K.S.A. 36-512 and amendments thereto to the contrary, all moneys received from fees charged and collected by the secretary of agriculture under the food inspection program and other activities for the regulation of food service establishments, food vending machines, food vending machine companies and food vending machine dealers under the food service and lodging act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215 and amendments thereto, deposited in the state treasury and shall be credited to the food safety fund: *And provided further*, That the secretary of agriculture is hereby authorized to make expenditures from the food safety fund for contracts or other agreements with local governments to inspect food service, food processing, grocery or other facilities for which the department of agriculture has inspection authority.

Gifts and donations fund..... No limit
Provided, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the gifts and donations fund.

General fees fund..... No limit
Provided, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the secretary of agriculture is hereby authorized to fix, charge and collect fees in order to recover all or part of the costs incurred for such regulatory program activities and for official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for the regulatory program activity or official hospitality for which such fees are imposed: *And provided further*, That all amounts received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the general fees fund: *And provided further*, That the authority to fix, charge and collect such fees shall not authorize the secretary of agriculture to increase or otherwise change any fee authorized or fixed by any other statute or to fix, charge or collect any new or additional fees for any regulatory program of the Kansas department of agriculture for which fees are authorized or fixed by any other statute.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2006, for the water plan project or projects specified, the following:

Floodplain management.....	\$66,852
Interstate water issues	\$248,859
Subbasin water resources management	\$540,682
Water appropriation subprogram.....	\$181,749

Provided, That, notwithstanding the provisions of K.S.A. 82a-951 and amendments thereto, all moneys in the water appropriation subprogram account of the state water plan fund shall be expended for salaries and wages, including associated employer contributions.

Water use	\$60,018
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(d) During the fiscal year ending June 30, 2006, the secretary of agriculture, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2006 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2006 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

(e) On July 1, 2005, the director of accounts and reports shall transfer \$92,277 from the state highway fund of the department of transportation to the water structures — state highway fund of the Kansas department of agriculture.

Sec. 139.

KANSAS ANIMAL HEALTH DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures.....	\$731,684
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30,

2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Animal disease control fund.....	No limit
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Provided, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Animal dealers fee fund.....	No limit
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Provided, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300.

Veterinary inspection fee fund.....	No limit
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Livestock market brand inspection fee fund.....	No limit
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Livestock brand fee fund.....	No limit
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Provided, That expenditures from the livestock brand fee fund for official hospitality shall not exceed \$250.

Livestock brand emergency revolving fund.....	No limit
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County option brand fee fund	No limit
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Livestock and pseudorabies indemnity fund.....	No limit
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Legal services fund.....	No limit
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Provided, That all moneys received by the animal health department from other state agencies pursuant to one or more interagency agreements for the provision of legal services, which agreements are hereby authorized and directed to be entered into, shall be credited to the legal services fund: *Provided further*, That all expenditures from the legal services fund shall be for contractual legal services to be provided to the animal health department and such other state agencies pursuant to such interagency agreements.

Disease control fund — federal.....	No limit
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Sec. 140.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund	No limit
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Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$10,000.

State fair federal transfer fund.....	No limit
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State fair special cash fund	No limit
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State fair debt service special revenue fund.....	No limit
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(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

State fair debt service.....	\$1,550,044
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Sec. 141.

STATE CONSERVATION COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures.....	\$606,864
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Agency motor pool fund	No limit
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Land reclamation fee fund.....	No limit
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Riparian & wetland areas project — federal fund...	No limit
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Watershed protect approach/WTR RSRCE MGT	
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fund.....	No limit
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Conversion of materials and equipment fund.....	No limit
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(continued)

Buffer participation incentive fund.....	No limit
Riparian participation incentive fund.....	No limit
NRCS contribution agreement 2002 farm bill — federal fund.....	No limit
Environmental improvement incentives fund.....	No limit
Irrigation transition assistance program federal fund.....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2006, for the following water plan project or projects specified, the following:

Land treatment cost share	\$3,495,218
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Provided, That any unencumbered balance in the land treatment cost share account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures from the land treatment cost share account shall be for cost-sharing grants for construction of enduring water conservation structures on privately and publicly owned land in conservation districts which are needed for development and improvement of the quality and quantity of Kansas water resources: *And provided further*, That an amount of not to exceed \$2,720,000 of the initial allocation among conservation districts for such grants for fiscal year 2006 shall be on the basis of allocating 60% of the amount equally among all conservation districts and allocating 40% of the amount to be initially allocated proportionally among all conservation districts on the basis of an index composed of the measurement of nonfederal rural acreage, erosion potential and rainfall in all conservation districts, as determined by the state conservation commission: *And provided further*, That the balance of the initial allocation for such grants for fiscal year 2006 shall be allocated to conservation districts on a priority basis, as determined by the state conservation commission and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise shall not exceed the amount equal to 6% of the approved budget amount for fiscal year 2006 for the land treatment cost share programs account.

Nonpoint source pollution assistance	\$2,799,520
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Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Conservation district aid	\$1,044,000
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Provided, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Watershed dam construction	\$352,499
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Provided, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the state conservation commission: *Provided, however*, That expenditures from this account for such engineering contracts for watershed planning shall not exceed \$50,000.

Kansas water quality buffer initiatives	\$307,157
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Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided further*, That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices under the governor's water quality initiative: *And provided further*, That such expenditures may be made from this account from the approved budget amount for fiscal year 2006 in accordance with contracts, which are hereby authorized to be entered into by the executive director of the state conservation commission on behalf of the commission, for such grants or incentives: *Provided, however*, That expenditures from this account for contractual educational and technical assistance for fiscal year 2006 shall not exceed \$40,000.

Riparian and wetland program.....	\$249,782
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Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(d) During the fiscal year ending June 30, 2006, the executive director of the state conservation commission, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2006 from the state water plan fund for the state conservation commission to another item of appropriation for fiscal year 2006 from the state water plan fund for the state conservation commission: *Provided*, That the executive director of the state conservation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

(e) On July 1, 2005, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$150,000 from the wildlife fee fund of the department of wildlife and parks to the buffer participation incentive fund of the state conservation commission.

(f) On July 1, 2005, the director of accounts and reports shall transfer all moneys in the Kansas natural resource legacy alliance fund to the state general fund and all liabilities of the Kansas natural resource legacy alliance fund are hereby transferred to and imposed on the state general fund and the Kansas natural resource legacy alliance fund is hereby abolished.

Sec. 142.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Water resources operating expenditures	\$1,377,312
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Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$9,340 except upon approval of the state finance council: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$250.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Conversion of materials and equipment fund.....	No limit
Local water project match fund.....	No limit

Provided, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the local water project match fund: *Provided further*, That all moneys credited to this fund shall be used to match state funds for water projects using federal cost-share funds.

Water supply storage assurance fund.....	No limit
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Provided, That any moneys deposited to the credit of the water supply storage assurance fund which are received from a water assurance district shall be credited to a separate subaccount: *Provided further*, That moneys in such subaccounts may be transferred to the water marketing fund for (1) payment to the federal government of annual capital costs of water supply storage in federal reservoirs under the water assurance program act, (2) payment and reimbursement to the water marketing fund for water supply storage space previously paid for with revenue from the water marketing fund, if such storage space has been transferred to the water assurance program, (3) payment to the federal government of annual operation, maintenance and repair costs associated with the water supply storage space dedicated for the use of water assurance districts, and (4) payment and reim-

bursement to the water marketing fund and the state general fund for costs incurred by the state for the administration and enforcement of applicable state laws governing the operations and management of the water assurance program as provided in contracts with water assurance districts: *And provided further*, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2006, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 *et seq.*, and amendments thereto, to supply water to users which is not held under contract in such reservoirs.

State conservation storage water supply fund	\$0
Water marketing fund	No limit
Federal grants and receipts fund	No limit
General fees fund	No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*, That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*, That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the general fees fund.

Water conservation projects fund	\$0
Water plan projects fund	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2006, for the state water plan project or projects specified, the following:

Assessment and evaluation	\$650,602
<i>Provided</i> , That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.	
GIS data base development	\$247,405
<i>Provided</i> , That any unencumbered balance in the GIS data base development account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.	
MOU — storage operations and maintenance	\$409,132
<i>Provided</i> , That any unencumbered balance in the MOU — storage operations and maintenance account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.	
PMIB loan payment for storage	\$237,945
Stream gaging program	\$392,296
Technical assistance to water users	\$246,150
Water planning process	\$313,205
Water resource education	\$60,000
Weather modification program	\$120,000
Kansas water authority	\$37,384

Any unencumbered balance in the federal cost-share programs account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(d) During the fiscal year ending June 30, 2006, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2006 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2006 from the state water plan fund for the Kansas water office: *Provided, however*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

(e) During the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer an amount or amounts specified

by the director of the Kansas water office from the state water plan fund to the water plan projects fund of the Kansas water office, except that such transfers shall only be made upon the approval of the director of the budget. The director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research department.

(f) During the fiscal year ending June 30, 2006, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto. No such loan shall be made unless the terms thereof have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of the legislative research department. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(g) During the fiscal year ending June 30, 2006, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(h) During the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2006, from the water marketing fund to the state general fund, in accordance with the provisions of the state water plan storage act and amendments thereto and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(continued)

(i) On or before July 1, 2006, the director of the Kansas water office shall certify to the director of accounts and reports the amount equal to the aggregate amount of all of the unencumbered balances as of July 1, 2006, or as soon thereafter as moneys are available in each account of the state water plan fund of the department of health and environment, university of Kansas, Kansas department of agriculture, state conservation commission or Kansas water office which is not specifically appropriated or reappropriated for the fiscal year ending June 30, 2007. Upon making such certification to the director of accounts and reports, the director of the Kansas water office shall transmit a copy of such certification to the director of the budget and to the director of the legislative research department. On July 1, 2006, the director of the Kansas water office shall determine and certify to the director of accounts and reports the amount required to be transferred under this subsection from the state water plan fund to the water storage escrow fund to provide for the water storage unfunded liability obligation. Upon receipt of such certification by the director of the Kansas water office, the director of accounts and reports shall transfer the amount certified from the state water plan fund to the water storage escrow fund of the Kansas water office. Upon making such certification to the director of accounts and reports, the director of the Kansas water office shall transmit a copy of such certification to the director of the budget and to the director of the legislative research department. The amount transferred from the state water plan fund to the water storage escrow fund on or after July 1, 2006, under this subsection shall not exceed the amount equal to the aggregate amount of all of the unencumbered balances as of July 1, 2006, in each account of the state water plan fund as certified by the director of the Kansas water office to the director of accounts and reports under this subsection.

(j) On the effective date of this act, the stream gauging program account of the state water plan fund of the Kansas water office is hereby redesignated as the stream gaging program account of the state water plan fund of the Kansas water office.

Sec. 143.

DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures..... \$2,541,365

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Reimbursement for annual licenses issued to national guard members \$60,000

Provided, That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2006 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses: *Provided, however*, That no other hunting or fishing licenses or permits shall be eligible to be paid from this account: *Provided further*, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Reimbursement for annual park permits issued to national guard members..... \$206,000

Provided, That all moneys in the reimbursement for annual park vehicle permits issued to national guard members account shall be

expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2006 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park vehicle permits issued to national guard members account to pay the parks fee fund for such permits: *Provided, however*, That not more than one annual park vehicle permit per family shall be eligible to be paid from this account: *Provided further*, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund..... \$18,392,724

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2006 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2006: *And provided further*, That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Parks fee fund..... \$6,235,724

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2006 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2006: *And provided further*, That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund..... \$690,710

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 2006 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2006: *And provided further*, That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Central aircraft fund No limit

Provided, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies, and for the purchase of state aircraft insurance: *Provided further*, That the secretary of wildlife and parks is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*, That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*, That all fees received for such services shall be credited to the central aircraft fund.

Wildlife and parks nonrestricted fund No limit

Provided, That all moneys received under K.S.A. 32-990, 32-991, 32-

992, 32-993, 32-994 and 32-1173 and amendments thereto, other than moneys restricted by K.S.A. 32-990, 32-991, 32-992, 32-993, 32-994 and 32-1173 and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the wildlife and parks nonrestricted fund: *Provided further*, That expenditures from this fund may be made for federal aid eligible expenditures at the discretion of the secretary of wildlife and parks.

Prairie spirit rails-to-trails fee fund.....	No limit
Nongame wildlife improvement fund.....	No limit
Nongame wildlife improvement fund — federal	No limit
Wildlife conservation fund.....	No limit
Federally licensed wildlife areas fund	No limit
State agricultural production fund.....	No limit
Land and water conservation fund — state.....	No limit
Land and water conservation fund — local.....	No limit
Development and promotions fund.....	No limit
Department of wildlife and parks private gifts and donations fund	No limit
Fish and wildlife restitution fund.....	No limit
Parks restitution fund.....	No limit
Nonfederal grants fund.....	No limit
Other federal grants fund.....	No limit

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 \$750,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2006 other than moneys appropriated by this or other appropriation act of the 2005 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 \$750,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the current or any ensuing fiscal year: *Provided further*, That, subject to the provisions of the other provisos prescribing guidelines for authority to make expenditures from the other federal grants fund, expenditures may be made from the other federal grants fund for capital improvements.

Suspense fund.....	No limit
Employee maintenance deduction clearing fund....	No limit
Cabin revenue fund.....	No limit
Wildlife conservation fund — federal.....	No limit
Boating fund — federal.....	No limit
Wildlife fund — federal.....	No limit
Feed the hungry fund	No limit

(c) In addition to the other purposes for which expenditures may be made by the department of wildlife and parks from the moneys appropriated in the parks fee fund for fiscal year 2006 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made from the parks fee fund for fiscal year 2006 for operating expenditures and capital improvement projects for the purposes of maintaining and repairing the Prairie Spirit rail trail in Allen, Anderson and Franklin counties, including, but not limited to, the expenses of operating of park equipment by employees of the department of wildlife and parks that are assigned to the state park system.

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2006, the following:

Stream monitoring	\$40,000
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Sec. 144. During the fiscal year ending June 30, 2006, no moneys appropriated from the state general fund or any special revenue fund shall be expended by any state agency named in this or other appropriation act of the 2005 regular session of the legislature for the purchase or other acquisition of any seed, forage or mulch that is not certified by the Kansas department of agriculture in accordance with a memorandum of understanding entered into by the Kansas de-

partment of agriculture and the North American weed management association that such seed, forage or mulch meets the standards set forth in the North American weed management forage program: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department of agriculture from moneys appropriated by this or other appropriation act of the 2005 regular session of the legislature from the state general fund or any special revenue funds for fiscal year 2006, expenditures shall be made by the Kansas department of agriculture to provide for staff members of the Kansas department of agriculture, who are qualified to certify seed, forage and mulch to meet any additional or supplemental certification requirements of state agencies, to assist any such additional or supplemental certifications as may be required by any other state agency.

Sec. 145.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund.....	No limit
<i>Provided</i> , That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.	
Special city and county highway fund	No limit
County equalization and adjustment fund	\$2,500,000
Highway special permits fund.....	No limit
Highway bond debt service fund	No limit
Rail service improvement fund	No limit
Transportation revolving fund.....	No limit
Rail service assistance program loan guarantee fund	No limit
Railroad rehabilitation loan guarantee fund	No limit

Provided, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount which the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2005, in satisfaction of liabilities arising from the unconditional guarantee of payment which was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420 and amendments thereto and guaranteed pursuant to K.S.A. 75-5031 and amendments thereto.

Intergency motor vehicle fuel sales fund

No limit
Provided, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas highway patrol: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to the Kansas highway patrol: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be credited to the interagency motor vehicle fuel sales fund.

Coordinated public transportation assistance fund ..	No limit
Public use general aviation airport development fund	No limit
Highway bond proceeds fund.....	No limit
Communication system revolving fund.....	No limit
Other federal grants fund.....	No limit

Provided, That no moneys received by the department of transportation that are highway trust funds or moneys that are received by the department of transportation under federal grants received on an ongoing basis shall be credited to the other federal grants fund.

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2006, from the state highway fund for the fol-

(continued)

lowing specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2006 other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Agency operations \$245,174,432

Provided, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$3,000: *Provided, however*, That expenditures may be made from this account for state aircraft insurance: *Provided further*, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e and amendments thereto.

Conference fees No limit

Provided, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: *Provided further*, That such fees shall be deposited in the state treasury and credited to the conference fees account of the state highway fund: *And provided further*, That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance..... No limit

Claims No limit

Payments for city connecting links \$3,360,000

Federal local aid programs..... No limit

Pre-1992 bond services fees No limit

Construction, remodeling and special maintenance projects for buildings \$0

Provided, That expenditures may be made from the construction, remodeling and special maintenance projects for buildings account of the state highway fund of amounts in unexpended balances as of June 30, 2005, in capital improvement project accounts of projects approved for prior fiscal years: *Provided further*, That expenditures from this account of amounts in such unexpended balances shall be in addition to any expenditure limitation imposed on this account for fiscal year 2006.

Other capital improvements..... No limit

Provided, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2006, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings — rehabilitation and repair \$2,521,032

Buildings — reroofing \$487,250

Buildings — equipment storage sheds \$305,002

Buildings — renovate Emporia construction office..... \$45,000

Buildings — district two window replacement \$85,000

Buildings — tuck-point El Dorado area office..... \$110,450

(d) During the fiscal year ending June 30, 2006, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2006 from the state highway fund for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2006 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each

such certification to the director of the legislative research department.

(e) On April 1, 2006, the director of accounts and reports shall transfer from the motor pool service fund of the department of administration to the state highway fund of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611 and amendments thereto.

(f) During the fiscal year ending June 30, 2006, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund, the director of accounts and reports shall transfer from the state highway fund to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any transfer of money or payment for services during the fiscal year ending June 30, 2006, from the state highway fund to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for the fiscal year ending June 30, 2006.

(h) For the fiscal year ending June 30, 2006, the department of transportation shall prepare and submit along with the documents required under K.S.A. 75-3717 and amendments thereto additional documents that present the revenues, transfers, and expenditures that are considered to be in support of the comprehensive transportation program authorized by K.S.A. 68-2314a *et seq.*, and amendments thereto: *Provided*, That documents shall include both reportable as well as nonreportable and off-budget items that reflect the revenues, transfers and expenditures associated with the comprehensive transportation program.

(i) *Kansas savings incentive program.* (1) In addition to other expenditures authorized by law, expenditures may be made from the agency operations account of the state highway fund appropriated by this act for the fiscal year ending June 30, 2006, by the department of transportation for the following purposes: (A) Salary bonus payments and the cost of non-monetary awards in accordance with the provisions of K.S.A. 2004 Supp. 75-37,105 and amendments thereto, (B) purchase or other acquisition of technology equipment which was included in the budget estimates for fiscal year 2006 submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (C) professional development training including official hospitality: *Provided*, That all such expenditures from such fund for fiscal year 2006 shall be in addition to any expenditure limitation imposed on the agency operations account of the state highway fund for fiscal year 2006: *Provided, however*, That the total amount of such expenditures from the agency operations account of the state highway fund for fiscal year 2006 shall not exceed the amount equal to 50% of the unexpended portion of the amount authorized to be expended from the agency operations account of the state highway fund for fiscal year 2005 for agency operations, as determined by the director of accounts and reports: *Provided further*, That the total cost of all such non-monetary awards to any individual employee during fiscal year 2006 under this subsection shall not exceed \$3,500: *And provided further*, That the total amount of any salary bonus payments to any individual employee during fiscal year 2006 pursuant to subsection (g)(1)(A) of K.S.A. 2004 Supp. 75-37,105 and amendments thereto shall not exceed \$3,500: *And provided further*, That the provisions of this subsection (i)(1) shall apply only to: (A) That portion of the moneys in the agency operations account of the state highway fund from which expenditures may be made for agency operations, and (B) shall not include that portion of moneys which may be expended for other operating expenses in the regular maintenance sub-program.

(2) Any unencumbered balance in excess of \$100 as of June 30, 2005, in any account of any special revenue fund of the department of transportation, which was appropriated by subsection (g)(2) of section 136 of chapter 123 of the 2004 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2005 regular session of the legislature,

is hereby appropriated for the fiscal year ending June 30, 2006, for the purposes authorized in subsection (i)(1) of this section. All expenditures from any such account of any such special revenue fund shall be in addition to any expenditure limitation imposed on such special revenue fund for the fiscal year ending June 30, 2006.

(3) No salary bonus payment paid pursuant to this subsection (i) during fiscal year 2006 shall be compensation, within the meaning of K.S.A. 74-4901 *et seq.*, and amendments thereto, for any purpose under the Kansas public employees retirement system and shall not be subject to deductions for employee contributions thereunder. Each salary bonus payment paid under this section shall be a bonus, as defined by 29 C.F.R. 778, and shall be in addition to the regular earnings which that employee may be entitled or for which the employee may become eligible.

(j) On and after the effective date of this act, during the fiscal year ending June 30, 2005, and during the fiscal year ending June 30, 2006, in addition to the other purposes for which expenditures may be made by the department of transportation and the department of administration from the moneys appropriated from the state general fund or any special revenue fund for fiscal years 2005 and 2006 by this or other appropriation act of the 2005 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures shall be made by the department of transportation and the department of administration from the moneys appropriated from the state general fund or any special revenue fund for fiscal year 2005 and fiscal year 2006 to adopt policies and procedures for use by officers and employees of the department of transportation to facilitate and provide for automatic issuance of purchasing contract waivers or exemptions to permit each subarea shop of the department of transportation to purchase automotive parts and supplies from vendors other than those prescribed in existing purchasing contracts in those cases when vendors prescribed in existing purchasing contracts are not located within the five-digit zip code of the subarea shop.

Sec. 146. *Position limitations.* (a) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2006, made in this or other appropriation act of the 2005 regular session of the legislature for the following agencies shall not exceed the following, except upon approval of the state finance council or pursuant to subsection (b):

Attorney General	94.50
Secretary of State.....	54.00
State Treasurer.....	55.50
Insurance Department	146.70

Provided, That any attorney positions established in the insurance department for the purpose of defense of the workers compensation fund shall be in addition to any limitation imposed on the full-time and regular part-time equivalent number of positions, excluding seasonal and temporary positions, paid from appropriations made for fiscal year 2006 for the department of insurance.

Department of Commerce.....	389.10
Health Care Stabilization Fund Board of Governors.....	16.00
Judicial Council.....	4.00
Kansas Human Rights Commission.....	36.00
State Corporation Commission	214.00
Citizens' Utility Ratepayer Board.....	6.00
Department of Administration.....	802.60
State Board of Tax Appeals.....	26.00
Department of Revenue	1,146.00
Kansas Lottery	87.00
Kansas Racing and Gaming Commission — state racing operations	43.00
Kansas Racing and Gaming Commission — state gaming agency	24.00
Department of Labor.....	634.23

Kansas Commission on Veterans Affairs	557.80
Department of Health and Environment — Division of Health.....	418.00
Department of Health and Environment — Division of Environment	464.00
Department on Aging	208.00
Department of Social and Rehabilitation Services ..	3,981.50
Kansas Neurological Institute	588.20
Larned State Hospital	798.20
Osawatomie State Hospital	398.60
Parsons State Hospital and Training Center.....	467.20
Rainbow Mental Health Facility.....	115.20
Kansas, Inc.....	4.50
Kansas Guardianship Program	12.00
State Library	27.00
Kansas Arts Commission.....	8.00
Kansas State School for the Blind.....	93.50
Kansas State School for the Deaf.....	173.50
State Historical Society.....	134.00
State Board of Regents.....	56.50
Department of Corrections.....	3,103.20
Juvenile Justice Authority.....	675.20
Adjutant General	215.00
State Fire Marshal.....	51.00
Kansas Parole Board.....	3.00
Kansas Highway Patrol.....	826.07
Attorney General — Kansas Bureau of Investigation	207.00
Emergency Medical Services Board	14.00
Kansas Sentencing Commission	7.00
Kansas Department of Agriculture.....	302.50
Kansas Animal Health Department.....	33.00
State Fair Board	23.00
State Conservation Commission	14.00
Kansas Water Office	22.50
Department of Wildlife and Parks	406.50
Department of Transportation	3,237.50

(b) During the fiscal year ending June 30, 2006, the secretary of social and rehabilitation services may increase the position limitation for the department of social and rehabilitation services or for any institution or facility under the general supervision and management of the secretary of social and rehabilitation services by making a corresponding decrease in the position limitation for either the department of social and rehabilitation services or any institution or facility under the general supervision and management of the secretary of social and rehabilitation services. The secretary of social and rehabilitation services shall certify each such increase and corresponding decrease to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the legislative research department and the division of the budget.

(c) During the fiscal year ending June 30, 2006, any full-time and regular part-time positions of the Kansas highway patrol that are for capitol area police officers and capitol area security guards, that are assigned to security for state-owned and controlled properties shall be in addition to any limitation on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the Kansas highway patrol for fiscal year 2006, made in this or other appropriation act of the 2005 regular session of the legislature.

(d) During the fiscal year ending June 30, 2006, the secretary of social and rehabilitation services may authorize the total number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, for the department of social and rehabilitation services that are paid from appropriations for department of social and rehabilitation services for fiscal year 2006 made in this or other appropriation act of the 2005 regular session of the legislature, to temporarily exceed the limitation on the number

(continued)

of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, established for fiscal year 2006 for the department of social and rehabilitation services so long as the total number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, for the department of social and rehabilitation services does not exceed such limitation as of June 30, 2005. The secretary of social and rehabilitation services shall certify each such authorization to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the legislative research department and the division of the budget.

(e) During the fiscal year ending June 30, 2006, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions, for the Kansas bureau of investigation that are paid from appropriations for the attorney general — Kansas bureau of investigation for fiscal year 2006 made in this or other appropriation act of the 2005 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2006 for the attorney general — Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the legislative research department and the division of the budget.

Sec. 147. *Kansas savings incentive program.* (a) In addition to other expenditures authorized by law, expenditures may be made from any account of the state general fund reappropriated by this act for the fiscal year ending June 30, 2006, for any state agency named in this act for the following purposes: (1) Salary bonus payments and the cost of non-monetary awards in accordance with the provisions of K.S.A. 2004 Supp. 75-37,105 and amendments thereto, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for fiscal year 2006 submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (3) professional development training including official hospitality: *Provided, however,* That the total of all such expenditures from such account of the state general fund for fiscal year 2006 shall not exceed the amount equal to 50% of the amount of the unencumbered balance as of June 30, 2005, in such account of the state general fund that is reappropriated for fiscal year 2006 and that is in excess of the amount authorized to be expended for fiscal year 2006 from such reappropriated balance, as determined by the director of accounts and reports: *Provided further,* That the total cost of all such non-monetary awards to any individual employee during fiscal year 2006 that are paid under this subsection plus any amount paid for such awards under subsection (b) shall not exceed \$3,500: *And provided further,* That the total amount of any salary bonus payments to any individual employee pursuant to subsection (g)(1)(A) of K.S.A. 2004 Supp. 75-37,105 and amendments thereto during fiscal year 2006 that are paid under subsection (b) or this subsection shall not exceed \$3,500: *And provided further,* That the provisions of this subsection shall apply only to that portion of any such account from which expenditures may be made for state operations: *And provided further,* That all such expenditures from the reappropriated balance in any such account for the fiscal year 2006 shall be in addition to any expenditure limitation imposed on expenditures from the reappropriated balance in any such account for fiscal year 2006.

(b) In addition to other expenditures authorized by law, expenditures may be made from any special revenue fund appropriated by this act for the fiscal year ending June 30, 2006, for a state agency named in this act for the following purposes: (1) Salary bonus payments and the cost of non-monetary awards in accordance with the provisions of K.S.A. 2004 Supp. 75-37,105 and amendments thereto, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for fiscal year 2006 submitted by

the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (3) professional development training including official hospitality: *Provided,* That all such expenditures from such fund for fiscal year 2006 shall be in addition to any expenditure limitation imposed on such fund or any account thereof for fiscal year 2006: *Provided, however,* That the total amount of such expenditures from such fund for fiscal year 2006 shall not exceed the amount equal to 50% of the unexpended portion of the amount authorized to be expended from such fund for fiscal year 2005 for state operations, as determined by the director of accounts and reports, or, in the case of no limit appropriations, as determined by the director of the budget: *Provided further,* That the total cost of all such non-monetary awards to any individual employee during fiscal year 2006 that are paid under this subsection plus any amount paid for such awards under subsection (a) shall not exceed \$3,500: *And provided further,* That the total amount of any such salary bonus payments to any individual employee pursuant to subsection (g)(1)(A) of K.S.A. 2004 Supp. 75-37,105 and amendments thereto during fiscal year 2006 that are paid under subsection (a) or this subsection shall not exceed \$3,500: *And provided further,* That the provisions of this subsection shall apply only to: (1) That portion of the moneys in each account of a special revenue fund from which portion expenditures may be made for state operations, and (2) that portion of the moneys in a special revenue fund, that does not have any such accounts specified in this or other appropriation act, from which portion expenditures may be made for state operations.

(c) (1) Any unencumbered balance in excess of \$100 as of June 30, 2005, in any account of the state general fund of any state agency named in this act, which was reappropriated by subsection (c)(1) of section 138 of chapter 123 of the 2004 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2005 regular session of the legislature, is hereby reappropriated for the fiscal year ending June 30, 2006, and may be expended for the purposes authorized in subsection (a).

(2) Any unencumbered balance in excess of \$100 as of June 30, 2005, in any account of any special revenue fund of any state agency named in this act, which was appropriated by subsection (c)(2) of section 138 of chapter 123 of the 2004 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2005 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2006, and may be expended for the purposes authorized or specified in subsection (b). All expenditures from any such account of any such special revenue fund shall be in addition to any expenditure limitation imposed on such special revenue fund for fiscal year 2006.

(d) No salary bonus payment paid pursuant to this section during fiscal year 2006 shall be compensation, within the meaning of K.S.A. 74-4901 *et seq.*, and amendments thereto, for any purpose under the Kansas public employees retirement system and shall not be subject to deductions for employee contributions thereunder. Each salary bonus payment paid under this section shall be a bonus, as defined by 29 C.F.R. 778, and shall be in addition to the regular earnings which that employee may be entitled to or for which the employee may become eligible.

(e) The provisions of this section shall not apply to any state agency named in section 79 of this act or to the department of transportation.

Sec. 148. (a) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2005 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 to provide a military pay differential for officers or employees of the state agency who are called or have been called to active military duty on or after September 11, 2001: *Provided, however,* That all such expenditures

shall be made in accordance with and subject to the procedures, guidelines, limitations and restrictions, including the eligibility conditions, prescribed in executive directive no. 05-356.

(b) As used in this section, "state agency" means any state agency in the executive branch, legislative branch or judicial branch of state government.

Sec. 149. (a) In addition to the other purposes for which expenditures may be made by the governor's department from the governor's department account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the governor's department from the governor's department account of the state general fund for fiscal year 2006:

(1) For an additional amount of biweekly compensation for the governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,944.11 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, and ending before December 4, 2005, and

(2) for an additional amount of biweekly compensation for the governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,992.81 per biweekly pay period for each biweekly pay period commencing on or after December 4, 2005, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the governor for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(b) In addition to the other purposes for which expenditures may be made by the lieutenant governor from the operations account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the lieutenant governor from the operations account of the state general fund for fiscal year 2006:

(1) For an additional amount of biweekly compensation for the lieutenant governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$1,115.58 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, and ending before December 4, 2005, and

(2) for an additional amount of biweekly compensation for the lieutenant governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$1,129.36 per biweekly pay period for each biweekly pay period commencing on or after December 4, 2005, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (b) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the lieutenant governor for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(c) In addition to the other purposes for which expenditures may be made by the secretary of state from the operating expenditures account of the state general fund and one or more special revenue funds for the fiscal year ending June 30, 2006, expenditures shall be made by the secretary of state from the operating expenditures account of the state general fund and one or more special revenue funds for fiscal year 2006:

(1) For an additional amount of biweekly compensation for the secretary of state equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,063.99 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, and ending before December 4, 2005, and

(2) for an additional amount of biweekly compensation for the secretary of state equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,101.81 per biweekly pay

period for each biweekly pay period commencing on or after December 4, 2005, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (c) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the secretary of state for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(d) In addition to the other purposes for which expenditures may be made by the attorney general from the operating expenditures account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the attorney general from the operating expenditures account of the state general fund for fiscal year 2006:

(1) For an additional amount of biweekly compensation for the attorney general equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,523.50 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, and ending before December 4, 2005, and

(2) for an additional amount of biweekly compensation for the attorney general equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,567.00 per biweekly pay period for each biweekly pay period commencing on or after December 4, 2005, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (d) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the attorney general for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(e) In addition to the other purposes for which expenditures may be made by the state treasurer from one or more special revenue funds for the fiscal year ending June 30, 2006, expenditures shall be made by the state treasurer from one or more special revenue funds for fiscal year 2006:

(1) For an additional amount of biweekly compensation for the state treasurer equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,063.99 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, and ending before December 4, 2005, and

(2) for an additional amount of biweekly compensation for the state treasurer equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,101.81 per biweekly pay period for each biweekly pay period commencing on or after December 4, 2005, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (e) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the state treasurer for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(f) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance department service regulation fund for the fiscal year ending June 30, 2006, expenditures shall be made by the insurance department from the insurance department service regulation fund for fiscal year 2006:

(1) For an additional amount of biweekly compensation for the commissioner of insurance equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,063.99 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, and ending before December 4, 2005, and

(2) for an additional amount of biweekly compensation for the commissioner of insurance equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,101.81 per biweekly pay

(continued)

period for each biweekly pay period commencing on or after December 4, 2005, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (f) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the commissioner of insurance for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(g) (1) In addition to the other purposes for which expenditures may be made by each state agency from appropriations made for the fiscal year ending June 30, 2006, expenditures shall be made by each state agency from the appropriations made for fiscal year 2006:

(A) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$82.12 per calendar day for each member of a board for any calendar day occurring on or after June 5, 2005, and before December 4, 2005, for which per diem compensation is payable to such member of a board under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2006, and

(B) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of a board for any calendar day occurring on or after December 4, 2005, for which per diem compensation is payable to such member of a board under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (g) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such member of a board for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, is payable and which are chargeable to fiscal year 2006.

(2) As used in this subsection (g), (A) "state agency" means any state agency of the executive branch of state government (i) which has appropriations made for the fiscal year ending June 30, 2006, by this act or any other appropriation act of the 2005 regular session of the legislature, and (ii) which is, or which makes expenditures for, any board; and

(B) "board" means any board, commission, committee, task force, panel or other body in the executive branch of state government, including any advisory body, having one or more members who are entitled to receive per diem compensation for attendance at meetings of such body, or attendance at meetings authorized by such body of a subcommittee or other subsidiary group of such body, as provided in K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto.

(h) In addition to the other purposes for which expenditures may be made by the Kansas turnpike authority for the period commencing June 5, 2005, and ending June 30, 2006, expenditures shall be made by the Kansas turnpike authority for such period:

(1) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$82.12 per calendar day for each member of the Kansas turnpike authority for any calendar day occurring on or after June 5, 2005, and before December 4, 2005, for which per diem compensation is payable to such member of the Kansas turnpike authority under K.S.A. 68-2003 and amendments thereto who is entitled, in accordance with K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem

compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the Kansas turnpike authority for any calendar day occurring on or after December 4, 2005, for which per diem compensation is payable to such member of the Kansas turnpike authority under K.S.A. 68-2003 and amendments thereto who is entitled, in accordance with K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (h) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such member of the Kansas turnpike authority for the appropriate pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, and prior to July 1, 2006, is payable by the Kansas turnpike authority.

(i) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2006:

(1) (A) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$82.12 per calendar day for each member of the legislature for service at the regular session or any special session of the legislature for any calendar day occurring on or after June 5, 2005, and before December 4, 2005; and

(B) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the legislature for service at the regular session or any special session of the legislature for any calendar day occurring on or after December 4, 2005, which is chargeable to fiscal year 2006; and

(2) (A) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$82.12 per calendar day for each member of the legislature and for any other public officer or person for any calendar day occurring on or after June 5, 2005, and before December 4, 2005, for which per diem compensation is payable from appropriations for the legislature to such member of the legislature, public officer or person under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2006; and

(B) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the legislature and for any other public officer or person for any calendar day occurring on or after December 4, 2005, for which per diem compensation is payable from appropriations for the legislature to such member of the legislature, public officer or person under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (i) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislature, public officials and persons for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, is payable and which are chargeable to fiscal year 2006.

(j) (1) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the legislature from

the operations (including official hospitality) account of the state general fund for fiscal year 2006 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a and amendments thereto, an aggregate amount of allowance (A) of \$328.05 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2006 and for each of the 14 ensuing two-week periods thereafter, and (B) of \$332.10 for the two-week period which coincides with the biweekly payroll period which includes April 1, 2006, which is chargeable to fiscal year 2006 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2006, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (j)(1) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (j)(1) and which are chargeable to fiscal year 2006.

(2) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2007, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2007 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a and amendments thereto, an aggregate amount of allowance of \$332.10, except as otherwise provided in this subsection (j)(2), for (A) the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2007 and for each of the 14 ensuing two-week periods thereafter, and (B) for the two-week period which coincides with the biweekly payroll period which includes April 1, 2007, which is chargeable to fiscal year 2007 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2007, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That, if the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for the payroll periods chargeable to the fiscal year ending June 30, 2007, then the aggregate amount of allowance payable under this subsection (j)(2) for the two-week period which coincides with the first biweekly pay period that such increase is effective and each of the two-week periods thereafter, which are chargeable to fiscal year 2007 and for which such allowance is payable under this subsection (j)(2), shall be increased by an amount computed by multiplying the average of the percentage increases in all steps of such pay plan by the aggregate amount of allowance otherwise payable under this subsection (j)(2): *Provided further*, That all expenditures under this subsection (j)(2) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (j)(2) and which are chargeable to fiscal year 2007.

(k) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2006 for an additional amount of biweekly compensation for the following legislative officers equal to the amount required to provide, along with the amount of biweekly com-

ensation otherwise payable, an aggregate amount of compensation per biweekly pay period for such legislative officers as follows:

(1) For the president of the senate and the speaker of the house of representatives equal to the amount required to provide (A) an aggregate amount of \$500.16 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, and ending before December 4, 2005, and (B) an aggregate amount of \$506.34 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 4, 2005, which is chargeable to fiscal year 2006;

(2) for the speaker pro tem of the house of representatives, the vice president of the senate, the assistant majority leaders of the senate and house of representatives, and the assistant minority leaders of the senate and house of representatives equal to the amount required to provide (A) an aggregate amount of \$255.28 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, and ending before December 4, 2005, and (B) an aggregate amount of \$258.43 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 4, 2005, which is chargeable to fiscal year 2006;

(3) for the chairperson of the senate committee on ways and means and the chairperson of the house of representatives committee on appropriations equal to the amount required to provide (A) an aggregate amount of \$402.23 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, and ending before December 4, 2005, and (B) an aggregate amount of \$407.19 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 4, 2005, which is chargeable to fiscal year 2006;

(4) for the majority leaders of the senate and house of representatives equal to the amount required to provide (A) an aggregate amount of \$451.23 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, and ending before December 4, 2005, and (B) an aggregate amount of \$456.80 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 4, 2005, which is chargeable to fiscal year 2006; and

(5) for the minority leaders of the senate and house of representatives equal to the amount required to provide (A) an aggregate amount of \$451.23 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, and ending before December 4, 2005, and (B) an aggregate amount of \$456.80 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 4, 2005, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (k) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to such legislative officers under K.S.A. 46-137b and amendments thereto for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(l) In addition to the other purposes for which expenditures may be made by the legislative coordinating council from the legislative coordinating council — operations account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the legislative coordinating council from the legislative coordi-

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nating council — operations account of the state general fund for fiscal year 2006 for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (1) an aggregate amount of compensation of \$82.12 per calendar day for each member of the legislative coordinating council for any calendar day occurring on or after June 5, 2005, and before December 4, 2005, for which per diem compensation is payable from appropriations for the legislative coordinating council under K.S.A. 46-1209 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (2) an aggregate amount of compensation of \$83.14 per calendar day for each member of the legislative coordinating council for any calendar day occurring on or after December 4, 2005, for which per diem compensation is payable from appropriations for the legislative coordinating council under K.S.A. 46-1209 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (l) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislative coordinating council for the bi-weekly pay periods for which such per diem compensation is payable for calendar days occurring on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(m) In addition to the other purposes for which expenditures may be made by the division of post audit from the operations (including legislative post audit committee) account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the division of post audit from the operations (including legislative post audit committee) account of the state general fund for fiscal year 2006:

(1) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$82.12 per calendar day for each member of the legislative post audit committee for any calendar day occurring on or after June 5, 2005, and before December 4, 2005, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1104 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (B) an aggregate amount of compensation of \$83.14 per calendar day for each member of the legislative post audit committee for any calendar day occurring on or after December 4, 2005, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1104 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2006; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$82.12 per calendar day for each member of the contract audit committee for any calendar day occurring on or after June 5, 2005, and before December 4, 2005, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1120 and amendments thereto to such member as provided in K.S.A. 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (B) an aggregate amount of compensation of \$83.14 per calendar day for each member of the contract audit committee for any calendar day occurring on or after December 4, 2005, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1120 and amendments thereto to such member as provided in K.S.A. 75-3223 and amendments thereto at

the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (m) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislative post audit committee or contract audit committee for the biweekly pay periods for which such per diem compensation is payable for calendar days occurring on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(n) In addition to the other purposes for which expenditures may be made by the judicial branch from the judiciary operations account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the judicial branch from the judiciary operations account of the state general fund for fiscal year 2006:

(1) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$82.12 per calendar day for each member of the advisory council on dispute resolution for any calendar day occurring on or after June 5, 2005, and before December 4, 2005, for which per diem compensation is payable to such member of the advisory council on dispute resolution under K.S.A. 5-505 and amendments thereto who is entitled, in accordance with subsection (e) of K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (B) an aggregate amount of compensation of \$83.14 per calendar day for each member of the advisory council on dispute resolution for any calendar day occurring on or after December 4, 2005, for which per diem compensation is payable to such member of the advisory council on dispute resolution under K.S.A. 5-505 and amendments thereto who is entitled, in accordance with subsection (e) of K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2006; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$82.12 per calendar day for each retired justice or judge who performs judicial service or duties under K.S.A. 20-2616 and amendments thereto for each calendar day occurring on or after June 5, 2005, and before December 4, 2005, for which per diem compensation is payable to such retired justice or judge under K.S.A. 20-2616 and amendments thereto, and (B) an aggregate amount of compensation of \$83.14 per calendar day for each retired justice or judge who performs judicial service or duties under K.S.A. 20-2616 and amendments thereto for each calendar day occurring on or after December 4, 2005, for which per diem compensation is payable to such retired justice or judge under K.S.A. 20-2616 and amendments thereto, and is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (n) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the advisory council on dispute resolution or to such retired justices or judges for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, is payable and which are chargeable to fiscal year 2006.

(o) In addition to the other purposes for which expenditures may be made by the judicial council from the operating expenditures account of the state general fund and one or more special revenue funds for the fiscal year ending June 30, 2006, expenditures shall be made by the judicial council from the operating expenditures account of the state general fund for fiscal year 2006 for:

(1) an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compen-

sation of \$82.12 per calendar day for each member of the judicial council and for each regularly appointed member of a special committee of the judicial council who is not a member of the judicial council for any calendar day occurring on or after June 5, 2005, and before December 4, 2005, for which per diem compensation is payable to such member of the judicial council or a special committee thereof under K.S.A. 20-2206 and amendments thereto at the rate of compensation in accordance with K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto; and

(2) an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the judicial council and for each regularly appointed member of a special committee of the judicial council who is not a member of the judicial council for any calendar day occurring on or after December 4, 2005, for which per diem compensation is payable to such member of the judicial council or a special committee thereof under K.S.A. 20-2206 and amendments thereto at the rate of compensation in accordance with K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (o) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the judicial council or special committees thereof for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, is payable and which are chargeable to fiscal year 2006.

(p) In accordance with appropriations for the fiscal year ending June 30, 2006, made by this or other appropriation act of the 2005 regular session of the legislature, the governor is hereby authorized and directed to modify the pay plan for fiscal year 2006 in accordance with this subsection (p) and to adopt such pay plan as so modified. The existing pay plan for fiscal year 2005 shall be modified to provide (1) for an increase of 1.25% in the pay rates of such pay plan for each biweekly payroll period commencing on or after June 5, 2005, and ending before December 4, 2005, which is chargeable to fiscal year 2006, and (2) for an additional increase of 1.25% in the pay rates of such pay plan for each biweekly payroll period commencing on or after December 4, 2005, which is chargeable to fiscal year 2006. The pay plan adopted by the governor under this subsection (p) shall be the pay plan for the classified service under the Kansas civil service act and shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2006. Such pay plan shall be subject to modification and approval as provided under K.S.A. 75-2938 and amendments thereto and to any enactment of the legislature applicable thereto.

(q) In addition to the other purposes for which expenditures may be made by state agencies from one or more accounts of the state general fund and one or more special revenue funds in accordance with appropriations for the fiscal year ending June 30, 2006, made by this or other appropriation act of the 2005 regular session of the legislature for additional amounts of compensation for state officers and employees in accordance with the following:

(1) The governor is hereby authorized to modify or authorize the modification of the salaries of state officers and employees who are in the unclassified service under the Kansas civil service act and whose salaries are subject to approval by the governor under K.S.A. 75-2935b or 75-2935c and amendments thereto to provide for base salary increases, to be effective on the first day of the first payroll period which commences on or after June 5, 2005, and which is chargeable to the fiscal year ending on June 30, 2006, for which the base salary increase is authorized in accordance with this subsection (q)(1), and to be distributed from a salary increase pool: *Provided*, That (A) for each biweekly payroll period commencing on or after June 5, 2005, and ending before December 4, 2005, which is chargeable to fiscal year 2006, the average of such increases shall not exceed

1.25% of the base salaries of such officers and employees, and (B) for each biweekly payroll period commencing on or after December 4, 2005, which is chargeable to fiscal year 2006, the average of such increases shall not exceed an additional 1.25% of the base salaries of such officers and employees; and

(2) each elected state official of the executive branch of state government, including the state board of education, and the board of directors of the Kansas technology enterprise corporation, Kansas, Inc., the state board of regents and the board of trustees of the Kansas public employees retirement system, in each such official, corporation or board's discretion, are hereby authorized to modify or to authorize the modification of the salaries of the state officers and employees of such official, corporation or board, who are in the unclassified service under the Kansas civil service act and whose salaries are not subject to approval by the governor under K.S.A. 75-2935b and amendments thereto, to provide for base salary increases to be effective on the first day of the first payroll period which commences on or after June 5, 2005, and which is chargeable to the fiscal year ending June 30, 2006, for which the base salary increase is authorized in accordance with this subsection (q)(2), and to be distributed from a salary increase pool: *Provided*, That (A) for each biweekly payroll period commencing on or after June 5, 2005, and ending before December 4, 2005, which is chargeable to fiscal year 2006, the average of such increases shall not exceed 1.25% of the base salaries of such officers and employees of such official, corporation or board, and (B) for each biweekly payroll period commencing on or after December 4, 2005, which is chargeable to fiscal year 2006, the average of such increases shall not exceed an additional 1.25% of the base salaries of such officers and employees of such official, corporation or board. The provisions of this subsection (q)(2) shall not authorize or provide any salary increase for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance, or attorney general, or for any member of any state board, commission, council or committee receiving per diem compensation as provided by statute.

Sec. 150. (a) On July 1, 2005, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer the amount in each special revenue fund of each state agency in state government that is appropriated for the fiscal year ending June 30, 2006, by this or other appropriation act of the 2005 regular session of the legislature, and that is determined by the director of the budget as the aggregate amount of money in such special revenue fund representing the reduced expenditures in the amounts budgeted for salaries and wages and associated employer payroll contributions that are no longer required for that purpose and certified by the director of the budget to the director of accounts and reports, from such special revenue fund to the state general fund: *Provided*, That, in making each such certification, the director of the budget shall take into account the maximum prescribed by subsection (b), the approved budget for fiscal year 2006 and such other factors, limitations and considerations as are deemed applicable or appropriate by the director of the budget with respect to the particular special revenue fund and the state agency that is involved: *Provided further*, That, at the same time that each such certification is made by the director of the budget to the director of accounts and reports under this subsection (a), 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 amount transferred from each such special revenue fund to the state general fund pursuant to this subsection (a) 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.

(b) The aggregate of all of the amounts transferred from all such special revenue funds of state agencies in state government to the

(continued)

state general fund pursuant to subsection (a), shall not exceed \$7,800,000.

(c) The provisions of this section shall not apply to: (1) The health care stabilization fund of the health care stabilization fund board of governors; (2) any moneys held in trust in a trust fund or any other special revenue fund of any state agency; or (3) any moneys received from any agency or authority of the federal government or from any other federal source.

Sec. 151. Notwithstanding the provisions of K.S.A. 77-151 and K.S.A. 2004 Supp. 77-138 and 77-165, and amendments thereto, no state agency shall make expenditures for fiscal year 2006 to provide and deliver a full set of hardbound Kansas Statutes Annotated to each member of the legislature for the 2006 regular session: *Provided, however*, That new members of the legislature and any member of the legislature who requests a set from the secretary of state on or before July 1, 2005, shall be entitled to receive one full set of hardbound Kansas Statutes Annotated, including any reissued hardbound volumes and one set of Kansas Statutes Annotated supplements, and expenditures shall be made for fiscal year 2006 to provide and deliver a full set of hardbound Kansas Statutes Annotated to each new member and any requesting member of the legislature, including any reissued hardbound volumes and one set of Kansas Statutes Annotated supplements: *Provided further*, That expenditures shall be made for fiscal year 2006 to provide and deliver to each returning member of the legislature one set of Kansas Statutes Annotated supplements and any reissued hardbound volumes for the 2006 regular session subject to the provisions of this section.

Sec. 152.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital improvements fund No limit

(b) On or before the 10th of each month during the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Sec. 153.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2006, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects \$1,406,300

Provided, That the secretary of social and rehabilitation services is hereby authorized to transfer moneys during fiscal year 2006 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01 or 76-12a18 and amendments thereto, for projects approved by the secretary of social and rehabilitation services: *Provided further*, That expenditures also may be made from this account during fiscal year 2006 for the purposes of rehabilitation and repair for facilities of the department of social and rehabilitation services other than any institution, as defined by K.S.A. 76-12a01 or 76-12a18 and amendments thereto.

Debt service — new state security hospital \$3,200,587
Debt service — state hospitals rehabilitation and repair \$1,830,225

(b) In addition to the purposes for which expenditures may be made by the above agency from the other state fees fund for fiscal year 2006, expenditures may be made by the above agency from the

other state fees fund for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Area office rehabilitation and repair \$300,000

Provided, That expenditures from the area office rehabilitation and repair account shall be in addition to any expenditure limitation imposed on the other state fees fund for fiscal year 2006.

Sec. 154.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2006, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects \$188,064

Sec. 155.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2006, for the capital improvement project or projects specified, the following:

Dorm renovation \$805,190

Rehabilitation and repair projects \$180,000

Key card entry system \$108,000

Sec. 156.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Rehabilitation and repair projects \$125,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

(b) There is hereby appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Historical society capital improvements fund No limit

(c) In addition to the other purposes for which expenditures may be made by the above agency from the general fees fund for fiscal year 2006, expenditures may be made by the above agency from the following capital improvement account or accounts of the general fees fund for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Capital improvements No limit

Provided, That all expenditures from each such capital improvement account of the general fees fund shall be in addition to any expenditure limitation imposed on the general fees fund for fiscal year 2006.

Sec. 157.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Insurance building principal and interest payment fund No limit

Insurance department rehabilitation and repair fund No limit

Sec. 158.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities \$200,000

Provided, That any unencumbered balance in the rehabilitation and

repair for state facilities account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Judicial center improvements — debt service	\$100,360
Statehouse improvements — debt service	\$8,451,285
Energy conservation improvements — debt service	\$1,043,516
Judicial center rehabilitation and repair	\$100,000

Provided, That any unencumbered balance in the judicial center rehabilitation and repair account in excess of \$100 as of June 30, 2005, is hereby reappropriated for fiscal year 2006.

Memorial hall passive accessible entrance	\$200,000
Topeka state hospital cemetery memorial	\$50,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund	No limit
State facilities gift fund	No limit
Master lease program fund	No limit
State buildings depreciation fund	\$0
Executive mansion gifts fund	No limit
Topeka state hospital cemetery memorial gift fund	No limit

(c) On the effective date of this act, any unencumbered balance in each of the following capital improvement accounts of the state budget stabilization fund is hereby lapsed: Judicial center improvements; rehabilitation and repair for state facilities; judicial center rehabilitation and repair.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2006, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Motor pool shop — debt service	No limit
Paint and grounds shop — debt service	No limit
Parking improvements and repair	\$95,000

(e) In addition to the other purposes for which expenditures may be made from the building and ground fund for fiscal year 2006, expenditures may be made by the above agency from the building and ground fund for fiscal year 2006 from any unencumbered balance as of June 30, 2005, in each of the following capital improvement accounts of the building and ground fund: Parking improvements and repair: *Provided*, That the expenditures for fiscal year 2006 from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2005: *Provided further*, That all expenditures from the building and ground fund for the fiscal year 2006 from the unencumbered balance in any such account shall be in addition to any expenditure limitation imposed on the building and ground fund for the fiscal year 2006.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2006, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas facilities projects — debt service ...	No limit
Rehabilitation and repair	\$200,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 2006.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2006, expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2006 from the unencumbered balance as of June 30, 2005, in each capital improvement account of the state buildings depreciation fund for one or more projects approved for prior fiscal years: *Provided*, That expenditures from the unencumbered balance in any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2005: *Provided further*, That all expenditures from any such account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 2006.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund for fiscal year 2006, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Landon state office building — debt service	No limit
Memorial hall — debt service	No limit
Docking cooling towers replacement — debt service	No limit
700 Harrison purchase and renovation — debt service	No limit

(i) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service fund for fiscal year 2006, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service fund for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Printing plant — debt service	No limit
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(j) On the effective date of this act, any unencumbered balance in each of the following accounts of the state buildings depreciation fund is hereby lapsed: Docking electrical equipment condition study; capitol complex refrigerant code study.

(k) On July 1, 2005, the 700 Harrison purchase and renovation — debt service account of the state buildings operating fund of the department of administration is hereby redesignated as the Eisenhower building purchase and renovation — debt service account of the state buildings operating fund of the department of administration.

(l) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2005 or for fiscal year 2006 as authorized by chapter 123 or chapter 184 of the 2004 Session Laws of Kansas or by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2005 or for fiscal year 2006 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto to provide additional financing for the capital improvement project to construct, equip, furnish, renovate, reconstruct and repair the state capitol: *Provided*, That such capital improvement project is hereby approved for the department of administration for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the department of administration may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed

(continued)

\$26,900,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds: *And provided further*, That no such bonds shall be issued by the Kansas development finance authority unless the director of the budget has certified to the department of administration and to the Kansas development finance authority that sufficient moneys will be available to make debt service payments for such bonds.

(m) (1) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 to negotiate and enter into an agreement with the city of Topeka, Kansas, to exchange and convey the state real property for the Topeka real property and for the forgiveness and release of the state from any further obligations under the real estate lease agreement with purchase option for the 412-422 South Van Buren property pursuant to this subsection (m): *Provided*, That, for such purposes, the department of administration is hereby authorized to exchange and convey the state real property to the city of Topeka, Kansas, in consideration for (A) the conveyance by the city of Topeka, Kansas, of the Topeka real property to the state, and (B) the forgiveness and release of the state from any further obligations under the real estate lease agreement with purchase option for the 412-422 South Van Buren property: *Provided further*, That any proceeds received by the department of administration on behalf of the state from this transaction shall be deposited in the state treasury and credited to a special revenue fund of the department of administration designated by the secretary of administration: *And provided further*, That the conveyance of real property authorized by this subsection (m) shall not be subject to the provisions of K.S.A. 75-3043a and amendments thereto.

(2) As used in this subsection (m):

(A) "State real property" means the following real property located in Shawnee county, Kansas: Lots 218, 220, 222, 224, 226 and 228 on Southwest Van Buren Street, in the Original Town of Topeka, Kansas, (commonly known as the North One-half of the parking lot on the East side of the 700 block of South Van Buren Street; and

(B) "Topeka real property" means the following real property located in Shawnee county, Kansas: Lots 124, 126, 128, 130, 132, 134, 136, 138, 140, 142 and 144 on Southwest Van Buren Street in the Original Town of Topeka, Kansas (commonly known as 412-422 South Van Buren).

Sec. 159.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation — bond and interest sinking fund	No limit
Lewis field renovation — revenue fund.....	No limit
Memorial union renovation debt service fund	No limit

Sec. 160.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state gen-

eral fund for the fiscal year ending June 30, 2006, for the capital improvement project or projects specified as follows:

Lease payment — Salina aeronautical center (including aeronautical laboratory center).....	\$189,446
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Farrell library renovation/expansion-gifts/donations fund	No limit
Plant science building phase II — special revenue fund	No limit
Engineering complex phase II private gift fund	No limit
Student recreation building repair, equipment & improvement fund.....	No limit
Coliseum/stadium parking repair & improvement fund	No limit
Ackert hall addition — gifts and grants fund.....	No limit

(c) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 2006, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Biological and agricultural engineering research storage building	No limit
Konza prairie preserve storage building.....	No limit
Improvements to grain science value added laboratory	No limit
Construct a materials acoustics laboratory	No limit

(d) In addition to the other purposes for which expenditures may be made by the above agency from the sponsored research overhead fund for fiscal year 2006, expenditures may be made by the above agency from the sponsored research overhead fund for the fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Accelerated testing laboratory garage addition.....	No limit
Accelerated testing laboratory storage/equipment shed	No limit
Salina national gas machinery laboratory.....	No limit

(e) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2005 or fiscal year 2006 as authorized by this or other appropriation act of the 2004 or 2005 regular session of the legislature, expenditures may be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2005 or fiscal year 2006 (1) to raze portions of building no. 025 (Seaton hall); and (2) to raze Salina campus building no. 701.

(f) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or fiscal year 2007 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2006 or fiscal year 2007, or both fiscal years, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project to redevelop, renovate and equip the Jardine apartments: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905 and

amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$102,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the housing system operations fund or any other appropriate funds of Kansas state university.

Sec. 161.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 2006, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2006 for the following capital improvement project or projects:

Validation/fresh meats processing laboratory	No limit
Renovate laboratories in Throckmorton hall	No limit
Warehouse expansion — department of agronomy building.....	No limit
Scandia experiment field office facility	No limit
Equipment/pesticide storage buildings	No limit
Southwest research extension center office/administrative facility	No limit
Equine education and research center	No limit
Southeast agriculture research center buildings	No limit
South central agronomy experiment field office and storage building	No limit
Grain science center	No limit
Agricultural shop buildings — east central Kansas experiment field	No limit
Animal science swine facility	No limit
Construct east Kansas horticulture research center	No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the sponsored overhead research fund for fiscal year 2006, expenditures may be made by the above agency from the sponsored research overhead fund for the fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Southeast agriculture research center buildings	No limit
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(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Greenhouse laboratory construction fund.....	No limit
Horticulture research/education center construction fund	No limit

(d) In addition to the other purposes for which expenditures may be made by Kansas state university extension systems and agriculture research programs from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or fiscal year 2007 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by Kansas state university extension systems and agriculture

research programs from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or fiscal year 2007 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project for greenhouse laboratory construction: *Provided*, That such capital improvement project is hereby approved for Kansas state university extension systems and agriculture research programs for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university extension systems and agriculture research programs may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$1,700,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the Kansas educational building fund or any other appropriate funds.

(e) In addition to the other purposes for which expenditures may be made by Kansas state university extension systems and agriculture research programs from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or fiscal year 2007 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by Kansas state university extension systems and agriculture research programs from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or fiscal year 2007 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project for horticulture research/education center construction: *Provided*, That such capital improvement project is hereby approved for Kansas state university extension systems and agriculture research programs for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university extension systems and agriculture research programs may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$1,500,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the Kansas educational building fund or any other appropriate funds.

Sec. 162.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

(continued)

Student union refurbishing fund	No limit
Twin towers project revenue fund	No limit
Twin towers bond and interest sinking fund	No limit
Twin towers maintenance and equipment reserve fund	No limit

(b) In addition to the other purposes for which expenditures may be made by Emporia state university from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or fiscal year 2007 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by Emporia state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2006 or fiscal year 2007, or both fiscal years, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project to plan, remodel and renovate the Towers residential complex: *Provided*, That such capital improvement project is hereby approved for Emporia state university for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Emporia state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$7,745,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the housing system operations fund or any other appropriate funds of Emporia state university.

Sec. 163.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Kansas polymer research center fund — private gifts.....	No limit
Suspense fund.....	No limit
Armory/classroom/recreation center — federal fund.....	No limit
Armory/classroom/recreation center — private fund.....	No limit
Bonita terrace apartments renovation fund.....	No limit
Horace Mann renovation revenue fund.....	No limit
Overman renovation revenue fund.....	No limit

(b) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2005 or fiscal year 2006 as authorized by this or other appropriation act of the 2004 or 2005 regular session of the legislature, expenditures may be made by Pittsburg state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2005 or fiscal year 2006 to raze the Hughes hall annex.

(c) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 and fiscal year 2008 as authorized by this or other appropriation act of the 2005 regular session of the legislature or as

authorized by any appropriation act of the 2006 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2007 and fiscal year 2008 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project for an armory/classroom/recreation center in conjunction with the adjutant general: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$4,025,763, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund.

Sec. 164.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union renovation revenue fund.....	No limit
Student health facility maintenance, repair, and equipment fee fund.....	No limit
Regents center revenue fund — KDFA D bonds, 1990.....	No limit
Regents center revenue refund project principal and interest — KDFA C bonds, 1997	No limit
Parking facilities surplus fund — KDFA G bonds, 1993.....	No limit

Provided, That the university of Kansas may make expenditures from the parking facilities surplus fund — KDFA G bonds, 1993 for capital improvements to parking lots in addition to the expenditure of other moneys appropriated therefor.

Biosciences research center — special revenue fund.....	No limit
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Provided, That all gifts and grants received for the capital improvement project to construct and equip a biosciences research center, other than those received from the federal government for such capital improvement project, shall be deposited in the state treasury to the credit of the biosciences research center — special revenue fund: *Provided further*, That the above agency may transfer moneys during fiscal year 2006 from the sponsored research overhead fund and from appropriate accounts of the restricted fees fund to this fund for such capital improvement project or for debt service for such capital improvement project.

Multicultural resource center — construction fund.....	No limit
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Provided, That all gifts received for the capital improvement project to construct and equip a multicultural resource center shall be deposited in the state treasury to the credit of the multicultural resource center — construction fund: *Provided further*, That the above agency may transfer moneys during fiscal year 2006 from the appropriate

accounts of the restricted fees fund to this fund for such capital improvement project.

Athletic facilities enhancements special revenue fund K DFA A university proceeds	No limit
Edwards campus facility expansion — special revenue fund	No limit

Provided, That all gifts and grants received for the capital improvement project to expand facilities on the Edwards campus, other than those received from the federal government for such capital improvement project, shall be deposited in the state treasury to the credit of the Edwards campus facility expansion — special revenue fund.

Child care facility operations account fund	No limit
Child care facility student fee account fund	No limit
Continuing education program building acquisition — special revenue fund	No limit
Dole institute gift or grant fund	No limit
Construct student recreation & fitness center — special revenue fund	No limit

Provided, That the university of Kansas may transfer moneys for fiscal year 2006 from appropriate accounts of the restricted fees fund to the construct student recreation and fitness center — special revenue fund for the capital improvement project to construct student recreation and fitness center.

Rehabilitation and repair projects for institutions of higher education fund	No limit
Rehabilitation and repair projects for disability act, etc fund	No limit
Templin hall rebate fund	No limit
Student union addition — university proceeds account K DFA T2 2001 fund	No limit
Edwards campus facility expansion — university proceeds account K DFA K 2002 fund	No limit
Wescoe hall infill construction fund	No limit

Provided, That the university of Kansas may transfer moneys for fiscal year 2006 from the general fees fund to the Wescoe hall infill construction fund for the capital improvement project to infill Wescoe hall.

(b) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2005 or fiscal year 2006 as authorized by this or other appropriation act of the 2004 or 2005 regular session of the legislature, expenditures may be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2005 or fiscal year 2006 to raze building no. 43 — Lindley hall annex.

(c) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or fiscal year 2007 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or fiscal year 2007 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project to construct an addition to the student recreation and fitness center at the university of Kansas: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed

\$6,200,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds of the university of Kansas.

Sec. 165.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Construct and equip nursing education facility — gift and grant fund	No limit
Parking facility revenue fund	No limit
Rehabilitation and repair projects for institutions of higher education fund	No limit
Construct and equip research building fund	No limit
Construct and equip center for health in aging fund	No limit
Construct and equip center for health in aging bond reserve fund	No limit
Construct and equip center for health in aging — gift and grant fund	No limit
Construct and equip research support facility fund	No limit
Construct and equip addition to research support facility — gift and grant fund	No limit
Construct parking facility #3 fund	No limit

Provided, That the university of Kansas medical center may transfer moneys during fiscal year 2006 from appropriate accounts of the parking fees fund to the construct parking facility #3 fund for such capital improvement project.

Construct parking facility #4 fund	No limit
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Provided, That the university of Kansas medical center may transfer moneys during fiscal year 2006 from appropriate accounts of the parking fees fund to the construct parking facility #4 fund for such capital improvement project.

(b) During the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer amounts certified by the chancellor of the university of Kansas from the sponsored research overhead fund to the construct and equip center for health in aging bond reserve fund.

(c) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or for fiscal year 2007 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or for fiscal year 2007 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project to construct parking facility #3: *Provided*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas medical center may make expenditures from the moneys received from the issuance of any such bonds for

(continued)

such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$14,500,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the parking fees fund or any other appropriate funds.

(d) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or fiscal year 2007 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or fiscal year 2007 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project to construct parking facility #4: *Provided*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas medical center may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$7,644,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the parking fees fund or any other appropriate funds.

(e) (1) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 and fiscal year 2007 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 and fiscal year 2007 to assist the state board of regents in the exchange and conveyance of university real property and association real property pursuant to this subsection (e) for the purposes of the capital improvement project for the university of Kansas medical center to construct parking facility #4 as approved by subsection (d).

(2) In addition to the other purposes for which expenditures may be made by the state board of regents from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 and fiscal year 2007 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 and fiscal year 2007 to provide for the exchange and conveyance of university real property and association real property pursuant to this subsection (e) to provide for the capital

improvement project approved for the university of Kansas medical center to construct parking facility #4 as provided in subsection (d).

(3) The state board of regents, for and on behalf of the university of Kansas is hereby authorized to exchange and convey the university real property to the Kansas university endowment association in consideration for the conveyance by the Kansas university association of the association real property to the university of Kansas and to accept such association real property.

(4) The exchange and conveyance of the university real property by the state board of regents under this subsection (e) shall be executed in the name of the state board of regents by the chairperson and executive officer, and shall be delivered upon receipt of a good and sufficient warranty deed from the Kansas university endowment association conveying the association real property. Before any such real property is exchanged and conveyed, the attorney general shall approve the instruments of conveyance of the state board of regents to the Kansas university endowment association and the instruments of conveyance of the Kansas university endowment association to the university of Kansas and shall approve the title to the association real property exchanged and conveyed by the Kansas university endowment association.

(5) The exchange and conveyance of university real property and association real property pursuant to this subsection (e) is incidental to and in facilitation of the capital improvement project approved for the university of Kansas medical center to construct parking facility #4 as provided in subsection (d).

(6) As used in this subsection (e): "University real property" has the meaning ascribed thereto by subsection (e)(1) of section 158 of chapter 123 of the 2004 Session Laws of Kansas; and "association real property" has the meaning ascribed thereto by subsection (e)(2) of section 158 of chapter 123 of the 2004 Session Laws of Kansas.

(f) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or fiscal year 2007 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or fiscal year 2007 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project to construct the ambulatory care facility at the university of Kansas medical center: *Provided*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas medical center may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$42,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds of the university of Kansas medical center.

Sec. 166.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

Aviation research debt service	\$1,308,500
(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:	
On campus parking reserve account fund — K DFA B bonds	No limit
Parking system project — maintenance fund, K DFA revenue bonds.....	No limit
On campus parking principal and interest fund — K DFA B bonds	No limit
Parking system project revenue fund — K DFA bonds	No limit
WSU housing system surplus fund.....	No limit
Regents rehabilitation and repair phase II — K DFA G bonds, 1997 fund.....	No limit

Sec. 167.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2006, for the capital improvement project or projects specified as follows:

Debt service — revenue bonds issued for major re-modeling and new construction projects at state educational institutions	\$15,000,000
Rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education.....	\$15,000,000

Provided, That the state board of regents is hereby authorized to transfer moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects approved by the state board of regents: *Provided, however*, That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Research bond debt service fund.....	No limit
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(c) In addition to the other purposes for which expenditures may be made by the state board of regents from the moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year 2006 or fiscal year 2007 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or fiscal year 2007 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 2004 Supp. 76-783 and amendments thereto to finance scientific research and development facilities, as defined by K.S.A. 2004 Supp. 76-779 and amendments thereto, including capital improvement projects therefor, at Kansas state university, Wichita state university and Pittsburg state university pursuant to the university research and development enhancement act: *Provided*, That, notwithstanding any provisions of K.S.A. 2004 Supp. 76-783 and amendments thereto to the contrary, such bonds and scientific research and development facilities, including capital improvement projects therefor, are hereby approved for the state board of regents for the pur-

poses of the university research and development enhancement act and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 2004 Supp. 76-783 and amendments thereto: *Provided further*, That the state board of regents may make expenditures from the moneys received from the issuance of any such bonds for such scientific research and development facilities, including capital improvement projects therefor, in accordance with the procedures and guidelines authorized and prescribed for scientific research and development facilities pursuant to the university research and development enhancement act: *Provided, however*, That expenditures from the issuance of any such bonds for such scientific research and development facilities, including capital improvement projects therefor, shall not exceed \$5,000,000, plus all amounts required for the costs of bond issuance, costs of interest on the bonds issued for scientific research and development facilities, including capital improvement projects therefor, during the completion of such scientific research and development facilities and projects and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such scientific research and development facilities, including capital improvement projects therefor, shall be financed by appropriations from any appropriate special revenue fund or funds of Kansas state university, Wichita state university, or Pittsburg state university.

Sec. 168.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser — federal fund for fiscal year or years specified, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser — federal fund during the fiscal year or years specified, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service — 1430 Topeka facilities.

For the fiscal year ending June 30, 2006.....	\$67,892
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Provided, That all expenditures from the debt service — 1430 Topeka facilities account shall be in addition to any expenditure limitation imposed on the Wagner Peyser — federal fund for fiscal year 2006: *Provided further*, That all expenditures from the debt service — 1430 Topeka facilities account of the Wagner Peyser — federal fund for fiscal year 2006 shall be made in accordance with the assignment agreement entered into by the department of labor and the department of commerce on July 1, 2004, and all addenda thereto, under which the obligation for bond principal and interest payments for the Kansas Development Finance Authority Lease Revenue Bonds, Series 2002H (State of Kansas — Department of Human Resources Acquisition and Renovation project), dated as of August 15, 2002, issued to finance the costs of the capital improvement projects to remodel the agency headquarters and to purchase a building and parking lot at 1430 Topeka Boulevard in Topeka, Kansas, was assigned to the department of commerce from the department of labor and the bond principal and interest payments for such bonds are to be paid by the department of commerce in accordance with and subject to such assignment agreement and addenda and the applicable bond covenants.

Rehabilitation and repair

For the fiscal year ending June 30, 2006.....	\$228,250
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(b) In addition to the other purposes for which expenditures may be made by the above agency from the WIA — setaside — federal fund for fiscal year or years specified, expenditures may be made by the above agency from the following capital improvement account

(continued)

or accounts of the WIA — setaside — federal fund during the fiscal year or years specified, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service — 1430 Topeka facilities

For the fiscal year ending June 30, 2006..... \$67,893

Provided, That all expenditures from the debt service — 1430 Topeka facilities account shall be in addition to any expenditure limitation imposed on the WIA — setaside — federal fund for fiscal year 2006: Provided further, That all expenditures from the debt service — 1430 Topeka facilities account of the WIA — setaside — federal fund for fiscal year 2006 shall be made in accordance with the assignment agreement entered into by the department of labor and the department of commerce on July 1, 2004, and all addenda thereto, under which the obligation for bond principal and interest payments for the Kansas Development Finance Authority Lease Revenue Bonds, Series 2002H (State of Kansas — Department of Human Resources Acquisition and Renovation project), dated as of August 15, 2002, issued to finance the costs of the capital improvement projects to remodel the agency headquarters and to purchase a building and parking lot at 1430 Topeka Boulevard in Topeka, Kansas, was assigned to the department of commerce from the department of labor and the bond principal and interest payments for such bonds are to be paid by the department of commerce in accordance with and subject to such assignment agreement and addenda and the applicable bond covenants.

Rehabilitation and repair

For the fiscal year ending June 30, 2006..... \$228,250
Sec. 169.

DEPARTMENT OF LABOR

(a) In addition to the other purposes for which expenditures may be made by the above agency from the employment security administration fund for fiscal year 2006, expenditures may be made by the above agency from the employment security administration fund for fiscal year 2006 from moneys made available to the state under section 903 of the federal social security act, as amended: Provided, That expenditures from this fund during fiscal year 2006 of moneys made available to the state under section 903 of the federal social security act, as amended, may be made for the following capital improvement purposes: (1) For major maintenance of existing buildings used by the department of human resources for employment security purposes; (2) for paving, landscaping and acquiring fixed equipment as may be required for the use and operation of such buildings; or (3) for any combination of these purposes: Provided further, That expenditures from this fund for fiscal year 2006 of moneys made available to the state under section 903 of the federal social security act, as amended, for such capital improvement purposes shall not exceed \$53,255 plus the amounts of unencumbered balances as of June 30, 2005, for capital improvement projects approved for fiscal years prior to fiscal year 2006: And provided further, That all expenditures from this fund for any such capital improvement purposes or projects shall be in addition to any expenditure limitation imposed on the employment security administration fund for fiscal year 2006.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Complete remodeling of agency headquarters fund..... No limit

Provided, That the department of labor may make expenditures from the complete remodeling of agency headquarters fund for the capital improvement project to complete remodeling of the agency headquarters.

Remodel department of labor facilities fund..... No limit

Provided, That the department of labor may make expenditures from the remodel department of labor facilities fund for the capital improvement project to improve agency facilities: Provided, however, That expenditures from this fund for such capital improvement project, including necessary furniture and equipment, shall not exceed the amount transferred pursuant to subsection (c) from the complete remodeling of agency headquarters fund to the remodel department of labor facilities fund: Provided further, That no expenditures shall be made from this fund until the proposed project has been reviewed by the joint committee on state building construction.

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

Provided, That the secretary of labor, in consultation with the secretary of administration, is hereby authorized to make expenditures from the employment security administration property sale fund to purchase or acquire by exchange additional real estate to provide space for the unemployment insurance program of the department of labor, including the initiation, planning and completion of capital improvements on such real estate for such purposes: Provided, however, That no expenditures shall be made from this fund for a proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor on such real estate for such purposes, have been reviewed by the joint committee on state building construction.

(c) During the fiscal year ending June 30, 2006, upon the release of each encumbrance of moneys in the complete remodeling of agency headquarters fund, upon certification by the secretary of labor, the director of accounts and reports shall transfer the amount equal to the unexpended balance of each such released encumbrance from the complete remodeling of agency headquarters fund to the remodel department of labor facilities fund.

(d) In addition to the other purposes for which expenditures may be made by the department of labor from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by the department of labor from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project to complete renovation of the agency headquarters, including necessary furniture and equipment: Provided, That such capital improvement project is hereby approved for the department of labor for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: Provided further, That the department of labor may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: Provided, however, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$3,800,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: And provided further, That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of the complete remodeling of agency headquarters fund or as otherwise prescribed by applicable bond covenants and shall be accounted for as prescribed by applicable bond covenants: And provided further, That debt service for any such bonds for such capital improvement project shall be

financed by appropriations from the state general fund or any other appropriate special revenue fund or funds.

(e) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund for fiscal year 2006 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2006 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*, That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*, That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury to the credit of the employment security administration property sale fund of the department of labor: *Provided, however*, That expenditures from such fund shall not exceed the limitation established for fiscal year 2006 by this or other appropriation act of the 2005 regular session of the legislature except upon approval of the state finance council.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2006, expenditures may be made by the above agency from the special employment security fund for fiscal year 2006 for the following capital improvement purpose: Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from this fund for fiscal year 2006 for such capital improvement purpose shall not exceed \$276,134: *Provided further*, That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitation imposed on the special employment security fund for fiscal year 2006.

Sec. 170.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2006, for the capital improvement project or projects specified as follows:

Soldiers' home repair and rehabilitation projects....	\$257,130
Veterans' home repair and rehabilitation projects....	\$100,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Winfield veterans home acquisition and construction fund.....	No limit
Veterans' home federal construction grant fund.....	No limit

Provided, That all moneys received by the above agency as federal grants for the purposes of construction and remodeling at the Kansas veterans' home, which grants are hereby authorized to be applied for and received by the above agency, shall be deposited in the state treasury to the credit of the Veterans' home federal construction grant fund.

Kansas soldiers home construction grant fund..... No limit
Sec. 171.

ATTORNEY GENERAL — KANSAS BUREAU OF INVESTIGATION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, for the capital improvement project or projects specified as follows:

Debt service — headquarters building.....	\$315,958
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(b) In addition to the other purposes for which expenditures may be made from the forensic laboratory and materials fee fund, expenditures may be made by the above agency from the Kansas bureau of investigation forensic laboratory and materials fee fund for the following fiscal years for the capital improvement project, subject to the expenditure limitations prescribed therefor:

KBI west laboratory at Great Bend — renovation	
For the fiscal year ending June 30, 2006.....	\$357,310
For the fiscal year ending June 30, 2007.....	\$138,075
For the fiscal year ending June 30, 2008.....	\$121,947
For the fiscal year ending June 30, 2009.....	\$145,679

Provided, That no expenditures shall be made from the forensic laboratory and materials fee fund for the KBI west laboratory at Great Bend — renovation until such capital improvement project has been reviewed by the joint committee on state building construction.

Sec. 172.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2006, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service — training center — Salina.....	\$510,725
Rehabilitation and repair — training center — Salina	\$50,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the highway patrol training center fund for fiscal year 2006.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2006, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service — vehicle inspection facility — Olathe	\$62,482
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the vehicle identification number fee fund for fiscal year 2006.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2006, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service — Topeka fleet service	\$373,900
Debt service — port weigh stations.....	\$110,863
Replacement of scales	\$241,509

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the Kansas highway patrol operations fund for fiscal year 2006.

(d) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$726,272 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund. In addition to other purposes for

(continued)

which expenditures may be made from the state highway fund during fiscal year 2006 and notwithstanding the provisions of K.S.A. 68-416 and amendments thereto or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2006 for support and maintenance of the Kansas highway patrol.

Sec. 173.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, for the capital improvement project or projects specified as follows:

Debt service — rehabilitation and repair of the statewide armories..... \$1,494,290

(b) In addition to the other purposes for which expenditures may be made by the adjutant general from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 or fiscal year 2007 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2006 or fiscal year 2007, or both fiscal years, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project for an armory/classroom/recreation center in conjunction with Pittsburg state university: *Provided*, That such capital improvement project is hereby approved for the adjutant general for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the adjutant general may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$1,450,711, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund.

Sec. 174.

DEPARTMENT OF WILDLIFE AND PARKS

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

Crawford state fishing lake sewer repair \$14,175

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, for the capital improvement project or projects specified as follows: Any unencumbered balance in excess of \$100 as of June 30, 2005, in each of the following capital improvement accounts of the state general fund is hereby reappropriated for fiscal year 2006: Crawford state fishing lake sewer repair.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2006, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund..... No limit

Provided, That, except in cases of emergencies or other unanticipated projects, all expenditures from the department access road fund for fiscal year 2006 shall be for projects at Crawford state park, Elk City state park, Fall River state park, Eisenhower state park,

Pomona state park, Cross Timbers state park, and Farlington Fish hatchery.

Bridge maintenance fund No limit

(d) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,500,000 from the state highway fund of the department of transportation to the department access road fund of the department of wildlife and parks.

(e) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the department of wildlife and parks.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2006, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Migratory waterfowl propagation and protection fund — wetlands acquisition/ development \$200,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2006.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2006, expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2006 from the unencumbered balance as of June 30, 2005, in each existing capital improvement account of the migratory waterfowl propagation and protection fund: *Provided*, That all expenditures from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2005: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2006.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2006, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Boating fee fund — Coast Guard boating projects \$105,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 2006.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2006, expenditures may be made by the above agency from the boating fee fund for fiscal year 2006 from the unencumbered balance as of June 30, 2005, in each existing capital improvement account of the boating fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2005: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 2006 and shall be in addition to any other expenditure limitation imposed on any such account of the boating fee fund for fiscal year 2006.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal

year 2006, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wildlife fee fund federally mandated boating access	\$75,370
Wildlife fee fund rehabilitation and repair.....	\$150,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 2006.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2006, expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2006 from the unencumbered balance as of June 30, 2005, in each existing capital improvement account of the wildlife fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2005: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 2006.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2006, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife conservation fund for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wildlife conservation fund — wetlands acquisition/ development	\$150,000
Wildlife conservation fund — land acquisition.....	\$500,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife conservation fund for fiscal year 2006.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2006, expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2006 from the unencumbered balance as of June 30, 2005, in each existing capital improvement account of the wildlife conservation fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2005: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife conservation fund for fiscal year 2006 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife conservation fund for fiscal year 2006.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2006, expenditures may be made by the above agency from the parks fee fund for fiscal year 2006 from the unencumbered balance as of June 30, 2005, in each existing capital improvement account of the parks fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2005: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the parks fee fund for fiscal year 2006.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the land and water conservation fund for fiscal year 2006, expenditures may be made by the above agency from the following capital improvement account or accounts of the land and water conservation fund for fiscal year 2006 for the

following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation fund — rehabilitation and repair	\$641,165
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the land and water conservation fund for fiscal year 2006.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the land and water conservation fund for fiscal year 2006 expenditures may be made by the above agency from the unencumbered balance as of June 30, 2005, in each existing capital improvement account of the land and water conservation fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2005: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the nongame wildlife improvement fund for fiscal year 2006 and shall be in addition to any other expenditure limitation imposed on any such account of the land and water conservation fund for the fiscal year 2006.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the other federal grants fund for fiscal year 2006, expenditures may be made by the above agency from the following capital improvement account or accounts of the other federal grants fund for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Prairie spirit trail development	\$812,652
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the other federal grants fund for fiscal year 2006.

(r) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fund — federal for fiscal year 2006, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fund — federal for fiscal year 2006 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wildlife fund — federal boating access projects.....	\$800,000
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife fund — federal for fiscal year 2006.

(s) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fund — federal for fiscal year 2006, expenditures may be made by the above agency from the wildlife fund — federal for fiscal year 2006 from the unencumbered balance as of June 30, 2005, in each existing capital improvement account of the wildlife fund — federal: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2005: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife fund — federal for fiscal year 2006 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife fund — federal for fiscal year 2006.

(t) During the fiscal year ending June 30, 2006, no expenditures shall be made from any moneys appropriated for the department of wildlife and parks from the state general fund or any special revenue fund for construction of any new river access on the Kansas River, unless (1) in any case of a new river access project on the Kansas river to be located wholly or partially outside an incorporated municipality, the secretary of wildlife and parks has obtained the prior written permission for the proposed river access from each owner of each parcel of real property on the river which is immediately adja-

(continued)

cent to the real property upon which the proposed river access project is to be constructed, and, if a parcel of any such immediately adjacent real property is being leased, then the secretary also has obtained the prior written permission for the proposed new river access project from the lessor of such immediately adjacent real property, and (2) in any case of a new river access project on the Kansas river to be located wholly within an incorporated municipality, the secretary has obtained the prior written permission for the proposed new river access project from the governing body of the municipality.

Sec. 175.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2006, for the capital improvement project or projects specified as follows:

Debt service — Topeka complex and Larned juvenile correctional facility..... \$2,205,512

(b) On July 1, 2005, the director of accounts and reports shall transfer all moneys in the Topeka juvenile correctional facility account of the state institutions building fund of the juvenile justice authority to the Kansas juvenile correctional complex account of the state institutions building fund of the juvenile justice authority. On July 1, 2005, all liabilities of the Topeka juvenile correctional facility account of the state institutions building fund of the juvenile justice authority are hereby transferred to and imposed on the Kansas juvenile correctional complex account of the state institutions building fund of the juvenile justice authority and the Topeka juvenile correctional facility account of the state institutions building fund of the juvenile justice authority is hereby abolished.

(c) On July 1, 2005, the Topeka juvenile correctional facility capital improvements — rehabilitation, remodeling, renovation and repair of juvenile correctional facilities account of the state institutions building fund of the juvenile justice authority is hereby redesignated as the Kansas juvenile correctional complex capital improvements — rehabilitation and repair of juvenile correctional facilities account of the state institutions building fund of the juvenile justice authority.

Sec. 176. (a) On or after July 1, 2005, during the fiscal year ending June 30, 2006, the director of accounts and reports shall not make any transfer directed to be made by subsection (f)(2) of K.S.A. 2004 Supp. 75-4265 and amendments thereto from the intergovernmental transfer fund of the department on aging to the senior services trust fund established by K.S.A. 2004 Supp. 75-4266 and amendments thereto.

(b) On or after July 1, 2005, during the fiscal year ending June 30, 2006, the director of accounts and reports shall not make any transfer directed to be made by subsection (f)(2) of K.S.A. 2004 Supp. 75-4265 and amendments thereto from the intergovernmental transfer fund of the department on aging to the long-term care loan and grant fund of the department on aging established by K.S.A. 2004 Supp. 75-4265 and amendments thereto.

(c) On or after July 1, 2005, during the fiscal year ending June 30, 2006, the director of accounts and reports shall not make any transfer directed to be made by subsection (f)(2) of K.S.A. 2004 Supp. 75-4265 and amendments thereto from the intergovernmental transfer fund of the department on aging to the state medicaid match fund — department on aging established by K.S.A. 2004 Supp. 75-4265 and amendments thereto.

(d) On or after July 1, 2005, during the fiscal year ending June 30, 2006, the director of accounts and reports shall not make any transfer directed to be made by subsection (f)(2) of K.S.A. 2004 Supp. 75-4265 and amendments thereto from the intergovernmental transfer fund of the department on aging to the state medicaid match fund — SRS established by K.S.A. 2004 Supp. 75-4265 and amendments thereto.

(e) On or after July 1, 2005, during the fiscal year ending June 30, 2006, the director of accounts and reports shall not make any transfer directed to be made by subsection (f)(2) of K.S.A. 2004 Supp. 75-

4265 and amendments thereto from the intergovernmental transfer fund of the department on aging to the aging — IGT fund of the department on aging.

(f) Commencing on July 1, 2005, or as soon as moneys are available therefor, during the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer to the SRS — IGT fund of the department of social and rehabilitation services, on the dates when the following transfers would have been made under the statute specified, the following: All amounts of money that would have been directed by subsection (f)(2) of K.S.A. 2004 Supp. 75-4265 and amendments thereto to be transferred from the intergovernmental transfer fund of the department on aging to the senior services trust fund, the long-term care loan and grant fund, the state medicaid match fund — department on aging, and the state medicaid match fund — SRS.

Sec. 177. On July 1, 2005, K.S.A. 2004 Supp. 2-223 is hereby amended to read as follows: 2-223. (a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) On each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities. Upon receipt of such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

(c) On each July 1, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund, an amount equal to the amount certified by the state fair board pursuant to subsection (b), except that (1) no transfer from the state general fund under this subsection shall exceed \$300,000 in any fiscal year; and (2) ~~no amount shall be transferred under this section from the state general fund to the state fair capital improvements fund all transfers made in accordance with the provisions of this section during the fiscal year years ending June 30, 2005 2006 and June 30, 2007, shall be considered to be revenue transfers from the state general fund.~~

Sec. 178. On July 1, 2005, K.S.A. 2004 Supp. 55-193 is hereby amended to read as follows: 55-193. On July 15, 1996, and on the 15th day of each calendar quarter thereafter before July 1, 2009, the director of accounts and reports shall transfer \$100,000 from the state general fund, \$100,000 from the state water plan fund established by K.S.A. 82a-951 and amendments thereto and \$100,000 from the conservation fee fund established by K.S.A. 55-143 and amendments thereto to the abandoned oil and gas well fund established by K.S.A. 2004 Supp. 55-192 and amendments thereto, except that: (a) No transfers shall be made pursuant to this section from the state general fund to the abandoned oil and gas well fund during state fiscal year ~~2005~~ year 2006, and (b) the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year ~~2005~~ 2006 shall not exceed ~~\$667,000~~ \$400,000.

Sec. 179. On July 1, 2005, K.S.A. 2004 Supp. 75-2319 is hereby amended to read as follows: 75-2319. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district which is obligated to make payments from its bond and interest fund shall be entitled to

receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. The state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district, except that the state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 5% for contractual bond obligations incurred by a school district prior to the effective date of this act, and 25% for contractual bond obligations incurred by a school district on or after the effective date of this act;

(5) determine the amount of payments in the aggregate that a school district is obligated to make from its bond and interest fund and, of such amount, compute the amount attributable to contractual bond obligations incurred by the school district prior to the effective date of this act and the amount attributable to contractual bond obligations incurred by the school district on or after the effective date of this act;

(6) multiply each of the amounts computed under (5) by the applicable state aid percentage factor; and

(7) add the products obtained under (6). The amount of the sum is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal ~~year years~~ ending June 30, ~~2005~~ 2006 and June 30, 2007, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

Sec. 180. On July 1, 2005, K.S.A. 2004 Supp. 75-6702 is hereby amended to read as follows: 75-6702. (a) The last appropriation bill passed in any regular session of the legislature shall be the omnibus reconciliation spending limit bill. Each bill which is passed during a regular session of the legislature and which appropriates or transfers money from the state general fund for the ensuing fiscal year shall contain a provision that such bill shall take effect and be in force from and after the effective date of the omnibus reconciliation spending limit bill for that regular session of the legislature or from and after such effective date and a subsequent date or an event occurring after such effective date.

(b) Except as provided in subsection (c), the maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the 2004 regular session of the legislature and each regular session of the legislature thereafter, is hereby fixed so that there will be an ending balance in the state general fund for the ensuing fiscal year that is equal to 7½% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year.

(c) The provisions of subsection (b) are hereby suspended for the fiscal year ending June 30, ~~2005~~ 2006, and shall not prescribe a maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the ~~2004~~ 2005 regular session of the legislature.

Sec. 181. On July 1, 2005, K.S.A. 2004 Supp. 76-775 is hereby amended to read as follows: 76-775. (a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 2004 Supp. 76-774 and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either (1) the endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution, or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsection shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal ~~year years~~ ending June 30, ~~2005~~ 2006 and June 30, 2007, shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund which shall be administered by the state board of regents. All moneys transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such eligible educational institutions. The state board of regents shall pay from the faculty of distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be determined by the director of accounts and reports and shall

(continued)

be the amount of interest earnings that the amount of the qualifying gift certified by the state board of regents would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section and amendments thereto for a fiscal year is equal to or greater than \$5,000,000.

Sec. 182. On July 1, 2005, K.S.A. 2004 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts which in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of Kansas Statutes Annotated and acts amendatory thereof and supplemental thereto during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that no moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund during state fiscal year ~~2005~~ years 2006 and 2007. All such transfers are subject to reduction under K.S.A. 75-6704 and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) Sixty-five percent of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201 and amendments thereto on July 1 of the preceding year; and (2) thirty-five percent of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 183. On July 1, 2005, K.S.A. 2004 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts which in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated and acts amendatory thereof and supplemental thereto during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal year ~~2005~~ years 2006 and 2007. All such transfers are subject to reduction under K.S.A. 75-6704 and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 184. On July 1, 2005, K.S.A. 2004 Supp. 79-3425c is hereby amended to read as follows: 79-3425c. (a) On July 15, ~~2004~~ 2005, October 15, ~~2004~~ 2005, February 15, ~~2005~~ 2006, and May 15, ~~2005~~ 2006, on July 15, 2006, October 15, 2006, February 15, 2007, and May 15, 2007, and on each January 15, April 15, July 15 and October

15 of each year thereafter, the director of accounts and reports shall transfer \$625,000 to the county equalization and adjustment fund from the special city and county highway fund and on such dates the state treasurer shall apportion and pay to the several counties of the state 57% of the moneys in the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, and shall apportion and pay to the several cities of the state the remaining 43% of such moneys.

(b) The allocation and payment to each county under the provisions of this section shall be made in the following manner:

First, Each county of the state shall receive a payment of \$5,000;

Second, Of the balance remaining, 44.06% thereof shall be apportioned and paid to each county on February 15, ~~2005~~ 2006, and May 15, ~~2005~~ 2006, on February 15, 2007, and May 15, 2007, and on each January 15 and April 15 of each year thereafter in the proportion that the total amount of money collected in such county from motor vehicle registration fees for the second preceding calendar year bears to the total amount of money collected in all counties from motor vehicle registration fees for the second preceding calendar year, and on July 15 and October 15 of each year in the proportion that the total amount of money collected in such county from motor vehicle registration fees for the preceding calendar year bears to the total amount of money collected in all counties from motor vehicle registration fees for the preceding calendar year;

Third, 44.06% of such balance shall be apportioned and paid to each county on February 15, ~~2005~~ 2006, and May 15, ~~2005~~ 2006, on February 15, 2007, and May 15, 2007, and on each January 15 and April 15 of each year thereafter in the proportion that the average daily vehicle miles traveled in such county for the second preceding calendar year bears to the average daily vehicle miles traveled in all counties of the state for the second preceding calendar year, and on July 15 and October 15 of each year in the proportion that the average daily vehicle miles traveled in such county for the preceding calendar year bears to the average daily vehicle miles traveled in all counties of the state for the preceding calendar year; and

Fourth, the remaining 11.88% of such balance shall be apportioned and paid to each county on February 15, ~~2005~~ 2006, and May 15, ~~2005~~ 2006, on February 15, 2007, and May 15, 2007, and on each January 15 and April 15 of each year thereafter in the proportion that the total road miles in such county for the second preceding calendar year bears to the total road miles in all counties of the state for the second preceding calendar year; and on July 15 and October 15 of each year in the proportion that the total road miles in such county for the preceding calendar year bears to the total road miles in all counties of the state for the preceding calendar year.

If the total amount of money received by any county pursuant to the foregoing distribution formula during the period from July 15 of any year to April 15 of the next succeeding year is less than the total amount received by such county from the special city and county highway fund and the county equalization and adjustment fund for fiscal year 1999, the state treasurer shall apportion and pay to each such county from the county equalization and adjustment fund an amount which together with the amount received pursuant to the foregoing distribution formula will equal the total amount received from the two aforementioned funds during such period of time. In the event that there is insufficient funds in the county equalization and adjustment fund to pay each county the amount to which it is entitled, each county shall receive a payment in the proportion that the amount to which such county is entitled bears to the amount to which all such counties are entitled. If there is money remaining in such fund after such distribution, the state treasurer shall distribute the balance to the several counties in the manner provided in the second and third clauses of the foregoing formula for distributing moneys to counties from the special city and county highway fund.

All payments shall be made to the county treasurers of the respective counties, and upon receipt of the same:

(1) The county treasurers of Sedgwick and Shawnee counties shall credit 50% of the moneys received to the road and bridge fund of

such counties and apportion and pay the remainder of such moneys to the several cities located in such counties;

(2) the county treasurer of Wyandotte county shall credit 10% of the moneys received to the road and bridge fund of such county and apportion and pay the remainder of such moneys to the several cities located in such county;

(3) the county treasurers of Lyon, Cowley, Crawford, Montgomery, Butler, Saline, Leavenworth, Riley, Reno and Douglas counties shall credit 90% of the moneys so received to the road and bridge fund of such counties and apportion and pay the remainder of such moneys to the several cities located in such counties except that no persons residing within the Fort Riley military reservation shall be included or considered in determining the population of any city located within Geary or Riley county; and

(4) the county treasurers of Johnson county and all other counties not listed in paragraphs (1), (2) or (3) shall credit all of the moneys received to the road and bridge fund of such counties.

Not less than 25% of the amount received by each county and credited to the county road and bridge fund under the provisions of this section shall be expended by the county on mail and school bus routes on county roads as defined in K.S.A. 68-101, and amendments thereto. Payments to the cities under the provisions of this subsection shall be in the proportion that the population of each city bears to the total population of all cities located in the same county as such city.

In counties which have not adopted the county-unit road system, the amount of money retained by such counties after distribution to the cities within such county pursuant to this subsection shall be distributed to each township within such county in not less than the proportion that the amount of money received by each township from the county and township road fund during the period from July 1, 1969, to June 30, 1970, bears to the total amount of money received by such county from the county and township road fund, the county road and city street funds, the special motor carrier fee county road fund and the special city and county highway fund during the period from July 1, 1969, to June 30, 1970, plus the amount such county would have received on July 15, 1970, from the special city and county highway fund based on the formula for distributing such fund in effect on June 30, 1970. All payments to townships hereunder shall be made to the treasurers thereof, and all moneys so received shall be deposited in the general road fund of such township.

(c) The allocation and payment of moneys to the several cities of the state from the special city and county highway fund shall be in the proportion that the population of each city bears to the total population of all cities in the state except that the population of any military reservation which has been annexed to a city after the date of December 31, 1981, shall not be included in the population of such city for the purpose of this allocation. All such payments shall be to the city treasurers of the respective cities. Upon receipt of same unless a consolidated street and highway fund is established pursuant to K.S.A. 12-1,119, and amendments thereto, the city treasurer of each city shall credit the same to a separate fund to be used for the construction, reconstruction, alteration, repair and maintenance of the streets and highways of such city and for the payment of bonds, and interest thereon, issued pursuant to K.S.A. 79-3425g, and amendments thereto.

(d) For the purposes of this section, the average daily vehicle miles traveled in each county shall be determined by the secretary of transportation, but it shall not include miles traveled on interstate highways, and the population of each city shall be reported in the annual enumeration by the secretary of agriculture for the preceding calendar year.

(e) In order to reduce vehicular traffic and congestion on its streets and highways, the board of county commissioners of any county, the governing body of any city or the township board of any township may use for the purpose of constructing, repairing and maintaining footpaths and bicycle paths not to exceed 10% of the moneys such government receives under K.S.A. 79-3425c, and amendments

thereto, except that such limitation shall not apply to moneys received by a county that the county is required to distribute to a city or a township. Such moneys shall not be expended on any recreational trail, as defined in subsection (b) of K.S.A. 2004 Supp. 58-3211, and amendments thereto.

Sec. 185. On July 1, 2005, K.S.A. 2004 Supp. 79-3425i is hereby amended to read as follows: 79-3425i. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; and (2) the amount of moneys transferred from the state general fund to the special city and county highway fund during state fiscal year ~~2005~~ years 2006 and 2007 on each such date shall not exceed \$5,031,832. All transfers under this section shall be considered to be demand transfers from the state general fund except that all such transfers during the fiscal year years ending June 30, ~~2005~~ 2006, and June 30, 2007, shall be considered to be revenue transfers from the state general fund.

Sec. 186. On July 1, 2005, K.S.A. 2004 Supp. 82a-953a is hereby amended to read as follows: 82a-953a. During each fiscal year, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, of such amount to be transferred on July 15 and to be transferred on January 15, except that (1) such transfers during each fiscal year commencing after June 30, 2006, are subject to reduction under K.S.A. 75-6704, and amendments thereto, and (2) the amount of moneys transferred from the state general fund to the state water plan fund during state fiscal year ~~2005~~ 2006 on each such date shall not exceed ~~\$1,874,419.50~~ \$2,537,500. All transfers under this section shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal year years ending June 30, ~~2005~~ 2006, and June 30, 2007, shall be considered revenue transfers from the state general fund.

Sec. 187. On July 1, 2005, K.S.A. 2004 Supp. 2-223, 55-193, 75-2319, 75-6702, 76-775, 79-2959, 79-2964, 79-3425c, 79-3425i and 82a-953a are hereby repealed.

Sec. 188. *Appeals to exceed position limitations.* (a) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal years ending June 30, 2005, or ending June 30, 2006, made in chapter 123 or chapter 184 of the 2004 Session Laws of Kansas or in this act or in any other appropriation act of the 2005 regular session of the legislature may be exceeded upon approval of the state finance council.

(b) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2007, made in this act or in any other appropriation act of the 2005 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 189. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the state economic development initiatives fund, the children's initiatives fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any of such funds.

Sec. 190. *Savings.* (a) Any unencumbered balance as of June 30, 2005, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appro-

(continued)

priated or limited by this or other appropriation act of the 2005 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2006, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2006, in any special revenue fund, or account thereof, of any state agency named in section 79 of this act which is not otherwise specifically appropriated or limited for fiscal year 2007 by chapter 123 or chapter 184 of the 2004 Session Laws of Kansas or by this or other appropriation act of the 2005 regular session of the legislature, is hereby appropriated for fiscal year 2007 for the same use and purpose as the same was heretofore appropriated.

(c) This section shall not apply to the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund, or the correctional institutions building fund, or to any account of any of such funds.

Sec. 191. During the fiscal year ending June 30, 2006, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by this or other appropriation act of the 2005 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2006, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority, for the payment of debt service for bonds issued by the Kansas development finance authority, or for any related purpose in accordance with applicable bond covenants.

Sec. 192. *Federal grants.* (a) During the fiscal year ending June 30, 2006, each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated to that state agency by this or other appropriation act of the 2005 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2006, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(b) During the fiscal year ending June 30, 2007, each federal grant or other federal receipt which is received by a state agency named in section 79 of this act and which is not otherwise appropriated to that state agency for fiscal year 2007 by this or other appropriation act of the 2005 regular session of the legislature, is hereby appropriated for fiscal year 2007 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, for fiscal year 2007, until the governor has authorized the state agency to make expenditures from such federal grant or other federal receipt for fiscal year 2007.

(c) In addition to the other purposes for which expenditures may be made by any state agency which is named in this act and which is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2006 by chapter 123 or chapter 184 of the 2004 Session Laws of Kansas or by this or other appropriation act of the 2005 regular session of the legislature to apply for and receive federal grants during fiscal year 2006, which federal grants

are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 193. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2005 regular session of the legislature, and having an unencumbered balance as of June 30, 2005, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2006, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2004.

Sec. 194. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2005 regular session of the legislature and having an unencumbered balance as of June 30, 2005, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2006, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2004.

Sec. 195. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2005 regular session of the legislature and having an unencumbered balance as of June 30, 2005, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2006, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2004.

Sec. 196. Any transfers of money during the fiscal year ending June 30, 2006, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121 and amendments thereto shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2006.

Sec. 197. During the fiscal year ending June 30, 2006, each state agency named in this act that has a cost reduction for which an employee suggestion bonus is paid pursuant to subsection (f) of K.S.A. 2004 Supp. 75-37,105, and amendments thereto, shall transfer (1) from each state general fund appropriation or reappropriation account for fiscal year 2006 from which all or part of such cost reduction has been realized to the state general fund, in accordance with subsection (f) of K.S.A. 2004 Supp. 75-37,105, and amendments thereto, the amount equal to 80% of the cost reduction which is attributed to such account, and (2) from each special revenue fund, excluding federal funds, for fiscal year 2006 from which all or part of such cost reduction has been realized to the state general fund, in accordance with subsection (f) of K.S.A. 2004 Supp. 75-37,105, and amendments thereto, the amount equal to 80% of the cost reduction which is attributed to such special revenue fund, excluding federal funds.

Sec. 198. This act shall take effect and be in force from and after July 1, 2005, or the date upon which the omnibus reconciliation spending limit bill of the 2005 regular session of the legislature becomes effective, whichever is later, and its publication in the Kansas register.

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2003 Volumes and 2004 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-9-4	Amended	V. 23, p. 718
1-45-18	Amended (T)	V. 23, p. 424
1-45-18	Amended	V. 23, p. 1044
1-45-19	Amended (T)	V. 23, p. 424
1-45-19	Amended	V. 23, p. 1044
1-45-20	Amended (T)	V. 23, p. 424
1-45-20	Amended	V. 23, p. 1045
1-45-23	Amended (T)	V. 23, p. 425
1-45-23	Amended	V. 23, p. 1045
1-45-24	Amended (T)	V. 23, p. 425
1-45-24	Amended	V. 23, p. 1045

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-8-14a	Amended (T)	V. 23, p. 900
4-8-14a	Amended	V. 23, p. 1102
4-8-27 through 4-8-37	Amended	V. 23, p. 1102, 1103
4-8-39	Amended	V. 23, p. 1103
4-8-40	Amended (T)	V. 23, p. 901
4-8-40	Amended	V. 23, p. 1103
4-8-42	Amended	V. 23, p. 1103
4-11-2	Amended	V. 23, p. 895
4-11-3	Amended	V. 23, p. 895
4-11-6	Revoked	V. 23, p. 896
4-11-7	Revoked	V. 23, p. 896
4-11-8	Amended	V. 23, p. 896
4-11-9	Amended	V. 23, p. 896
4-11-14	Amended	V. 23, p. 896
4-15-7	Amended	V. 24, p. 550
4-15-8	Amended	V. 24, p. 550
4-25-16	Amended (T)	V. 22, p. 2176
4-25-16	Amended	V. 23, p. 95
4-28-1	New (T)	V. 23, p. 1597
4-28-2	New (T)	V. 23, p. 1597
4-28-1 through 4-28-7	New	V. 24, p. 145, 146

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-3-4e	Amended (T)	V. 23, p. 1284
5-3-4e	Amended	V. 23, p. 1580
5-3-5o	New	V. 23, p. 1130
5-3-29	New (T)	V. 23, p. 1284
5-3-29	New	V. 23, p. 1580
5-17-1 through 5-17-18	New	V. 23, p. 1131-1137
5-22-1	Amended	V. 23, p. 1534
5-22-4b	New	V. 23, p. 1536
5-22-4c	New	V. 23, p. 1536
5-22-4d	New	V. 23, p. 1537
5-22-6	Amended	V. 23, p. 1634
5-22-7	Amended	V. 23, p. 1537
5-22-8	Amended	V. 23, p. 1538
5-22-9	Amended	V. 23, p. 1538
5-22-10	New	V. 23, p. 1635
5-22-13	New	V. 23, p. 1636
5-22-14	New	V. 23, p. 1636
5-22-15	New	V. 23, p. 1637

5-22-17	New	V. 23, p. 1539
5-23-1	Amended	V. 23, p. 181
5-23-3	Amended	V. 23, p. 181
5-23-3a	Amended	V. 23, p. 182
5-24-1	Amended	V. 23, p. 65
5-24-2	Amended	V. 23, p. 65
5-24-3	Amended	V. 23, p. 66
5-24-4	Amended	V. 23, p. 68
5-24-6	Amended	V. 23, p. 68
5-24-8	Amended	V. 23, p. 68
5-24-11	New	V. 23, p. 69

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7-18-2	Revoked	V. 23, p. 1366
7-18-3	Revoked	V. 23, p. 1366
7-27-1	Amended	V. 23, p. 1366
7-29-2	Amended	V. 23, p. 1366
7-34-2	New (T)	V. 24, p. 42
7-34-2	New	V. 24, p. 332

AGENCY 9: ANIMAL HEALTH DEPARTMENT

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9-11-10	Amended (T)	V. 24, p. 272

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AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-11-1 through 11-11-7	New	V. 24, p. 242-244

AGENCY 16: ATTORNEY GENERAL

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16-4-3	New	V. 24, p. 95
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16-6-1	Amended	V. 24, p. 96

AGENCY 22: STATE FIRE MARSHAL

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22-1-7	New	V. 23, p. 978

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

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28-1-2	Amended	V. 23, p. 202
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28-1-20	Amended	V. 23, p. 360
28-4-576	Amended (T)	V. 23, p. 389
28-4-576	Amended	V. 23, p. 1255
28-4-577	Amended (T)	V. 23, p. 390
28-4-577	Amended	V. 23, p. 1257
28-4-578	Amended (T)	V. 23, p. 391
28-4-578	Amended	V. 23, p. 1257
28-4-583	Amended (T)	V. 23, p. 392
28-4-583	Amended	V. 23, p. 1258
28-4-585	Amended (T)	V. 23, p. 392
28-4-585	Amended	V. 23, p. 1259
28-4-587	Amended (T)	V. 23, p. 394
28-4-587	Amended	V. 23, p. 1260
28-4-590	Amended (T)	V. 23, p. 396
28-4-590	Amended	V. 23, p. 1262
28-4-591	Amended (T)	V. 23, p. 397
28-4-591	Amended	V. 23, p. 1264
28-4-600 through 28-4-613	New	V. 23, p. 957-962
28-4-700 through 28-4-705	New (T)	V. 23, p. 398-400
28-4-700 through 28-4-705	New	V. 23, p. 1265, 1266

28-15-11	Revoked	V. 23, p. 1367
28-15-13	Revoked	V. 23, p. 1367
28-15-14	Revoked	V. 23, p. 1367
28-15-15a	Revoked	V. 23, p. 1367
28-15-16	Amended	V. 23, p. 1367
28-15-18	Amended	V. 23, p. 1367
28-15-20	Revoked	V. 23, p. 1368
28-15-21	Revoked	V. 23, p. 1368
28-15-22	Revoked	V. 23, p. 1368
28-15-35	Amended	V. 23, p. 305
28-15-36	Amended	V. 23, p. 309
28-15a-2	New	V. 23, p. 1368
28-15a-3	New	V. 23, p. 1368
28-15a-4	New	V. 23, p. 1368
28-15a-6	New	V. 23, p. 1369
28-15a-11	New	V. 23, p. 1369
28-15a-21	New	V. 23, p. 1369
28-15a-23 through 28-15a-29	New	V. 23, p. 1369, 1370
28-15a-31	New	V. 23, p. 1370
28-15a-33	New	V. 23, p. 1370
28-15a-41	New	V. 23, p. 1370
28-15a-42	New	V. 23, p. 1370
28-15a-43	New	V. 23, p. 1370
28-15a-60 through 28-15a-66	New	V. 23, p. 1370
28-15a-70	New	V. 23, p. 1370
28-15a-72 through 28-15a-76	New	V. 23, p. 1370, 1371
28-15a-80 through 28-15a-91	New	V. 23, p. 1371
28-15a-100	New	V. 23, p. 1371
28-15a-101	New	V. 23, p. 1371
28-15a-110	New	V. 23, p. 1371
28-15a-111	New	V. 23, p. 1371
28-15a-130 through 28-15a-135	New	V. 23, p. 1371, 1372
28-15a-151 through 28-15a-155	New	V. 23, p. 1372
28-15a-170	New	V. 23, p. 1372
28-15a-172 through 28-15a-175	New	V. 23, p. 1372, 1373
28-15a-201 through 28-15a-210	New	V. 23, p. 1373
28-15a-500 through 28-15a-503	New	V. 23, p. 1373, 1374
28-15a-530 through 28-15a-536	New	V. 23, p. 1374
28-15a-540 through 28-15a-544	New	V. 23, p. 1374
28-15a-550 through 28-15a-553	New	V. 23, p. 1374
28-15a-560 through 28-15a-564	New	V. 23, p. 1374, 1375
28-15a-570	New	V. 23, p. 1375
28-15a-571	New	V. 23, p. 1375
28-16-28b through 28-16-28f	Amended	V. 24, p. 42-51
28-16-28g	New	V. 24, p. 52
28-16-58	Amended	V. 24, p. 52
28-17-1	Amended (T)	V. 23, p. 1597
28-17-1	Amended	V. 24, p. 178
28-17-6	Amended (T)	V. 23, p. 1598
28-17-6	Amended	V. 24, p. 179
28-17-20	Amended (T)	V. 23, p. 1598
28-17-20	Amended	V. 24, p. 179
28-17-22	New (T)	V. 23, p. 1600
28-17-22	New	V. 24, p. 181
28-19-202	Amended	V. 23, p. 70

(continued)

28-19-720 Amended V. 23, p. 1596
 28-19-735 Amended V. 23, p. 1596
 28-19-750 Amended V. 23, p. 1596
 28-19-750a New V. 23, p. 1596

28-29-75 through
 28-29-82 Amended V. 23, p. 203-205
 28-31-10 Amended V. 23, p. 1486
 28-35-145 Amended V. 23, p. 1404
 28-35-146 Amended V. 23, p. 1404
 28-35-146a New V. 23, p. 1404
 28-35-147 Revoked V. 23, p. 1404
 28-35-147a New V. 23, p. 1404

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28-36-1 Revoked V. 24, p. 146
 28-36-32 Revoked V. 24, p. 146
 28-36-60 Revoked V. 24, p. 146
 28-36-120 Revoked V. 24, p. 146

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-50	Amended	V. 23, p. 894
30-4-90	Amended (T)	V. 23, p. 897
30-4-90	Amended	V. 23, p. 1104
30-5-59	Amended	V. 23, p. 1637
30-5-64	Amended	V. 24, p. 333
30-5-71	Amended	V. 23, p. 1211
30-5-81u	Amended	V. 24, p. 271
30-6-91	New	V. 23, p. 894
30-10-1a	Amended	V. 24, p. 489
30-10-1b	Amended	V. 24, p. 491
30-10-1d	Amended	V. 24, p. 492
30-10-11	Amended	V. 24, p. 492
30-10-17	Amended	V. 24, p. 494
30-10-18	Amended (T)	V. 24, p. 23
30-10-18	Amended	V. 24, p. 334
30-10-19	Amended	V. 24, p. 495
30-10-20	Amended	V. 24, p. 496
30-10-23a	Amended	V. 24, p. 496
30-10-23b	Amended	V. 24, p. 497
30-46-10	Amended	V. 23, p. 977
30-46-13	Amended	V. 23, p. 978
30-46-15	Amended	V. 23, p. 978
30-46-16	Amended	V. 23, p. 978
30-46-17	Amended	V. 23, p. 978

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-41-1 through		
36-41-5	New (T)	V. 24, p. 273, 274

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-48	Amended	V. 23, p. 426
40-1-50	New (T)	V. 23, p. 244
40-1-50	New	V. 23, p. 951
40-1-51	New	V. 23, p. 361
40-2-26	Amended	V. 23, p. 151
40-2-27	New	V. 23, p. 825
40-3-6	Amended	V. 23, p. 1212
40-3-20	Revoked	V. 23, p. 693
40-3-53	New (T)	V. 24, p. 15

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-5-115	Amended (T)	V. 23, p. 384
44-5-115	Amended	V. 23, p. 952
44-7-104	Amended (T)	V. 23, p. 385
44-7-104	Amended	V. 23, p. 953
44-7-113	Amended (T)	V. 23, p. 386
44-7-113	Amended	V. 23, p. 955
44-12-313	Amended (T)	V. 23, p. 386
44-12-313	Amended	V. 23, p. 955
44-12-601	Amended (T)	V. 23, p. 387
44-12-601	Amended	V. 23, p. 955

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-4	Amended	V. 23, p. 1533
63-3-21	Amended	V. 23, p. 1533

63-5-1 Amended V. 23, p. 1534
 63-6-1 Amended V. 23, p. 1534

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-4-3	Amended	V. 23, p. 893
65-5-5	Revoked	V. 23, p. 1596
65-5-11	New	V. 23, p. 893
65-5-12	New	V. 23, p. 1596
65-8-5	Revoked	V. 23, p. 893

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-4	Amended	V. 24, p. 79
66-8-5	Amended	V. 23, p. 95
66-8-8	New	V. 24, p. 80
66-9-6	Amended	V. 24, p. 80
66-9-7	New	V. 24, p. 80
66-10-14	New	V. 24, p. 80
66-14-3	Amended	V. 24, p. 80
66-14-5	Amended	V. 24, p. 81

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-3a	Amended	V. 23, p. 1739
68-7-20	New	V. 23, p. 382

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-1-4	Amended (T)	V. 24, p. 14
69-1-4	Amended	V. 24, p. 392

AGENCY 70: BOARD OF VETERINARY EXAMINERS

Reg. No.	Action	Register
70-5-1	Amended	V. 23, p. 360

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-1	Revoked	V. 23, p. 151
71-1-2	Revoked	V. 23, p. 151
71-1-3	Revoked	V. 23, p. 151
71-1-8	Revoked	V. 23, p. 151
71-1-10	Revoked	V. 23, p. 151
71-1-11	Revoked	V. 23, p. 151
71-1-15	Amended	V. 23, p. 151
71-2-1	Revoked	V. 23, p. 151
71-2-2	Amended	V. 24, p. 338
71-2-4	Revoked	V. 23, p. 151
71-2-5	Amended	V. 23, p. 717
71-2-6	Revoked	V. 23, p. 718
71-2-7	Amended	V. 23, p. 718
71-2-9	Revoked	V. 23, p. 151
71-2-11	Amended	V. 23, p. 1286
71-2-12	Revoked	V. 23, p. 151
71-3-2	Amended	V. 23, p. 1286
71-3-4	Amended	V. 23, p. 1286
71-3-5	Revoked	V. 23, p. 151
71-3-9	New	V. 23, p. 1286
71-4-1	Amended	V. 23, p. 151
71-4-3	Revoked	V. 23, p. 152
71-6-1	Amended	V. 23, p. 383
71-6-5	Amended	V. 23, p. 718
71-7-1	New	V. 23, p. 152

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-101	Amended	V. 23, p. 426
82-3-108	Amended	V. 23, p. 1739
82-3-123	Amended	V. 23, p. 1740
82-3-123a	Amended	V. 23, p. 1740
82-3-138	Amended	V. 23, p. 1741
82-3-208	Amended	V. 23, p. 1741
82-3-301	Revoked	V. 23, p. 1742
82-3-304	Amended	V. 23, p. 1742
82-3-312	Amended	V. 23, p. 1742
82-3-314	New	V. 23, p. 1743
82-3-600	Amended	V. 23, p. 429
82-3-600a	Amended	V. 23, p. 430
82-3-600b	Revoked	V. 23, p. 430
82-3-601a	Amended	V. 23, p. 430

82-3-601b Amended V. 23, p. 431
 82-3-602 Amended V. 23, p. 431
 82-3-603 Amended V. 23, p. 431
 82-3-604 Amended V. 23, p. 432
 82-3-605 Revoked V. 23, p. 432
 82-3-606 Amended V. 23, p. 432
 82-3-607 New V. 23, p. 433

82-3-700 through
 82-3-704 Amended (T) V. 23, p. 152-155
 82-3-700 through
 82-3-704 Amended V. 23, p. 538-541
 82-3-705 through
 82-3-710 New (T) V. 23, p. 155-158
 82-3-705 through
 82-3-710 New V. 23, p. 541-544
 82-3-1005 Amended V. 23, p. 1743
 82-4-3 Amended (T) V. 24, p. 97
 82-4-3 Amended V. 24, p. 463

82-4-3a through
 82-4-3m New (T) V. 24, p. 97-122
 82-4-3a through
 82-4-3m New V. 24, p. 463-488

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-16-5b	New	V. 23, p. 1595
88-23-2	Amended	V. 23, p. 276
88-23-2a	New	V. 23, p. 278
88-23-3	Revoked	V. 23, p. 279
88-23-3a	New	V. 23, p. 279
88-26-1 through		
88-26-16	New	V. 23, p. 1487-1491
88-27-1	New	V. 23, p. 1491
88-27-2	New	V. 23, p. 1492

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-68a through		
91-1-68e	Revoked	V. 23, p. 1111
91-1-230	New	V. 23, p. 1106
91-1-231	New	V. 23, p. 1107
91-1-232	New	V. 23, p. 1108
91-1-235	New	V. 23, p. 1108
91-1-236	New	V. 23, p. 1109
91-8-2	Revoked	V. 23, p. 1493
91-8-15	Revoked	V. 23, p. 1493
91-8-16	Revoked	V. 23, p. 1493
91-8-17	Revoked	V. 23, p. 1493
91-8-19	Revoked	V. 23, p. 1493
91-8-26	Revoked	V. 23, p. 1493
91-8-30 through		
91-8-33	Revoked	V. 23, p. 1493
91-9-11	Revoked	V. 23, p. 1493
91-15-1	Amended	V. 24, p. 272
91-18-24	Revoked	V. 23, p. 280
91-18-27	Revoked	V. 23, p. 280
91-18-29	Revoked	V. 23, p. 280
91-18-34	Revoked	V. 23, p. 280
91-18-40	Revoked	V. 23, p. 280
91-25-1a	Revoked	V. 23, p. 1493
91-25-1c	Revoked	V. 23, p. 1493
91-25-2	Revoked	V. 23, p. 1493
91-25-3a	Revoked	V. 23, p. 1493
91-25-4a	Revoked	V. 23, p. 1493
91-25-17	Revoked	V. 23, p. 1493
91-25-18	Revoked	V. 23, p. 1493
91-25-19	Revoked	V. 23, p. 1493
91-35-1 through		
91-35-4	Revoked	V. 24, p. 272

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-113	New	V. 24, p. 423
92-26-4	Amended	V. 23, p. 1533

92-51-34a Amended V. 24, p. 423

AGENCY 94: BOARD OF TAX APPEALS

Reg. No.	Action	Register
94-2-21	Amended (T)	V. 23, p. 896
94-2-21	Amended	V. 23, p. 1375

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended (T)	V. 23, p. 580
100-11-1	Amended	V. 23, p. 1042
100-28a-1	Amended	V. 23, p. 1558
100-29-7	Amended	V. 23, p. 1558
100-49-4	Amended	V. 23, p. 1148
100-54-4	Amended (T)	V. 23, p. 383
100-54-4	Amended	V. 23, p. 1042
100-55-4	Amended (T)	V. 23, p. 383
100-55-4	Amended	V. 23, p. 1042
100-69-5	Amended	V. 23, p. 1558
100-72-8	New	V. 24, p. 14
100-72-9	New	V. 23, p. 1558

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-13	Amended	V. 24, p. 424
102-1-18	Amended	V. 24, p. 424
102-2-3	Amended	V. 24, p. 424
102-2-8	Amended	V. 24, p. 424
102-2-12	Amended	V. 24, p. 426
102-2-14	Amended	V. 24, p. 427
102-3-2	Amended	V. 24, p. 428
102-3-3a	Amended (T)	V. 24, p. 330
102-3-7a	Amended	V. 23, p. 1139
102-3-15	Amended	V. 24, p. 428
102-4-2	Amended	V. 24, p. 428
102-4-3a	Amended	V. 23, p. 1141
102-4-4a	Amended	V. 23, p. 1143
102-4-7a	Amended	V. 23, p. 1144
102-4-15	Amended	V. 24, p. 428
102-5-2	Amended	V. 24, p. 428
102-5-4a	Amended	V. 23, p. 1145
102-5-7a	Amended	V. 23, p. 1147
102-5-14	Amended	V. 24, p. 429

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 23, p. 1189
108-1-4	Amended	V. 23, p. 823

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-3-2	New	V. 23, p. 202

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-8-1 through 110-8-6	Revoked	V. 23, p. 1595
110-8-8 through 110-8-11	Revoked	V. 23, p. 1595
110-10-1	New	V. 23, p. 180
110-11-1	New	V. 24, p. 429
110-11-2	New	V. 24, p. 429
110-11-3	New	V. 24, p. 429
110-12-1 through 110-12-6	New	V. 24, p. 371

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed by the Kansas Lottery from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. The following regulations were filed after January 1, 2004:

Reg. No.	Action	Register
111-2-151 through 111-2-156	New	V. 23, p. 95, 96
111-2-154	Amended	V. 23, p. 261

111-2-155	Amended	V. 23, p. 262
111-2-156	Amended	V. 23, p. 262
111-2-157	New	V. 23, p. 262
111-2-158	New	V. 23, p. 459
111-2-159	New	V. 23, p. 901
111-2-160	New	V. 23, p. 1655
111-2-161	New	V. 23, p. 1655
111-2-162	New	V. 23, p. 1655
111-2-163	New	V. 24, p. 15
111-2-164	New	V. 24, p. 199
111-2-165	New	V. 24, p. 296
111-2-166	New	V. 24, p. 296
111-2-167 through 111-2-172	New	V. 24, p. 430, 431
111-2-173	New	V. 24, p. 460
111-2-174	New	V. 24, p. 460
111-3-13	Amended	V. 23, p. 1433
111-3-22	Amended	V. 23, p. 97
111-4-881	Amended	V. 23, p. 97
111-4-1448	Amended	V. 23, p. 98
111-4-2052	Amended	V. 23, p. 262
111-4-2055	Amended	V. 23, p. 263
111-4-2057	Amended	V. 23, p. 263
111-4-2074	Amended	V. 23, p. 98
111-4-2093	Amended	V. 23, p. 309
111-4-2094	New	V. 23, p. 100
111-4-2095 through 111-4-2115	New	V. 23, p. 264-275
111-4-2097	Amended	V. 23, p. 310
111-4-2098	Amended	V. 23, p. 310
111-4-2116 through 111-4-2125	New	V. 23, p. 311-318
111-4-2126 through 111-4-2146	New	V. 23, p. 459-471
111-4-2147 through 111-4-2160	New	V. 23, p. 901-909
111-4-2161 through 111-4-2173	New	V. 23, p. 1025-1033
111-4-2174	New	V. 23, p. 1074
111-4-2175	New	V. 23, p. 1075
111-4-2176	New	V. 23, p. 1076
111-4-2177 through 111-4-2180	New	V. 23, p. 1169-1171
111-4-2181 through 111-4-2185	New	V. 23, p. 1343-1346
111-4-2186 through 111-4-2195	New	V. 23, p. 1434-1438
111-4-2196 through 111-4-2205	New	V. 23, p. 1655-1659
111-4-2206 through 111-4-2213	New	V. 24, p. 15-22
111-4-2214 through 111-4-2227	New	V. 24, p. 199-207
111-4-2228 through 111-4-2235	New	V. 24, p. 297-300
111-4-2236 through 111-4-2241	New	V. 24, p. 432-435
111-4-2242	New	V. 24, p. 461
111-4-2243	New	V. 24, p. 462
111-5-96	Amended	V. 23, p. 101
111-5-111 through 111-5-115	New	V. 23, p. 245, 246
111-5-113	Amended	V. 23, p. 472
111-5-114	Amended	V. 23, p. 472
111-5-116 through 111-5-120	New	V. 24, p. 208, 209
111-6-1	Amended	V. 23, p. 1439
111-6-7	Amended	V. 23, p. 1440
111-6-26	New	V. 24, p. 23

111-7-188 through 111-7-192	New	V. 23, p. 319, 320
111-7-190	Amended	V. 23, p. 473
111-7-192	Amended	V. 23, p. 473
111-7-193 through 111-7-197	New	V. 24, p. 436, 437
111-9-122	New	V. 23, p. 910
111-9-123	New	V. 23, p. 910
111-9-124	New	V. 24, p. 437
111-9-125	New	V. 24, p. 438
111-9-126	New	V. 24, p. 438
111-11-1 through 111-11-11	New	V. 23, p. 911-914
111-11-1	Amended	V. 23, p. 1077
111-12-1	New	V. 23, p. 914

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-10-3	Amended	V. 23, p. 93
112-10-5	Amended	V. 23, p. 1073
112-10-6	Amended	V. 23, p. 1073
112-10-6a	New	V. 23, p. 1074
112-10-13	New	V. 23, p. 495
112-13-2	Amended	V. 23, p. 94

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 24, p. 147
115-2-2	Amended	V. 23, p. 1581
115-2-3	Amended	V. 23, p. 1581
115-2-3a	New	V. 23, p. 1582
115-3-2	Amended	V. 24, p. 148
115-4-2	Amended	V. 24, p. 420
115-4-4	Amended	V. 24, p. 421
115-4-4a	New	V. 24, p. 422
115-4-6	Amended	V. 24, p. 148
115-4-6a	New	V. 24, p. 151
115-4-11	Amended	V. 24, p. 151
115-4-13	Amended	V. 24, p. 422
115-4-14	New	V. 23, p. 1583
115-5-1	Amended	V. 24, p. 152
115-7-1	Amended	V. 23, p. 1584
115-7-2	Amended	V. 24, p. 153
115-9-4	Amended	V. 24, p. 153
115-11-2	Amended	V. 24, p. 153
115-15-1	Amended	V. 24, p. 154
115-15-2	Amended	V. 24, p. 155
115-18-1	Amended	V. 24, p. 156
115-18-7	Amended	V. 24, p. 159
115-18-10	Amended	V. 23, p. 1043
115-18-14	Amended	V. 23, p. 1585
115-20-1	Amended	V. 24, p. 159
115-20-2	Amended	V. 24, p. 160

AGENCY 117: REAL ESTATE APPRAISAL BOARD

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117-3-2	Amended	V. 23, p. 1408
117-4-2	Amended	V. 23, p. 1408
117-6-3	Amended	V. 24, p. 77
117-7-1	Amended	V. 24, p. 78
117-8-1	Amended	V. 24, p. 78
117-9-1	Amended	V. 23, p. 150

AGENCY 123: JUVENILE JUSTICE AUTHORITY

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123-2-105	New	V. 24, p. 338
123-2-110	New	V. 24, p. 338
123-5-101	New	V. 24, p. 339
123-5-106	New	V. 24, p. 339
123-5-111	New	V. 24, p. 339
123-5-112	New	V. 24, p. 340
123-5-505	New	V. 24, p. 340

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