



# Kansas Register

Ron Thornburgh, Secretary of State

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## State of Kansas

**Commission on Peace Officers'  
Standards and Training****Notice of Meeting**

The Kansas Commission on Peace Officers' Standards and Training will meet at 1 p.m. Thursday, April 9, at its offices located at 1999 N. Amidon, Suite 350, Wichita. The meeting is open to the public. For more information, call (316) 832-9906.

John Carmichael  
Chairperson

Doc. No. 036802

## State of Kansas

**Board of Emergency Medical Services****Notice of Meetings**

The Board of Emergency Medical Services will meet at 9 a.m. Friday, April 3, in the fourth floor auditorium of the Eisenhower State Office Building, 700 S.W. Harrison, Topeka. Meetings for the Planning and Operations Committee, the Education, Examination, Certification and Training Committee, the Executive Committee and the Investigations Committee will be held Thursday, April 2, starting at 9 a.m. at the same location. Items on the agenda for the board meeting can be found on the board's Web site at <http://www.ksebms.org>.

All meetings of the board are open to the public. For more information, contact the administrator, Room 1031, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1228, (785) 296-7296.

Robert Waller  
Administrator

Doc. No. 036816

## State of Kansas

**State Conservation Commission****Notice of Meeting**

The State Conservation Commission will meet at 9 a.m. Monday, April 6, in the commission's conference room, 109 S.W. 9th, Suite 500, Topeka. Persons requiring special accommodations should contact the commission at (785) 296-3600 at least three business days prior to the meeting.

Greg A. Foley  
Executive Director

Doc. No. 036804

## State of Kansas

**Kansas Health Policy Authority****Public Notice**

The Kansas Health Policy Authority is updating the Medicaid Disproportionate Share Hospital (DSH) State Plan to reflect the fiscal year 2009 DSH funds available and the 2009 DSH pools. The KHPA anticipates an increase in DSH for federal fiscal year 2009 of \$1,681,440 and an increase in fiscal year 2010 of \$1,372,387.

A copy of the proposed state plan change, which has additional information, may be obtained from any local SRS office. To send comments, to review comments received, or to obtain additional information, contact Rita Haverkamp, Kansas Health Policy Authority, Room 900-N, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1220, or e-mail [Rita.Haverkamp@khp.a.k.s.gov](mailto:Rita.Haverkamp@khp.a.k.s.gov).

Marcia J. Nielsen, Ph.D., MPH  
Executive Director

Doc. No. 036801

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**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 09-12 by adding the following projects:

**Project C-4427-02**, Safe Routes to School Program, Sidewalk/Bike Path in the city of Oxford, Sumner County

**Project U-2159-02**, Safe Routes to School Program, Sidewalk/Bike Path in Junction City, Geary 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 April 20.

Deb Miller  
Secretary of Transportation

Doc. No. 036800

**State of Kansas  
Department of Administration  
Division of Facilities Management**

**Notice of Commencement of  
Negotiations for Engineering Services**

Notice is hereby given of the commencement of negotiations for engineering services for the replacement of chillers for the Statehouse chilled water system, located in the basement of the Docking State Office Building (DSOB), 915 S.W. Harrison, Topeka. Interested firms must demonstrate a minimum five years experience relevant to the design and retrofit of chilled water systems exceeding 1,000 tons. Estimated cost of construction is \$1,500,000. A detailed scope of work and additional information is available from George Werth, (785) 296-0159. Funding for this project has not yet been approved.

To be considered, five (5) bound proposals and one (1) PDF file on a CD of the following should be provided: a letter of interest, an SF330 Part I, information regarding similar projects, and an SF330 Part II for each firm and consultant. Proposals should be concise and follow the 2009 State Building Advisory Commission guidelines, available to firms at <http://da.ks.gov/fp/> or by contacting Phyllis Fast, Division of Facilities Management, Suite 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796, [Phyllis.Fast@da.ks.gov](mailto:Phyllis.Fast@da.ks.gov). Submittals should be received by Phyllis Fast before noon April 3.

Marilyn L. Jacobson, Director  
Division of Facilities Management

Doc. No. 036808

**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. 2008 Supp. 12-1675(b)(c)(d) and K.S.A. 2008 Supp. 12-1675a(g).

**Effective 3-16-09 through 3-22-09**

Term	Rate
1-89 days	0.17%
3 months	0.20%
6 months	0.41%
1 year	0.70%
18 months	0.78%
2 years	0.93%

Elizabeth B.A. Miller  
Director of Investments

Doc. No. 036795

**State of Kansas  
Social and Rehabilitation Services**

**Request for Proposals**

The Department of Social and Rehabilitation Services, Division of Disability and Behavioral Health Services-Mental Health (DBHS-MH), as the State Mental Health Authority, announces the release of the Interim Housing Grant for fiscal year 2010. The intended use of the grant is to continue or create new interim housing projects for persons experiencing severe and persistent mental illness and youth (18-21) with serious emotional disturbance. Interim housing means short-term (up to six months) project-based housing that provides immediate housing for persons living in the community but who are homeless, or for persons who are homeless who are leaving a state hospital, nursing facility for mental health or any other state-funded institution or system of care setting. The goal of the Interim Housing Grant is for CMHCs to provide immediate housing, in lieu of discharging individuals to homeless shelters, and then assisting participants to rapidly obtain permanent housing. The funds may be used to buy household items for the property(ies). This grant will be awarded to community mental health centers or their affiliates that have the ability to make a community and system-wide impact.

The RFP is posted on the SRS/DBHS/MH RFP Web site at <http://www.srskansas.org/hcp/MHSIP/MHSIPRFPs.htm>.

Direct written comments or questions regarding the intended use of interim housing by March 27 to Christy McMurphy, SRS, Disability and Behavioral Health Services-Mental Health, 9th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1570.

Don Jordan  
Secretary of Social and  
Rehabilitation Services

Doc. No. 036813

## 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:

03/30/2009	12085	Salt, Rock for Snow and Ice Removal
03/31/2009	12093	Air Charter Service
03/31/2009	12099	EMS Training System
04/06/2009	12086	Door Hardware
04/06/2009	12095	Loader, Rubber Track, Multi-Terrain
04/06/2009	12098	Ready Mix Concrete and Expansion Joints
04/24/2009	12072	Leased Space

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

<http://www.da.ks.gov/purch/>

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. Information regarding prequalification, projects and bid documents can be obtained by calling (785) 296-8899 or by visiting [www.da.ks.gov/fp/](http://www.da.ks.gov/fp/).

04/08/2009	A-010881	Vehicle Wash Bay —Department of Transportation, Sublette
04/09/2009	A-010978	Upgrade Electrical Service — Blake Hall, University of Kansas, Lawrence
04/09/2009	A-011096	Metal Roof Retrofit — A and B Cell Houses, El Dorado Correctional Facility, El Dorado
04/15/2009	A-010870	Reroof Geodesic Chemical Storage Building, Department of Transportation, WaKeeney
04/15/2009	A-010871	Reroof — Geodesic Chemical Storage Building, Department of Transportation, Medicine Lodge
04/15/2009	A-010872	Reroof — Geodesic Chemical Storage Building, Department of Transportation, Ashland
04/15/2009	A-011099	Reroof Salt Storage Dome, Department of Transportation, Hutchinson
04/15/2009	A-011100	Reroof Salt Storage Dome, Department of Transportation, Troy
04/16/2009	A-010876	Chemical Storage Building, Department of Transportation, Russell
04/21/2009	A-010874	Subarea Bay Extension, Department of Transportation, Horton

Chris Lowe  
Director of Purchases

Doc. No. 036815

## State of Kansas

**University of Kansas**

**Notice to Bidders**

The University of Kansas encourages interested vendors to visit the University of Kansas Purchasing Services Web site at <http://www.purchasing.ku.edu/> for a complete listing of all transactions for which KU Purchasing Services, or one of the consortia commonly utilized by KU, is seeking competitive bids. Paper postings of KU Purchasing Services bid transactions may be viewed at the Purchasing Services office located at 1246 W. Campus Road, Room 7, Lawrence, 66045, or persons may contact Purchasing Services at (785) 864-3790, by fax at (785) 864-3454 or by e-mail at [purchasing@ku.edu](mailto:purchasing@ku.edu) to request a copy of a current bid.

Barry K. Swanson  
Associate Comptroller/  
Director of Purchasing Services

Doc. No. 036796

## State of Kansas

**Kansas State University**

**Notice to Bidders**

Kansas State University encourages interested vendors to visit the Kansas State University Controller's Office/Purchasing Web site at <http://www.ksu.edu/purchasing/rfq> for a complete listing of all transactions for which Kansas State University Purchasing, or one of the consortia commonly utilized by K-State, is seeking competitive bids. Paper postings of Kansas State University Purchasing's bid transactions may be viewed at the Purchasing Office, 21 Anderson Hall, Manhattan, or persons may contact Purchasing at (785) 532-6214, by fax at (785) 532-5577, or by e-mail at [cbishop@ksu.edu](mailto:cbishop@ksu.edu) to request a copy of a current bid.

Carla Bishop  
Director of Purchasing

Doc. No. 036797

## State of Kansas

**Legislature**

**Legislative Bills and Resolutions Introduced**

The following numbers and titles of bills and resolutions were introduced March 5-11 by the 2009 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at [www.kslegislature.org](http://www.kslegislature.org).

**House Bills**

**HB 2365**, An act creating the promoting employment across Kansas act, by Committee on Taxation.

**HB 2366**, An act concerning all-inclusive care for the elderly (PACE) program; amending K.S.A. 65-5112 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2367**, An act concerning insurance; providing coverage for autism spectrum disorder; amending K.S.A. 2008 Supp. 40-2,103, 40-2,105, 40-

2,105a and 40-19c09 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2368**, An act concerning sales taxation; relating to certain exemptions; certain nonprofit organizations; amending K.S.A. 2008 Supp. 79-3603, 79-3606 and 79-3692 and repealing the existing sections, by Committee on Taxation.

**HB 2369**, An act making and concerning appropriations for the fiscal years ending June 30, 2010, and June 30, 2011, 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, by Committee on Appropriations.

**HB 2370**, An act concerning state officers and employees; prescribing priority of payments for salaries and wages for state officers and employees over other amounts that are payable from the state treasury, by Committee on Appropriations.

**HB 2371**, An act concerning taxation of motor vehicles; relating to exemptions for certain disabled veterans; amending K.S.A. 2008 Supp. 79-5107 and repealing the existing section, by Committee on Appropriations.

**HB 2372**, An act concerning contracts with state agencies for certain professional services; relating to competitive bidding procedures; amending K.S.A. 75-37,102 and K.S.A. 2008 Supp. 75-1253, 75-1254, 75-3738, 75-3739, 75-37,132 and 76-786 and repealing the existing sections, by Committee on Appropriations.

**HB 2373**, An act making and concerning appropriations for the fiscal years ending June 30, 2009, June 30, 2010, June 30, 2011, June 30, 2012 and June 30, 2013, and June 30, 2014, 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. 2008 Supp. 2-223, 12-5256, 55-193, 75-6702, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i, 79-4801 and 82a-953a and repealing the existing sections. By Committee on Appropriations.

**HB 2374**, An act concerning employment security law; relating to alternative base periods and benefits for individuals forced to leave employment to care for an ill or disabled family member; amending K.S.A. 2008 Supp. 44-703 and 44-706 and repealing the existing sections, by Committee on Taxation.

**HB 2375**, An act concerning school districts; relating to state aid for capital improvements; amending K.S.A. 2008 Supp. 75-2319 and repealing the existing section, by Committee on Taxation.

**HB 2376**, An act concerning emergency management; relating to immunity from liability; amending K.S.A. 48-915 and repealing the existing section, by Committee on Appropriations.

**HB 2377**, An act concerning pet animals; transferring the powers, duties and functions of the livestock commissioner regarding the Kansas pet animal act to the secretary of agriculture; amending K.S.A. 47-1701, 47-1702, 47-1703, 47-1704, 47-1708, 47-1712, 47-1713, 47-1715, 47-1719, 47-1720, 47-1723, 47-1725, 47-1727, 47-1731, 47-1732, 47-1733, 47-1734, 47-1735 and 47-1736 and K.S.A. 2008 Supp. 47-1706, 47-1706a, 47-1707, 47-1709 and 47-1721 and repealing the existing sections, by Committee on Appropriations.

**HB 2378**, An act concerning property taxation; relating to public utilities; natural gas inventories; amending K.S.A. 2008 Supp. 79-5a01 and repealing the existing section, by Committee on Taxation.

**HB 2379**, An act concerning estate taxation; relating to valuation of land devoted to agricultural use; amending K.S.A. 2008 Supp. 79-15,253 and repealing the existing section, by Committee on Taxation.

**HB 2380**, An act concerning taxation of motor vehicles; relating to exemptions for certain members of military service; amending K.S.A. 2008 Supp. 79-5107 and repealing the existing section, by Committee on Taxation.

### House Resolutions

**HR 6017**, A resolution recognizing the Kansas Small Business Development Center's 2008 Businesses of the Year.

### Senate Bills

**SB 303**, An act abolishing the Kansas technology enterprise corporation and Kansas, Inc. and transferring the powers and duties thereof to the department of commerce; amending K.S.A. 74-5001a, 74-5007a, 74-8102, 74-8103, 74-8106, 74-8107, 74-8108, 74-8109, 74-8110, 74-8111, 74-8204, 74-8310, 74-8316, 74-8317, 74-8318, 74-8319, 74-8401, 74-9303, 74-9306, 75-2935b, 75-3208 and 76-770 and K.S.A. 2008 Supp. 12-17,169,

12-17,177, 74-520a, 74-5005, 74-5049, 74-5089, 74-5095, 74-50,133, 74-50,151, 74-50,156, 74-8101, 74-8104, 74-8131, 74-8132, 74-8133, 74-8134, 74-8135, 74-8136, 74-8405, 74-99b03, 74-99b04, 74-99b09, 74-99b63, 74-99b66, 74-99c03, 74-99c07, 74-99e02 and 75-2935 and repealing the existing sections; also repealing K.S.A. 74-5050, 74-50,101, 74-8003, 74-8009a, 74-8011, 74-8012, 74-8013, 74-8014, 74-8015, 74-8016 and 74-8105 and K.S.A. 2008 Supp. 74-50,134, 74-8001, 74-8002, 74-8004, 74-8005, 74-8006, 74-8007, 74-8010, 74-8101 and 74-99c10, by Committee on Ways and Means.

**SB 304**, An act making and concerning appropriations for the fiscal years ending June 30, 2009, June 30, 2010, June 30, 2011, June 30, 2012 and June 30, 2013, and June 30, 2014, 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. 2008 Supp. 2-223, 12-5256, 55-193, 75-6702, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i, 79-4801 and 82a-953a and repealing the existing sections, by Committee on Ways and Means.

**SB 305**, An act concerning the Kansas tort claims act; relating to charitable health care providers; amending K.S.A. 2008 Supp. 75-6102 and repealing the existing section, by Committee on Ways and Means.

**SB 306**, An act concerning the Kansas fireworks act; creating the fireworks and explosives fund; amending K.S.A. 2008 Supp. 31-505 and repealing the existing section, by Committee on Ways and Means.

**SB 307**, An act concerning aboveground storage tanks; duties of the state fire marshal; amending K.S.A. 2008 Supp. 65-34,136 and repealing the existing section, by Committee on Ways and Means.

**SB 308**, An act concerning state agencies; relating to the administrative fee charged to agencies; amending K.S.A. 2008 Supp. 75-3170a and repealing the existing section, by Committee on Ways and Means.

**SB 309**, An act making and concerning appropriations for the fiscal years ending June 30, 2010, and June 30, 2011, 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, by Committee on Ways and Means.

**SB 310**, An act concerning sexually violent predators; relating to placement into the community; amending K.S.A. 2008 Supp. 59-29a11 and repealing the existing section, by Committee on Ways and Means.

**SB 311**, An act concerning the state budget; state general fund and special revenue fund expenditures, transfers and ending balance requirements; reduction and allotment procedures; economic impact statements and fiscal note updates for legislation; amending K.S.A. 75-3722 and 75-6704 and repealing the existing sections, by Committee on Ways and Means.

**SB 312**, An act concerning property taxation; relating to public utilities; natural gas inventories; amending K.S.A. 2008 Supp. 79-5a01 and repealing the existing section, by Committee on Ways and Means.

### Senate Concurrent Resolutions

**SCR 1612**, A proposition to amend section 5 of article 3 of the constitution of the state of Kansas, relating to the selection of justices of the supreme court.

**SCR 1613**, A proposition to amend section 24 of article 2 of the constitution of the state of Kansas, relating to appropriations.

### Senate Resolutions

**SR 1842**, A resolution in memory of Jana Mackey and calling all Kansans to carry her torch by serving others.

**SR 1843**, A resolution congratulating and commending Matthew Heck.

**SR 1844**, A resolution encouraging participation in the American Public Health Association and the Kansas Public Health Association Public Health Week, April 6-12, 2009.

**SR 1845**, A resolution congratulating Avery Clifton for being the Graduate Cross Country Runner of the Year for Kansas.

**SR 1846**, A resolution congratulating and commending the 2009 Kansas Master Teachers.

**SR 1847**, A resolution recognizing the Kansas Small Business Development Center's 2008 Emerging and Existing Businesses of the Year.

Doc. No. 036798

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-09-080/083  
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Helendale Ranch Cheryl Madison 2043 Hwy. 40 Oakley, KS 67748	N/2 of Section 12, T11S, R31W, Gove County	Smoky Hill River Basin

Kansas Permit No. A-SHGO-B015

This is a reissuance of a permit for an existing facility with a decrease in head count from 1,500 head (1,500 animal units) of cattle weighing greater than 700 pounds to 200 head (200 animal units) of cattle weighing greater than 700 pounds and 780 head (390 animal units) of cattle weighing less than 700 pounds, for a total of 980 head (590 animal units) of cattle.

Name and Address of Applicant	Legal Description	Receiving Water
Paul Merklein 982 W. Osage Road Prairie View, KS 67664	SW/4 of Section 07, T03S, R19W, Phillips County	Solomon River Basin

Kansas Permit No. A-SOPL-B004

This is a reissuance of a permit for an existing facility for 200 head (200 animal units) of cattle weighing greater than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Marvin Van Der Veen P.O. Box 74 Prairie View, KS 67664	SE/4 of Section 11, T02S, R20W, Phillips County	Upper Republican River Basin

Kansas Permit No. A-URPL-M001

This is a reissuance of a permit for an existing facility for 50 head (70 animal units) of mature dairy cattle.

Name and Address of Applicant	Legal Description	Receiving Water
Steve Pechanec Route 2, Box 8251 Timken, KS 67575	NW/4 of Section 19, T18S, R16W, Rush County	Upper Arkansas River Basin

Kansas Permit No. A-UARH-B014

This is a reissuance of a permit for an existing facility for 150 head (150 animal units) of cattle weighing greater than 700 pounds and 200 head (100 animal units) of cattle weighing less than 700 pounds.

Public Notice No. KS-Q-09-031

Name and Address of Applicant	Receiving Stream	Type of Discharge
Spirit Aerosystems Holdings, Inc. P.O. Box 780008 Wichita, KS 67278-0008	Lower Arkansas River via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-AR94-PO20 Federal Permit No. KS0000396

Facility Location: 3801 S. Oliver, Wichita, KS 67210

Facility Description: The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility as well as a facility name change. This facility is engaged in the manufacture of aircraft components, subassembly of certain body structures and components, and modification of aircraft. After treatment in the main treatment plant, the wastewater is treated by reverse osmosis. The permeate is recycled to plant operations and the concentrate is discharged to the city sanitary sewer system. The permit allows a discharge of the wastewater if the treated wastewater is not needed. Normally, there is no discharge to waters of the state. The proposed permit contains limits for oil and grease, total suspended solids free and total cyanide, total toxic organics, total residual chlorine and pH, as well as monitoring for total recoverable metals, whole effluent toxicity and effluent flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Public Notice No. KS-PT-09-002

Name and Address of Applicant	Receiving Facility	Type of Discharge
Bradken P.O. Box 188 Atchison KS 66002-0188	Atchison WWTP	Process Wastewater

Kansas Permit No. P-MO01-IO01 Federal Tracking No. KSP000060

Facility Name: Bradken - Atchison/St. Joseph Inc.

Facility Location: 400 S. Fourth, Atchison, KS 66002

Facility Description: The proposed action is to reissue an existing pretreatment permit for this facility. This facility is a heavy steel foundry that casts parts for diesel locomotives and other large industrial equipment. A portion of the ferrous castings are quenched with water using three quench tanks, and this water is discharged to the city sanitary sewer. The proposed permit includes limits for total toxic organics, oil and grease, copper, lead, zinc and pH, as well as monitoring of effluent flow. The permit limits are pursuant to state and federal pretreatment requirements.

Persons wishing to comment on the draft documents 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 considered in the decision-making process. Comments should be submitted to the attention of the Livestock Waste Management Section for agricultural-related draft documents or applications, or to the Technical Services Section 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 documents or application notices received on or before April 18 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-09-080/083, KS-Q-09-031, KS-PT-09-002) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 036810

**State of Kansas**  
**Department of Health  
and Environment**  
**Request for Comments**

The Kansas Department of Health and Environment is soliciting comments and recommendations from the public regarding the FFY 2009 Kansas Infant-Toddler Grant Application under Part C of the Individuals with Disabilities Education Act (IDEA), as amended by the Individuals with Disabilities Education Improvement Act of 2004. Funds from this grant will enable the continuance of a statewide comprehensive, coordinated, multidisciplinary system of services for infants and toddlers with disabilities and their families.

The grant application may be reviewed for 60 days from the publication of this notice on the KDHE Web site at <http://www.ksits.org/> or a hard copy may be requested by calling (785) 296-6135 or (800) 332-6262 (V/TTY).

In order to be assured consideration in this grant process, all comments and recommendations must be submitted on or before April 18 to the Kansas Department of Health and Environment, Children's Developmental Services, Suite 220, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1274. Comments also may be sent by e-mail to [tsmith-birk@kdheks.gov](mailto:tsmith-birk@kdheks.gov).

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 036812

**State of Kansas**  
**Department of Health  
and Environment**  
**Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Kinder Morgan Interstate Gas Transmission has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Kinder Morgan Interstate Gas Transmission, Lakewood, Colorado, owns and operates Herndon compressor station located at Section 31, T1S, R31W, Rawlins County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Northwest District Office, 2313 E. 13th, Hays. To obtain or review the proposed permit and supporting documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; and to review the proposed permit only, contact Richard Robinson, (785) 625-5663, at the KDHE Northwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business April 20.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air and Radiation, not later than the close of business April 20 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity

*(continued)*

during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Patricia Scott, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 036803

## State of Kansas

### Department of Health and Environment

#### Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Prestige Cabinets, Inc. has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Prestige Cabinets, Inc., 400 E. Orangethorpe Ave., Anaheim, California, owns and operates a wood kitchen cabinet manufacturing facility located at 501 S.E. Avenue, Columbus, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southeast District Office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact Rasha Allen, (785) 296-1693, at the KDHE central office; and to review the proposed permit only, contact Doug Cole, (620) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rasha Allen, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business April 20.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air and Radiation, not later than the close of business April 20 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Jon Knodel, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7622, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 036809

(Published in the Kansas Register March 19, 2009.)

## City of Wichita, Kansas

### Notice to Bidders

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, April 17, for the following project:

**(KDOT Project No. 87N-0459-01/472-84761/  
208460/774528)**

**(OCA Code 706995/636133)**

#### Paving

Improvements to West Street,  
Maple to Central (KDOT)

Requests for the bid documents and plans should be directed to City Blue Print at (316) 265-6224 or Marty Strayer at (316) 268-4488. Other questions should be directed to the respective design engineer, (316) 268-4501.

All bids received will thereafter be publicly opened, read aloud, and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the city manager and according to plans and specifications on file in the office of the city engineer. Bidders are required to enclose a bid bond in the amount of 5 percent with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

The successful bidder may contact Kim Pelton at (316) 268-4499 for extra sets of plans and specifications.

Marty Strayer  
Administrative Aide  
City of Wichita—Engineering

Doc. No. 036807



**State of Kansas  
Kansas Sentencing Commission**

**Notice of Rescheduled Meeting**

The teleconference meeting of the Kansas Sentencing Commission scheduled for March 19 has been cancelled and rescheduled to take place from 1:30 to 3:30 p.m. Thursday, March 26, in the Senate Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka. Any individual with a disability may request accommodation to attend a KSC meeting. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Brenda Harmon at (785) 296-0923.

Helen Pedigo  
Executive Director

Doc. No. 036799

(Published in the Kansas Register March 19, 2009.)

**Summary Notice of Bond Sale  
Unified School District No. 441  
Nemaha County, Kansas (Sabetha-Wetmore)  
\$8,345,000  
General Obligation School Building Bonds  
Series 2009  
(General obligation bonds payable from  
unlimited ad valorem taxes)**

**Bids**

Subject to the notice of bond sale dated March 10, 2009, written and electronic bids will be received on behalf of the clerk of Unified School District No. 441, Nemaha County, Kansas (Sabetha-Wetmore) (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 3 p.m. April 6, 2009, for the purchase of the above-referenced bonds. 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 April 1, 2009, and will become due on September 1 in the years as follows:

Year	Principal Amount
2011	\$115,000
2012	220,000
2013	240,000
2014	260,000
2015	285,000
2016	305,000
2017	330,000
2018	360,000
2019	390,000
2020	420,000
2021	450,000
2022	485,000
2023	520,000
2024	555,000

2025	595,000
2026	635,000
2027	680,000
2028	725,000
2029	775,000

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, 2010.

**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 \$166,900 (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 April 28, 2009, 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 2008 is \$50,108,863. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$8,345,000.

**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 Bid and Good Faith Deposit Delivery Address:**

Volora Hanzlicek, Clerk  
Office of the Board of Education  
107 Oregon  
Sabetha, KS 66534  
(785) 284-2175  
Fax (785) 284-3739  
E-mail: hanzlicv@sabetha441.k12.ks.us

**Financial Advisor — Facsimile Bid and Good Faith**

**Deposit Delivery Address:**  
George K. Baum & Company  
100 N. Main, Suite 810  
Wichita, KS 67202

(continued)

Attn: Stephen E. Shogren
(316) 264-9351
Fax (316) 264-9370
E-mail: shogren@gkbaum.com

Dated March 10, 2009.

Unified School District No. 441
Nemaha County, Kansas
(Sabetha-Wetmore)

Doc. No. 036811

State of Kansas
Board of Cosmetology
Permanent Administrative
Regulations

Article 11.—FEES

69-11-1. Fees. The following fees shall be charged:

Table with 2 columns: Fee description and Amount. Includes items like Cosmetologist examination fee (\$50.00), license application fees, renewal fees, and various other professional fees.

(Authorized by and implementing K.S.A. 65-1904; effective, E-76-44, Sept. 5, 1975; effective Feb. 15, 1977; amended May 1, 1978; amended May 1, 1981; amended May 1, 1982; amended, T-83-21, July 21, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-88-60, Dec. 28, 1987; amended May 1, 1988; amended Jan. 1, 1993; amended Dec. 13, 1993; amended March 22, 1996; amended Nov. 6, 1998; amended April 3, 2009.)

Mary Lou Davis
Executive Director

Doc. No. 036814

State of Kansas

Kansas Lottery

Temporary Administrative
Regulations

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-2784. "Double Red Millions" instant ticket lottery game number 119. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Double Red Millions" commencing on or after January 1, 2009. The rules for this game are contained in K.A.R. 111-3-1 et seq. and 111-4-2784.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Table with 2 columns: Play Symbols and Captions. Lists symbols like BELL, HEART, MOON, KEY, FLWR, STRBRY, BNANA, ORNGE, PEAR, LEMON, MELON, GRAPES, PNAPLE, GLDBAR, MNYBAG, NUGGET, CROWN, SUN, PLUM, APPLE, DIAMND, BNKRLL, COINS, CASH, PGYBNK, POTGLD, TRSURE, SAFE, CLOVER, HRSHE, RNBOW, STAR, WSHBNE and their corresponding prize amounts.

(c) For this game, a play/prize symbol shall appear in each of 55 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 014.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

TWY	=	\$20.00
FRY	=	\$40.00
FTY	=	\$50.00
HUN	=	\$100.00
THN	=	\$200.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$20.00 each.

(g) "Double Red Millions" is a ticket with four different games. In the row/column prize match game, if a player gets five identical symbols in the same row or column, the player wins the corresponding prize for that row or column. If a player gets five identical RED symbols in the same row or column, the player wins double the corresponding prize for that row or column.

In the lucky prize amount game, if a player matches any of the "YOUR PRIZE AMOUNTS" to any of the "LUCKY PRIZE AMOUNTS," the player wins that amount. If the matching "YOUR PRIZE AMOUNT" is RED, the player wins double that prize.

In the diamond reveal game, if a player gets a diamond in any spot, the player wins the prize shown below that symbol. If a player gets a RED diamond in any spot, the player wins double that prize.

In the two prize reveal game areas, if a player reveals a prize amount, the player wins that amount. If the prize amount revealed is RED, the player wins double the prize.

(h) Each ticket in this game may win up to 26 times.

(i) Approximately 300,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prize	Expected Number of Prizes In Game	Expected Value in Game
\$20	\$20	35,000	\$700,000
\$20 DBL	\$40	27,500	1,100,000
\$40	\$40	27,500	1,100,000
\$50	\$50	7,500	375,000
\$50 DBL	\$100	300	30,000
\$100	\$100	300	30,000
(\$20 x 5)	\$100	300	30,000
\$200	\$200	150	30,000
\$100 DBL	\$200	150	30,000
(\$20 x 10)	\$200	150	30,000
\$500	\$500	175	87,500
\$200 DBL + (\$50 x 2)	\$500	175	87,500
\$1,000	\$1,000	25	25,000
\$500 DBL	\$1,000	50	50,000
(\$20 x 10) + (\$40 x 10) + (\$50 x 4) + (\$100 x 2)	\$1,000	50	50,000
\$10,000	\$10,000	3	30,000
(\$500 x 20)	\$10,000	5	50,000
\$100,000	\$100,000	4	400,000
TOTAL		<u>99,337</u>	<u>\$4,235,000</u>

(k) The odds of winning a prize in this game are approximately one in 3.02. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710, and K.S.A. 74-8720; effective, T-111-2-20-09, Dec. 11, 2008.)

**Article 5.—MULTI-STATE ON-LINE GAMES**

**111-5-23. Definitions.** The following definitions shall apply to the "Powerball" game:

(a) "Computer pick" means the random selection of two-digit numbers by the computer system, which appear on a ticket and are played by a player in the game.

(b) "Drawing" means the formal process of selecting winning numbers which determine the number of winners for each prize level of the game.

(c) "Game board" or "boards" means that area of the play slip which contains two sets of numbered squares to be marked by the player, the first set containing 59 squares, number one through 59, and the second set containing 39 squares, number one through 39.

(d) "Game ticket" or "ticket" means a computer generated ticket issued by a terminal to a person as a receipt for the combination a person has selected.

(e) "MUSL" means the Multi-State Lottery Association, a government-benefit association wholly owned and operated by the party lotteries.

(f) "MUSL Board" means the governing body of the MUSL which is comprised of the chief executive officer of each party lottery.

(g) "Power play" or "multiplier option" means the "Powerball" game option whereby a player may elect to pay an additional \$1 per play at the time of ticket purchase which will have the effect of multiplying any prize won on the play, except the grand prize and the match 5 bonus prize, by a factor of two, three, four, or five.

(h) "On-line lottery game" means a lottery game connected by telephone lines or other similar communication methodology, owned or controlled by the lottery, to a central computer in which each player selects numbers out of a larger predetermined set or sets of numbers.

(i) "Party Lottery" means a state lottery or lottery of a political subdivision or entity which has joined the MUSL and, in the context of these Powerball product group rules, which has joined in selling the Powerball game.

(j) "Product group" means the group of lotteries which has joined together to offer a product pursuant to the terms of the multi-state lottery agreement and the group's own rules.

(k) "Play" means the six numbers, the first five from a field of 59 numbers and the last one from a field of 39 numbers, that appear on a ticket as a single lettered selection and are to be played by a player in the game.

(l) "Play slip" means a card used in marking a player's game plays and containing one or more boards and if the multiplier option is available for play, the play slip shall include a box to mark if the option is chosen.

(m) "Retailer" or "agent" means a person or entity authorized by the Kansas lottery to sell lottery tickets.

(n) "Set Prize" means all other prizes except the grand prize that are advertised to be paid by a single cash payment and, except in rare instances, outlined in these rules,

*(continued)*

will be equal to the prize amount established by the MUSL Board for the prize level.

(o) "Terminal" means a device authorized by a party lottery to function in an on-line, interactive mode with the lottery's computer system for the purpose of issuing lottery tickets and entering, receiving and processing lottery transactions, including purchases, validating tickets and transmitting reports.

(p) "Validation" or "validate" means the process of determining whether a ticket presented for a prize is a winning ticket.

(q) "Winning numbers" means the six numbers, the first five from a field of 59 numbers and the last one from a field of 39 numbers, randomly selected at each drawing which shall be used to determine winning plays contained on a game ticket, and in the event the multiplier option is available, one additional number randomly selected from a field of the following 16 numbers: 2, 2, 2, 2, 3, 3, 3, 3, 4, 4, 4, 4, 5, 5, 5, and 5. The Powerball product group may change one or more of these multiplier numbers for special promotions from time to time.

(r) These amendments shall take effect January 4, 2009. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-6-27-96, June 21, 1996; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-3-14-01, Feb. 16, 2001; amended, T-111-10-15-02, Sept. 13, 2002; amended, T-111-7-29-05, July 15, 2005; amended, T-111-2-20-09, Dec. 11, 2008.)

#### **111-5-24. Game description; retail sale of tickets.**

(a) "Powerball" is a five out of 59 plus one out of 39 on-line lottery game which pays the grand prize, at the election of the player made in accordance with the rules or by a default election made in accordance with these rules at the time of play purchase, either on an annuitized parimutuel basis, or as a cash lump sum payment of the total cash held for this prize on a parimutuel basis. Except as provided in these rules, all other prizes are paid on a set cash basis. To play "Powerball" a player shall select five different numbers from one to 59 and one additional number from one to 39 for input into a terminal. The additional number may be the same as one of the first five numbers selected by the player

(b) A "Powerball" game ticket shall sell for one dollar.

(c) Tickets shall not be sold to any person under the age of 18 years. Each retailer may require a person purchasing tickets to produce proof of age.

(d) Each ticket shall be purchased from a terminal operated by a retailer. The player may select a set of five numbers and one additional number by:

(1) communicating the six numbers to the retailer;

(2) marking six numbered squares in any one game board on a play slip and submitting the play slip to the retailer; or

(3) requesting a "computer pick" or "quick pick" from the retailer.

If available at the time, a player may choose the multiplier option by marking the appropriate box on the play slip or by communicating to the retailer the desire to play the multiplier option. If the multiplier option is chosen, it shall apply to all boards played on that play slip. For each

play upon which the multiplier option is chosen, the player shall pay one additional dollar. The retailer shall then issue a ticket from the terminal containing the selected set or sets of numbers, each of which constitutes a game play, and if applicable, whether or not the multiplier option has been chosen for all plays on that play slip.

(e) A validated ticket shall be the only proof of a game play or plays. The only method of claiming a prize or prizes shall be the submission of the winning ticket to and receipt of the ticket by the lottery or its authorized agent. A play slip shall have no pecuniary or prize value and shall not be used as evidence of a ticket purchase or of numbers selected.

(f) A ticket shall not be voided or cancelled by returning the ticket to the selling retailer, including tickets that are printed in error.

(g) Ticket sales will end at approximately 8:59 p.m. central time on Wednesdays and Saturdays and will resume at approximately 9:05 p.m.

(h) Drawings will be conducted twice weekly, on Wednesdays and Saturdays at approximately 9:58 p.m. central time (CT), after the game is closed at approximately 8:59 p.m. central time (CT) and the external auditor has verified that the game is closed, under conditions and procedures promulgated by the executive director of the lottery.

(i) Each player shall be responsible for verifying the accuracy of the game play or plays and other data printed on the ticket. The placing of plays is done at the player's own risk through the on-line retailer who is deemed to be acting on behalf of the player in entering the play or plays.

(j) These amendments shall take effect January 4, 2009. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and 74-8718; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-5-21-92, May 15, 1992; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-1-21-99, Jan. 15, 1999; amended, T-111-3-14-01, Feb. 16, 2001; amended, T-111-10-15-02, Sept. 13, 2002; amended, T-111-7-29-05, July 15, 2005; amended, T-111-2-20-09, Dec. 11, 2008.)

#### **111-5-25. Prize pool; reserve account.**

(a) The prize pool for all prize categories shall consist of up to 50.0% of each drawing period's sales, including tax, after the prize reserve accounts are funded to the amounts set by the product group. Any amount remaining in the prize pool at the end of this game shall be carried forward to a replacement game or expended in a manner as directed by the product group.

(b) Two percent of sales shall be placed in trust in one or more prize reserve accounts until the prize reserve accounts reach the amount designated by the MUSL board. When the prize reserve accounts exceed the designated amount, the excess shall become part of the prize pool. Any amount remaining in prize reserve accounts at the end of this game shall be carried forward to a replacement prize reserve account or expended in a manner as directed by the product group in accordance with state law.

(c) These amendments shall take effect January 4, 2009. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-

8710 and K.S.A. 74-8731; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-6-27-96, June 21, 1996; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-7-29-05, July 15, 2005; amended, T-111-2-20-09, Dec. 11, 2008.)

**111-5-26. Expected prize payout pari-mutuel prizes.** (a) The grand prize shall be determined on a pari-mutuel basis. Except as provided in these rules, all other prizes awarded shall be paid as set cash prizes with the following expected approximate prize payout percentages:

Number of Matches Per Play	Prize Payment	Prize Pool Percentage Allocated to Prize
All five (5) of first set plus one (1) of second set	Grand Prize	65.0577%
All five (5) of first set and none of second set	\$200,000	7.7849%
Any four (4) of first set plus one (1) of second set	\$10,000	2.7657%
Any four (4) of first set and none of second set	\$100	1.0510%
Any three (3) of first set plus one (1) of second set	\$100	1.4658%
Any three (3) of first set and none of second set	\$7	3.8991%
Any two (2) of first set plus one (1) of second set	\$7	1.7785%
Any one (1) of first set and one (1) of second set	\$4	6.4789%
None of first set plus one (1) of second set	\$3	9.7184%

(b) The prize money allocated to the grand prize category shall be divided equally by the number of game boards winning the grand prize.

(c) The prize pool percentage allocated to the set prizes (the cash prizes of \$200,000 or less) shall be carried forward to subsequent draws if all or a portion of it is not needed to pay the set prizes awarded in the current draw. If the total of the set prizes awarded in a drawing exceeds the percentage of the prize pool allocated to the set prizes, then the amount needed to fund the set prizes awarded shall be drawn from the following sources, in the following order: (1) the amount allocated to the set prizes and carried forward from previous draws, if any; (2) an amount from the prize reserve account, if available, not to exceed twenty-five million dollars (\$25,000,000) per drawing. If, after these sources are depleted, there are not sufficient funds to pay the set prizes awarded, then the highest set prize shall become a pari-mutuel prize. If the amount of the highest set prize, when paid on a pari-mutuel basis, drops to or below the next highest set prize and there are still not sufficient funds to pay the remaining set prizes awarded, then the next highest set prize shall become a pari-mutuel prize. This procedure shall continue down through all set prize levels, if necessary, until all set prize levels become pari-mutuel prize levels. In that instance the money available from the funding sources listed in this rule shall be divided among the winning plays in proportion to their respective prize percentages.

(d) For each drawing when the grand prize annuity is projected to reach a new record level, increases in the amount of the grand prize shall be limited to no more

than \$25,000,000. All money allocated to the grand prize pool not necessary to fund said maximum \$25,000,000 increase shall instead be allocated to the match five of 59 prize level prize pool. At such time as one or more boards entitle the holder(s) to win the grand prize, all boards selected in the same drawing that entitle the holder(s) to win a match five of 59 prize shall win \$200,000, plus a pari-mutuel share of all accumulated additional money allocated hereinabove to the match five of 59 prize level. This additional prize shall be known as the match 5 bonus.

(e) If the match 5 bonus has been funded, the prize pool percentage allocated to the grand prize will be less than stated above, and the prize pool percentage allocated to the match five of 59 prize will be greater than stated above.

(f) If in the drawing wherein the match 5 bonus has been funded and one or more boards did not match five of 59 numbers, then the match 5 bonus prize pool shall be divided on a pari-mutuel basis between all boards matching the numbers for the four of 59 plus one of 39 prize level.

(g) These amendments shall take effect January 4, 2009. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-10-15-02, Sept. 13, 2002; amended, T-111-7-29-05, July 15, 2005; amended, T-111-2-20-09, Dec. 11, 2008.)

**111-5-27. Probability of winning.** (a) The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category based upon the total number of possible combinations in Powerball:

Number of Matches Per Ticket	Probability Winners	Distribution Probability	Probable/Set Prize Amount
All five (5) of first set plus one (1) of second set	1	1:195,249,054.0000	Grand Prize
All five (5) of first set and none of second set	38	1: 5,138,133.0000	\$200,000
Any four (4) of first set plus one (1) of second set	270	1: 723,144.6444	\$10,000
Any four (4) of first set and none of second set	10,260	1: 19,030.1222	\$100
Any three (3) of first set plus one (1) of second set	14,310	1: 13,644.2386	\$100
Any three (3) of first set and none of second set	543,780	1: 359.0589	\$7
Any two (2) of first set plus one (1) of second set	248,040	1: 787.1676	\$7
Any one (1) of first set plus one (1) of second set	1,581,255	1: 123.4773	\$4
None of first set plus one (1) of second set	3,162,510	1: 61.7386	\$3
Overall	5,560,464	1: 35.1138	

(b) The following table sets forth the probability of each multiplier number being drawn in those games where the multiplier option is available for play:

Multiplier Option	Probability of Selection
2	1:4
3	1:4
4	1:4
5	1:4

If the multiplier option is played, the prize won on that  
*(continued)*

play, except for the grand prize and match 5 bonus prize, shall be multiplied by the multiplier option number selected for that game. A qualifying play which wins one of the seven lowest lump sum set prizes (excluding the match 5+0 prize) will be multiplied by the number selected, either two, three, four, or five (2, 3, 4, or 5), in a separate random power play drawing announced during the official Powerball drawing show. The announced match 5+0 prize, for players selecting the power play option, shall be multiplied by five (5) unless a higher limited promotional multiplier is announced by the group.

(c) These amendments shall take effect January 4, 2009. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-3-14-01, Feb. 16, 2001; amended, T-111-10-15-02, Sept. 13, 2002; amended, T-111-7-29-05, July 15, 2005; amended, T-111-2-20-09, Dec. 11, 2008.)

**111-5-28. Prize payments; annuitized and cash prizes.** (a) Grand prizes shall be paid, at the election of the player made no later than 60 days after the player becomes entitled to a prize with either a per winner annuity or cash payment. If the payment election is not made at the time of purchase and is not made by the player within 60 days after the player becomes entitled to the prize, then the prize shall be paid as an annuity prize. An election for an annuity payment made by a player before ticket purchase or by system default or design may be changed to a cash payment at the election of the player until the expiration of 60 days after the player becomes entitled to the prize. The election to take the cash payment may be made at the time of the prize claim or within 60 days after the player becomes entitled to the prize. An election made after the winner becomes entitled to the prize is final and cannot be revoked, withdrawn or otherwise changed. Shares of the grand prize shall be determined by dividing the cash available in the grand prize pool equally among all winners of the grand prize. Winner(s) who elected a cash payment shall be paid their share(s) in a single cash payment. The annuitized option prize shall be determined by multiplying a winner's share of the grand prize pool by the MUSL annuity factor. The MUSL annuity factor is determined by the best total securities price obtained through a competitive bid of qualified, pre-approved brokers made after it is determined that the prize is to be paid as an annuity prize or after the expiration of 60 days after the winner becomes entitled to the prize. Neither MUSL nor the party lotteries shall be responsible or liable for changes in the advertised or estimated annuity prize amount and the actual amount purchased after the prize payment method is actually known to MUSL. In certain instances announced by the product group, the grand prize shall be a guaranteed amount and shall be determined pursuant to subsection (f) of K.A.R. 111-5-28. If individual shares of the cash held to fund an annuity are less than \$250,000, the product group, in its sole discretion, may elect to pay the winners their share of the cash held in the grand prize pool of the annuity. All annuitized prizes shall be paid annually in 30 equal payments with the initial payment being made in cash, to be followed by 29 payments funded by the

annuity. All annuitized prizes shall be paid annually in thirty (30) graduated payments (increasing each year) by a rate as determined by the product group. Prize payments may be rounded down to the nearest one-thousand dollars (\$1,000). Annual payments after the initial payment shall be made by the lottery on the anniversary date, or if such date falls on a non-business day, then on the first business day following the anniversary date of the selection of the jackpot winning numbers. Funds for the initial payment of an annuitized prize shall be made available by MUSL for payment by a party lottery by the fifteenth calendar day following the drawing or the next banking day if the fifteenth day is a non-business day. A state may elect to make the initial payment from its own funds after validation, with notice to MUSL.

(b) In the event of the death of a lottery winner during the annuity payment period, the product group, in its sole discretion, upon the petition of the estate of the lottery winner to the Kansas lottery, may accelerate the payment of all of the remaining lottery proceeds to the estate. If the product group makes such a determination, then securities and/or cash held to fund the deceased lottery winner's annuitized prize, may be distributed to the estate. The identification of the securities to fund the annuitized prize shall be at the sole discretion of the product group.

(c) All low tier cash prizes, which are all prizes except the grand prize, shall be paid in cash through the party lottery which sold the winning ticket(s). A party lottery may begin paying low-tier cash prizes after receiving authorization to pay from the MUSL central office.

(d) Annuitized payments of the grand prize or a share of the grand prize may be rounded to facilitate the purchase of an appropriate funding mechanism. Breakage on an annuitized grand prize win shall be added to the first cash payment to the winner or winners. Prizes other than the grand prize, which, under these rules, may become single-payment, pari-mutuel prizes, may be rounded down so that prizes can be paid in multiples of whole dollars. Breakage resulting from rounding these prizes shall be carried forward to the prize pool for the next drawing.

(e) If the grand prize is not won in a drawing, the prize money allocated for the grand prize shall roll over and be added to the grand prize pool for the following drawing. If a new high grand prize is not won in a drawing, the prize amount allocated for the match 5 bonus prizes shall roll over and be added to the match 5 bonus prize pool for the following drawing.

(f) The product group may offer guaranteed minimum grand prize amounts or minimum increases in the grand prize amount between drawings or make other changes in the allocation of prize money where the product group finds that it would be in the best interest of the game. If a minimum grand prize amount or a minimum increase in the grand prize amount between drawings is offered by the product group, then the grand prize shares shall be determined as follows. If there are multiple grand prize winners during a single drawing, each selecting the annuitized option prize, then a winner's share of the guaranteed annuitized grand prize shall be determined by dividing the guaranteed annuitized grand prize by the number of winners. If there are multiple grand prize win-

ners during a single drawing and at least one of the grand prize winners has elected the annuitized option prize, then the best bid submitted by MUSL's pre-approved qualified brokers shall determine the cash pool needed to fund the guaranteed annuitized grand prize. If no winner of the grand prize during a single drawing has elected the annuitized option prize, then the amount of cash in the grand prize pool shall be an amount equal to the guaranteed annuitized amount divided by the average annuity factor of the most recent three best quotes provided by MUSL's pre-approved qualified brokers submitting quotes. In no case, shall quotes be used which are more than two weeks old and if less than three quotes are submitted, then MUSL shall use the average of all quotes submitted. Changes in the allocation of prize money shall be designed to retain approximately the same prize allocation percentages, over a year's time, set out in these rules. Minimum guaranteed prizes or increases may be waived if the alternate funding mechanism set out in K.A.R. 111-5-26 becomes necessary.

(g) The holder of a winning ticket may win only one prize per board in connection with the winning numbers drawn, and shall be entitled only to the prize won by those numbers in the highest matching prize category.

(h) All prizes must be claimed within 365 days of the day of the drawing in which the prize was won.

(i) These amendments shall take effect January 4, 2009. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8731; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-2-23-93, Feb. 19, 1993; amended, T-111-6-27-96, June 21, 1996; amended, T-111-10-97; Sept. 12, 1997; amended, T-111-1-21-99, Jan. 15, 1999; amended, T-111-8-20-02, Aug. 14, 2002; amended, T-111-10-15-02, Sept. 13, 2002; amended, T-111-7-29-05, July 15, 2005; amended, T-111-2-20-09, Dec. 11, 2008.)

**111-5-33. Multi-Draw.** (a) In addition to a single play for each \$1.00, a player may also have his or her selections entered in multiple drawings. Multi-draw tickets must be purchased for consecutive drawings beginning with the next drawing. This is done by marking one of the multi-draw boxes designated by 2, 3, 4, 5, 6, 7, 8, 9, 10, or 15 on the play slip. The additional draw period(s) for which the ticket is valid will then appear on the computer generated ticket given to the player by the retailer.

(b) A player must pay an additional \$1.00 per play for each additional drawing in which he or she wishes to play.

(c) Unless one of the multi-draw boxes is marked and the additional amount paid, the play will only be eligible for the current drawing up to 8:59 p.m. the day of the drawing.

(d) A player may purchase only the same numbers on the same boards for multiple drawings.

(e) Multi-draw tickets for Powerball drawings conducted after the January 3, 2009, business day shall not be available for purchase prior to the business day beginning January 4, 2009.

(f) A business day for the purposes of this game shall be defined at subsection (p) of K.A.R. 111-6-1.

(g) These amendments shall take effect January 4, 2009. (Authorized by and implementing K.S.A. Supp. 74-8710;

effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-8-11-97, July 18, 1997; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-10-15-02, Sept. 13, 2002; amended, T-111-2-20-09, Dec. 11, 2008.)

Ed Van Petten  
Executive Director

Doc. No. 036756

## 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

**(Editor's Note: Sections of the following bill were vetoed by the Governor and sustained by the Legislature. The line-item vetoes are indicated in double-strike type. The Governor's line-item veto message is printed immediately following the bill.)**

(Published in the Kansas Register March 19, 2009.)

#### HOUSE Substitute for Substitute for SENATE BILL No. 23

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2009, June 30, 2010 and June 30, 2011, 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. 2008 Supp. 55-193, 79-2978, 79-2979, 79-3425i, 79-34,156, 79-4801 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, 2009, June 30, 2010, and June 30, 2011, 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.

#### ABSTRACTERS' BOARD OF EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 68(a) of chapter 167 of the 2007 Session Laws of Kansas on the abstracters' fee fund is hereby decreased from \$21,814 to \$21,160.

Sec. 3.

#### BOARD OF ACCOUNTANCY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the board of accountancy fee fund is hereby decreased from \$315,697 to \$306,197.

(continued)

## Sec. 4.

## STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the bank commissioner fee fund is hereby decreased from \$8,389,041 to \$8,131,730.

## Sec. 5.

## KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the board of barbering fee fund is hereby decreased from \$155,851 to \$142,692.

## Sec. 6.

## BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the behavioral sciences regulatory board fee fund is hereby decreased from \$625,213 to \$610,371.

## Sec. 7.

## STATE BOARD OF HEALING ARTS

(a) During the fiscal year ending June 30, 2009, 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 healing arts fee fund during the fiscal year 2009, 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 healing arts fee fund during fiscal year 2009 are insufficient to finance the authorized budgeted expenditures 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 healing arts fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the authorized budgeted expenditures for fiscal year 2009 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, 2009, the director of accounts and reports shall transfer from the healing arts fee fund to the state general fund the amount of money equal to the aggregate of all amounts transferred during fiscal year 2009 pursuant to this section to reimburse the state general fund.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the healing arts fee fund is hereby decreased from \$3,669,562 to \$3,601,944.

## Sec. 8.

## KANSAS STATE BOARD OF COSMETOLOGY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the cosmetology fee fund is hereby decreased from \$806,356 to \$782,165.

## Sec. 9.

## STATE DEPARTMENT OF CREDIT UNIONS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the credit union fee fund is hereby decreased from \$894,662 to \$867,822.

## Sec. 10.

## KANSAS DENTAL BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the dental board fee fund is hereby decreased from \$382,560 to \$380,950.

## Sec. 11.

## STATE BOARD OF MORTUARY ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the mortuary arts fee fund is hereby decreased from \$276,605 to \$268,307.

## Sec. 12.

## KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the hearing instrument board fee fund is hereby decreased from \$29,511 to \$28,626.

## Sec. 13.

## BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the board of nursing fee fund is hereby decreased from \$1,854,916 to \$1,817,328.

## Sec. 14.

## BOARD OF EXAMINERS IN OPTOMETRY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the optometry fee fund is hereby decreased from \$130,411 to \$126,499.

## Sec. 15.

## STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the state board of pharmacy fee fund is hereby decreased from \$764,201 to \$694,115.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 81(a) of chapter 167 of the 2007 Session Laws of Kansas on the official hospitality account of the state board of pharmacy fee fund is hereby increased from \$500 to \$750.

## Sec. 16.

## REAL ESTATE APPRAISAL BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the appraiser fee fund is hereby decreased from \$326,818 to \$316,050.

## Sec. 17.

## KANSAS REAL ESTATE COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the real estate fee fund is hereby decreased from \$1,103,162 to \$1,007,347.

(b) On the effective date of this act, there is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:

Background investigation fee fund..... No limit

*Provided*, That, on and after the effective date of this act during fiscal year 2009, notwithstanding the provisions of K.S.A. 58-3039, and amendments thereto, moneys collected for the purpose of reimbursing the Kansas real estate commission for the cost of fingerprinting and the criminal history record check shall be deposited in the state treasury and credited to the background investigation fee fund.

## Sec. 18.

## 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, 2009, by the state finance council on the securities act fee fund is hereby decreased from \$2,874,245 to \$2,794,096.

## Sec. 19.

## STATE BOARD OF TECHNICAL PROFESSIONS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the technical professions fee fund is hereby decreased from \$576,909 to \$559,584.

(b) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 88 of chapter 167 of the 2007 Session Laws of Kansas for the state board of technical professions is hereby decreased from 6.00 to 5.00.



## Sec. 20.

## STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the veterinary examiners fee fund is hereby decreased from \$268,925 to \$260,690.

## Sec. 21.

## GOVERNMENTAL ETHICS COMMISSION

(a) On the effective date of this act, of the \$511,910 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 87(a) of chapter 167 of the 2007 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$41,696 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the governmental ethics commission fee fund is hereby increased from \$161,092 to \$186,925.

## Sec. 22.

## KANSAS HOME INSPECTORS REGISTRATION BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:

Home inspectors registration fee fund ..... No limit

## Sec. 23.

## LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$572,467 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 68(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the legislative coordinating council — operations account, the sum of \$29,496 is hereby lapsed.

(b) On the effective date of this act, of the \$3,528,548 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 68(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the legislative research department — operations account, the sum of \$118,650 is hereby lapsed.

(c) On the effective date of this act, of the \$3,210,602 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 68(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the office of revisor of statutes — operations account, the sum of \$106,458 is hereby lapsed.

## Sec. 24.

## LEGISLATURE

(a) On the effective date of this act, of the \$18,525,483 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 69(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operations (including official hospitality) account, the sum of \$565,343 is hereby lapsed.

## Sec. 25.

## DIVISION OF POST AUDIT

(a) On the effective date of this act, of the \$2,400,599 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 70(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operations (including legislative post audit committee) account, the sum of \$86,250 is hereby lapsed.

## Sec. 26.

## STATE FINANCE COUNCIL

(a) On the effective date of this act, of the \$38,575,818 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 2(a) of chapter 159 of the 2008 Session Laws of Kansas from the state general fund for the purposes of salaries and compensation for state officers and employees, the sum of \$374,599 is hereby lapsed.

(b) On the effective date of this act, of the \$229,430 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 2(c)(1) of chapter 159 of the 2008 Session Laws of Kansas from the state economic development initiatives fund for the purposes of salaries and compensation for state officers and employees, the sum of \$8,789 is hereby lapsed.

(c) On the effective date of this act, of the \$47,029 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 2(d)(1) of chapter 159 of the 2008 Session Laws of Kansas from the state water plan fund for the purposes of salaries and

compensation for state officers and employees, the sum of \$2,776 is hereby lapsed.

## Sec. 27.

## GOVERNOR'S DEPARTMENT

(a) On the effective date of this act, of the \$2,558,096 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 71(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the governor's department account, the sum of \$77,931 is hereby lapsed.

(b) On the effective date of this act, of the \$1,625,243 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 71(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the domestic violence prevention grants account, the sum of \$113,035 is hereby lapsed.

(c) On the effective date of this act, of the \$2,525,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 71(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the enhancement outreach account, the sum of \$56,518 is hereby lapsed.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:

Hispanic and Latino American affairs fee fund .... No limit

## Sec. 28.

## LIEUTENANT GOVERNOR

(a) On the effective date of this act, of the \$213,795 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 72(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operations account, the sum of \$7,631 is hereby lapsed.

## Sec. 29.

## ATTORNEY GENERAL

(a) On the effective date of this act, of the \$4,872,744 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 73(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$334,128 is hereby lapsed.

(b) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 21-3851, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,500,000 from the medicaid fraud reimbursement fund of the attorney general to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the medicaid fraud reimbursement fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the medicaid fraud reimbursement 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 attorney general by other state agencies which receive appropriations from the state general fund to provide such services.

(c) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 82a-1802, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,560,000 from the interstate water litigation fund of the attorney general to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the interstate water litigation fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the interstate water litigation 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 attorney general by other state agencies which receive appropriations from the state general fund to provide such services.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the crime victims compensation fund for state operations is hereby increased from \$459,307 to \$480,994.

(continued)

Sec. 30.

STATE TREASURER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the state treasurer operating fund is hereby decreased from \$1,594,042 to \$1,564,173.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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: Special qualified industrial manufacturer fund .... No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 2008 Supp. 74-50,122, and amendments thereto, or any other statute, the special qualified industrial manufacturer fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of the qualified industrial manufacturer act: *Provided further*, That on the 15th day of each month that commences during fiscal year 2009, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified industrial manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *And provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the special qualified industrial manufacturer fund established by this subsection: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2009, the director of accounts and reports shall transfer from the state general fund to the special qualified industrial manufacturer fund interest earnings based on: (1) The average daily balance of moneys in the special qualified industrial manufacturer fund established by this subsection for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the special qualified industrial manufacturer fund from the withholding taxes paid by a qualified industrial manufacturer shall be paid by the state treasurer to such qualified industrial manufacturer on such dates as are mutually agreed to by the secretary of commerce and the state treasurer, serving as paying agent in accordance with the terms of the agreement entered into pursuant to K.S.A. 2008 Supp. 74-50,122, and amendments thereto, by the secretary of commerce and such qualified industrial manufacturer: *And provided further*, That not more than \$2,000,000 shall be paid from the special qualified industrial manufacturer fund established by this subsection by the state treasurer to a qualified industrial manufacturer: *And provided further*, That the words and phrases used in these provisos to appropriation of moneys in the special qualified industrial manufacturer fund shall have the meanings respectively ascribed thereto by K.S.A. 2008 Supp. 74-50,121, and amendments thereto, unless the context requires otherwise.

Cessna bonds fund ..... No limit

*Provided*, That on the 15th day of each month that commences during fiscal year 2009, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2008 Supp. 74-50,136, and amendments thereto, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the cessna bonds fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2009, the director of accounts and reports shall transfer from the state general fund to the cessna bonds fund interest earnings based on: (1) The average daily balance of moneys in the cessna bonds fund for the preceding month; and (2) the net earnings rate

of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the cessna bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the cessna bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2008 Supp. 74-50,136, and amendments thereto.

Sec. 31.

HEALTH CARE STABILIZATION FUND BOARD OF GOVERNORS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the health care stabilization fund is hereby decreased from \$1,335,926 to \$1,333,033.

Sec. 32.

JUDICIAL COUNCIL

(a) On the effective date of this act, of the \$150,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 78(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the recodification commission account, the sum of \$3,000 is hereby lapsed.

Sec. 33.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) On the effective date of this act, of the \$11,011,077 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 79(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$218,606 is hereby lapsed.

(b) On the effective date of this act, of the \$9,600,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 79(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the assigned counsel expenditures account, the sum of \$35,000 is hereby lapsed.

(c) On the effective date of this act, of the \$1,822,764 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 79(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the capital defense operations account, the sum of \$101,141 is hereby lapsed.

(d) On the effective date of this act, of the \$396,514 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 79(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the legal services for prisoners account, the sum of \$107,930 is hereby lapsed.

Sec. 34.

KANSAS HUMAN RIGHTS COMMISSION

(a) On the effective date of this act, of the \$1,710,065 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 82(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$52,923 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the above agency for the fiscal year ending June 30, 2009, by section 82(a) of chapter 131 of the 2008 Session Laws of Kansas, on expenditures for official hospitality from the operating expenditures account of the state general fund is hereby increased from \$150 to \$200.

Sec. 35.

STATE CORPORATION COMMISSION

(a) On the effective date of this act, the aggregate expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the public service regulation fund, the motor carrier license fees fund, and the conservation fee fund is hereby increased from \$17,001,258 to \$17,007,823.

(b) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$1,000,000 from the KETA development fund of the state corporation commission to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the KETA development fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the KETA development 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 corporation commission by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 36.

CITIZENS' UTILITY RATEPAYER BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the utility regulatory fee fund is hereby decreased from \$803,448 to \$779,348.

Sec. 37.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:  
 Long-term care ombudsman..... \$34,173

(b) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the financial management system account, the sum of \$19,755 is hereby lapsed.

(c) On the effective date of this act, of the \$1,129,504 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the general administration account, the sum of \$34,333 is hereby lapsed.

(d) On the effective date of this act, of the \$1,385,833 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the budget analysis account, the sum of \$42,543 is hereby lapsed.

(e) On the effective date of this act, of the \$1,954,455 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the personnel services account, the sum of \$61,807 is hereby lapsed.

(f) On the effective date of this act, of the \$512,136 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the purchasing account, the sum of \$17,019 is hereby lapsed.

(g) On the effective date of this act, of the \$68,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the facilities management account, the sum of \$2,040 is hereby lapsed.

(h) On the effective date of this act, of the \$1,977,022 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the accounts and reports account, the sum of \$64,509 is hereby lapsed.

(i) On the effective date of this act, of the \$196,847 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the policy analysis initiatives account, the sum of \$5,905 is hereby lapsed.

(j) On the effective date of this act, of the \$75,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 4(a) of chapter 159 of the 2008 Session Laws of Kansas from the state general fund in the implementation of new pay plans account, the sum of \$2,250 is hereby lapsed.

(k) On the effective date of this act, of the \$2,684,329 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the department of administration systems account, the sum of \$80,530 is hereby lapsed.

(l) On the effective date of this act, of the \$2,249,447 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the public broadcasting council grants account, the sum of \$67,476 is hereby lapsed.

(m) On the effective date of this act, of the \$3,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the capitol complex repair and rehabilitation account, the sum of \$90,000 is hereby lapsed.

(n) On the effective date of this act, of the \$200,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the rehabilitation and repair for state facilities account, the sum of \$6,000 is hereby lapsed.

(o) On the effective date of this act, of the \$100,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the judicial center rehabilitation and repair account, the sum of \$3,000 is hereby lapsed.

(p) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2009, the following:

SIBF — state building insurance..... \$15,844

(q) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2009, the following:

CIBF — state building insurance..... \$1,454

(r) On the effective date of this act, the \$475,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(m) of chapter 131 of the 2008 Session Laws of Kansas from the Kansas educational building fund in the EBF — state building insurance account, is hereby lapsed.

(s) On the effective date of this act, of the \$407,813 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the energy conservation improvements — debt service account, the sum of \$352,500 is hereby lapsed.

~~(t) On the effective date of this act, of the \$36,146,303 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the KPERS bonds debt service account, the sum of \$10,070,000 is hereby lapsed.~~

(u) On the effective date of this act, of the \$611,376 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 85(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the public broadcasting digital conversion debt service account, the sum of \$315,000 is hereby lapsed.

(v) On the effective date of this act, of the \$10,052,858 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 137(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the statehouse improvements — debt service account, the sum of \$1,190,000 is hereby lapsed.

Sec. 38.

STATE COURT OF TAX APPEALS

(a) On the effective date of this act, of the \$1,773,780 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 30(a) of chapter 184 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$200,244 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 30(b) of chapter 184 of the 2008 Session Laws of Kansas on the COTA filing fee fund is hereby increased from \$496,234 to \$641,234.

Sec. 39.

DEPARTMENT OF REVENUE

(a) On the effective date of this act, of the \$20,547,871 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 87(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$643,170 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the division of vehicles operating fund is hereby decreased from \$45,859,624 to \$45,327,045.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:  
 Division of vehicles modernization fund ..... No limit

(d) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008

(continued)

Supp. 79-34,156, 79-34,157 or 79-34,158, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the Kansas qualified biodiesel fuel producer incentive fund of the department of revenue to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the Kansas qualified biodiesel fuel producer incentive fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the Kansas qualified biodiesel fuel producer incentive 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 department of revenue by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 40.

KANSAS LOTTERY

(a) On the effective date of this act, the amount authorized by section 88(b) of chapter 131 of the 2008 Session Laws of Kansas to be transferred from the lottery operating fund to the state gaming revenues fund during the fiscal year ending June 30, 2009, is hereby decreased from \$73,040,000 to \$72,540,000.

Sec. 41.

KANSAS RACING AND GAMING COMMISSION

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131 of the 2008 Session Laws of Kansas for the Kansas racing and gaming commission — state racing operations and expanded lottery act regulation division is hereby decreased from 95.50 to 56.00.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the state racing fund of the Kansas racing and gaming commission is hereby decreased from \$2,057,457 to \$729,296.

(c) On the effective date of this act, there is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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:

Gaming machine examination fund .....	No limit
Horse purse fund .....	No limit

(d) On the effective date of this act, the pooled money investment board is authorized and directed to extend the repayment date and to modify any related provisions of the loan agreement entered into with the Kansas racing and gaming commission pursuant to section 89(h) of chapter 131 of the 2008 Session Laws of Kansas to the effect that the repayment date under such loan agreement is extended from June 30, 2009, to June 30, 2010.

Sec. 42.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131 of the 2008 Session Laws of Kansas for the department of commerce is hereby decreased from 418.74 to 314.75.

(b) On the effective date of this act, of the \$233,078 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 90(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Kansas commission on disability concerns account, the sum of \$4,821 is hereby lapsed.

(c) On the effective date of this act, of the \$375,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 90(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the strong military bases program account, the sum of \$7,544 is hereby lapsed.

(d) On the effective date of this act, of the \$330,676 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 90(b) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the older Kansans employment program account, the sum of \$28,159 is hereby lapsed.

(e) On the effective date of this act, of the \$2,106,471 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 90(b) of chapter 131 of the 2008 Session Laws of Kansas

from the state economic development initiatives fund in the rural opportunity program account, the sum of \$199,546 is hereby lapsed.

(f) On the effective date of this act, of the \$15,745,418 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 90(b) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the operating grant (including official hospitality) account, the sum of \$2,180,858 is hereby lapsed.

(g) 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 2009, 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 2009, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Kansas city workforce building roof replacement .....	\$65,000
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(h) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund for fiscal year 2009, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2009, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Kansas city workforce building roof replacement .....	\$45,000
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(i) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$81,250 from the Kansas economic opportunity initiatives fund to the state general fund.

Sec. 43.

KANSAS, INC.

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131 of the 2008 Session Laws of Kansas for Kansas, Inc. is hereby decreased from 4.50 to 4.00.

(b) On the effective date of this act, of the \$409,976 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 91(a) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the operations (including official hospitality) account, the sum of \$16,614 is hereby lapsed.

Sec. 44.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

(a) On the effective date of this act, of the \$12,506,811 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 92(a) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the operations, assistance and grants (including official hospitality) account, the sum of \$798,172 is hereby lapsed.

Sec. 45.

DEPARTMENT OF LABOR

(a) On the effective date of this act, of the \$569,266 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 93(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$32,768 is hereby lapsed.

Sec. 46.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) On the effective date of this act, of the \$445,194 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures — administration account, the sum of \$15,848 is hereby lapsed.

(b) On the effective date of this act, of the \$1,154,764 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures — veteran services account, the sum of \$36,727 is hereby lapsed.

(c) On the effective date of this act, of the \$2,546,207 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas

from the state general fund in the operating expenditures — Kansas soldiers' home account, the sum of \$80,012 is hereby lapsed.

(d) On the effective date of this act, of the \$2,952,488 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures — Kansas veterans' home account, the sum of \$96,170 is hereby lapsed.

(e) On the effective date of this act, the \$4,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures — Persian Gulf War veterans health initiatives account, is hereby lapsed.

(f) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures — Persian Gulf War veterans health initiatives account, the sum of \$3,884 is hereby lapsed.

(g) On the effective date of this act, of the \$544,778 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operations — state veterans cemeteries account, the sum of \$17,690 is hereby lapsed.

(h) On the effective date of this act, of the \$457,465 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the additional operating expenditures — veterans homes and cemeteries account, the sum of \$13,995 is hereby lapsed.

(i) On the effective date of this act, of the \$550,875 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 94(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the veterans claim assistance program — service grants account, the sum of \$16,527 is hereby lapsed.

(j) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131 of the 2008 Session Laws of Kansas for the Kansas commission on veterans affairs is hereby decreased from 536.75 to 522.00.

(k) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, 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 medicare fund ..... No limit

(l) During the fiscal year ending June 30, 2009, the executive director of the Kansas commission on veterans affairs, 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, 2009, from the state general fund for the Kansas commission on veterans affairs or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs to another item of appropriation for fiscal year 2009 from the state general fund for the Kansas commission on veterans affairs or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs 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.

(m) (1) During the fiscal year ending June 30, 2009, notwithstanding the provisions of K.S.A. 73-1231, 73-1906, 73-1953 or 75-3728g, and amendments thereto, or K.S.A. 2008 Supp. 73-1233, and amendments thereto, or any other statute, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs to another special revenue fund of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs 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.

(2) As used in this subsection (m), "special revenue fund" means the soldiers' home fee fund, veterans' home fee fund, soldiers' home outpatient clinic fund, soldiers' home benefit fund, soldiers'

home work therapy fund, veterans' home canteen fund, veterans' home benefit fund, Persian Gulf War veterans health initiative fund, state veterans cemeteries fee fund, state veterans cemeteries donations and contributions fund, and Kansas veterans memorials fund.

(n) (1) During the fiscal year ending June 30, 2009, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget and subject to the applicable restrictions and limitations or other provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas commission on veterans affairs to another federal fund of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs 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.

(2) As used in this subsection (n), "federal fund" means the VA burial reimbursement fund — federal, veterans home federal fund, soldiers home federal fund, commission on veterans affairs federal fund, and outpatient clinic patient federal reimbursement fund — federal.

#### Sec. 47.

#### DEPARTMENT OF HEALTH AND ENVIRONMENT— DIVISION OF HEALTH

(a) On the effective date of this act, of the \$4,387,916 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$229,728 is hereby lapsed.

(b) On the effective date of this act, of the \$4,588,103 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) — health account, the sum of \$87,209 is hereby lapsed.

(c) On the effective date of this act, of the \$5,051,807 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the aid to local units account, the sum of \$22,425 is hereby lapsed.

(d) On the effective date of this act, of the \$537,660 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the teen pregnancy prevention activities account, the sum of \$1,873 is hereby lapsed.

(e) On the effective date of this act, of the \$869,598 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the vaccine purchases account, the sum of \$801 is hereby lapsed.

(f) On the effective date of this act, of the \$400,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the pregnancy maintenance initiative account, the sum of \$100,000 is hereby lapsed.

(g) On the effective date of this act, of the \$550,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the immunization programs account, the sum of \$44,129 is hereby lapsed.

(h) On the effective date of this act, of the \$350,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the youth mentoring program account, the sum of \$36,495 is hereby lapsed.

(i) On the effective date of this act, of the \$3,771,305 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 95(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the infant and toddler program account, the sum of \$85,809 is hereby lapsed.

(j) On the effective date of this act, of the \$2,500,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 7(a) of chapter 184 of the 2008 Session Laws of Kansas from

(continued)

the state general fund in the aid to local units — primary health projects account, the sum of \$338,957 is hereby lapsed.

(k) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2009, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than real IDs authorized by law shall not exceed the following:

Real ID — federal fund .....	\$25,000
Sec. 48.	

DEPARTMENT OF HEALTH AND ENVIRONMENT—  
DIVISION OF ENVIRONMENT

(a) On the effective date of this act, of the \$4,924,193 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 96(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$104,000 is hereby lapsed.

(b) On the effective date of this act, of the \$3,962,899 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 96(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) — laboratories account, the sum of \$81,972 is hereby lapsed.

(c) On the effective date of this act, of the \$274,827 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 96(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the use attainability analyses account, the sum of \$5,600 is hereby lapsed.

(d) On the effective date of this act, any unencumbered balance in the following account of the state general fund is hereby lapsed: Treece buyout.

(e) On the effective date of this act, of the \$976,151 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 96(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the contamination remediation account, the sum of \$195,924 is hereby lapsed.

(f) On the effective date of this act, of the \$800,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 96(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the watershed restoration and protection plan account, the sum of \$229,011 is hereby lapsed.

(g) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 96(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the newborn screening account, the sum of \$3,251 is hereby lapsed.

(h) (1) The director of accounts and reports shall not make the transfer of \$250,000 prescribed to be transferred from the state general fund to the waste tire management fund of the department of health and environment — division of environment by section 13(a)(4) of chapter 3 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2009, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the waste tire management fund to the state general fund pursuant to section 13(a)(1) of chapter 3 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 13(a)(4) of chapter 3 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(2) On or before June 30, 2011, during fiscal year 2011, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$250,000 from the state general fund to the waste tire management fund of the department of health and environment — division of environment for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section 13(a) of chapter 3 of the 2003 Session Laws of Kansas: *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (j)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(i) (1) The director of accounts and reports shall not make the transfer of \$2,500,000 prescribed to be transferred from the state general fund to the underground petroleum storage tank release trust fund of the department of health and environment — division

of environment by section 13(b)(4) of chapter 3 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2009, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the underground petroleum storage tank release trust fund to the state general fund pursuant to section 13(b)(1) of chapter 3 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 13(b)(4) of chapter 3 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(2) On or before June 30, 2011, during fiscal year 2011, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$2,500,000 from the state general fund to the underground petroleum storage tank release trust fund of the department of health and environment — division of environment for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section 13(b) of chapter 3 of the 2003 Session Laws of Kansas: *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (k)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

Sec. 49.

DEPARTMENT ON AGING

(a) On the effective date of this act, of the \$946,781 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the administration account, the sum of \$6,450 is hereby lapsed.

(b) On the effective date of this act, of the \$148,204 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the administration — assessments account, the sum of \$2,962 is hereby lapsed.

(c) On the effective date of this act, of the \$287,870 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the administration — assessments — Level I care account, the sum of \$5,423 is hereby lapsed.

(d) On the effective date of this act, of the \$1,643,427 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the administration — medicaid account, the sum of \$10,198 is hereby lapsed.

(e) On the effective date of this act, of the \$3,410,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the senior care act account, the sum of \$615,562 is hereby lapsed.

(f) On the effective date of this act, of the \$3,569,403 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the program grants — nutrition — state match account, the sum of \$46,122 is hereby lapsed.

(g) On the effective date of this act, of the \$2,612,627 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the LTC — medicaid assistance — TCM/FE account, the sum of \$736,306 is hereby lapsed.

(h) On the effective date of this act, of the \$2,818,146 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the LTC — medicaid assistance — PACE account, the sum of \$2,716,085 is hereby lapsed.

(i) On the effective date of this act, of the \$1,035,440 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 97(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the nursing facilities regulation — title XIX account, the sum of \$4,968 is hereby lapsed.

(j) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 75-4265, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$600,000 from the loans account of the long-term care loan and grant fund of the department on aging to the state general fund: *Provided*, That the

transfer of such amount shall be in addition to any other transfer from the loans account of the long-term care loan and grant fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the loans account of the long-term care loan and grant 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 department on aging by other state agencies which receive appropriations from the state general fund to provide such services.

(k) On the effective date of this act, or as soon thereafter as monies are available, notwithstanding the provisions of K.S.A. 2008 Supp. 75-4265, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$205,000 from the grants account of the long-term care loan and grant fund of the department on aging to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the grants account of the long-term care loan and grant fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the grants account of the long-term care loan and grant 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 department on aging by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 50.

KANSAS HEALTH POLICY AUTHORITY

(a) On the effective date of this act, of the \$22,814,018 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 98(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$2,162,595 is hereby lapsed.

(b) On the effective date of this act, the \$400,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 98(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the generic drug program account, is hereby lapsed.

(c) On the effective date of this act, of the \$18,551,261 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 98(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the children's health insurance program account, the sum of \$2,513,551 is hereby lapsed.

(d) On the effective date of this act, of the \$14,037,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 41(a) of chapter 184 of the 2008 Session Laws of Kansas from the state general fund in the other medical assistance account, the sum of \$9,297,907 is hereby lapsed.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas on the medical programs fee fund is hereby increased from \$38,500,000 to \$41,000,000.

(f) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:  
Independence in employment..... \$538,000

(g) On the effective date of this act, of the \$500,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 98(c) of chapter 131 of the 2008 Session Laws of Kansas from the children's initiatives fund in the immunization outreach account, the sum of \$222,124 is hereby lapsed.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas on the salaries and wages and other operating expenditures account of the state workers compensation self-insurance fund is hereby decreased from \$3,788,047 to \$3,514,525.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas on the salaries and wages and other operating expenditures account of the non-state employer group benefit fund is hereby decreased from \$186,130 to \$167,885.

(j) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas on the salaries and wages and other operating expenditures account of the cafeteria benefits fund is hereby decreased from \$2,244,540 to \$2,071,005.

(k) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas on the salaries and wages and other operating expenditures account of the dependent care assistance program fund is hereby decreased from \$56,773 to \$50,892.

(l) On and after the effective date of this act, in addition to the other purposes for which expenditures may be made by the Kansas health policy authority from the medical programs fee fund for the fiscal year ending June 30, 2009, as authorized by section 98(b) of chapter 131 of the 2008 Session Laws of Kansas or by this or other appropriation act of the 2009 regular session of the legislature, expenditures may be made by the Kansas health policy authority from the medical programs fee fund for fiscal year 2009 for payment of contingent fees for medicaid estate recovery services provided under a contingent fee for services contract: *Provided*, That expenditures for contingent fees for medicaid estate recovery services shall be in addition to any expenditure limitation imposed on the medical programs fee fund for fiscal year 2009.

Sec. 51.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) On the effective date of this act, of the \$7,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 99(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the community mental health centers supplemental funding account, the sum of \$1,800,000 is hereby lapsed.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:  
Community based services ..... \$6,538,435

(c) On the effective date of this act, of the \$3,208,938 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 99(c) of chapter 131 of the 2008 Session Laws of Kansas from the children's initiatives fund in the community services for child welfare account, the sum of \$72,004 is hereby lapsed.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2009, the following:  
Family preservation ..... \$72,004

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the social welfare fund is hereby increased from \$20,681,682 to \$26,203,099.

(f) On the effective date of this act, of the \$3,907,100 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 140(a) of chapter 131 of the 2008 Session Laws of Kansas from the state institutions building fund in the debt service — new state security hospital account, the sum of \$339,403 is hereby lapsed.

(g) On the effective date of this act, of the \$2,585,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 140(a) of chapter 131 of the 2008 Session Laws of Kansas from the state institutions building fund in the debt service — state hospitals rehabilitation and repair account, the sum of \$193,064 is hereby lapsed.

(h) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:  
Larned state hospital — sexual predator treatment program..... \$323,928

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 99(b) of chapter 131 of the 2008 Session Laws of Kansas on the Larned state hospital fee fund is hereby increased from \$3,465,843 to \$3,887,929.

(j) On the effective date of this act, or as soon thereafter as monies are available, notwithstanding the provisions of K.S.A. 76-1201c, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$541,202 from the Osawat-

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mie state hospital fee fund of the department of social and rehabilitation services to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the Osawatomi state hospital fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the Osawatomi state hospital 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 department of social and rehabilitation services by other state agencies which receive appropriations from the state general fund to provide such services.

(k) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the Osawatomi state hospital fee fund is hereby increased from \$4,843,177 to \$5,212,495.

(l) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the Rainbow mental health facility fee fund is hereby increased from \$1,005,558 to \$1,059,523.

(m) On the effective date of this act, of the \$28,783,932 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 99(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Larned state hospital — operating expenditures account, the sum of \$422,086 is hereby lapsed.

(n) On the effective date of this act, of the \$16,629,385 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 99(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Osawatomi state hospital — operating expenditures account, the sum of \$1,638,118 is hereby lapsed.

(o) On the effective date of this act, of the \$5,107,986 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 99(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Rainbow mental health facility — operating expenditures account, the sum of \$53,965 is hereby lapsed.

(p) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2008 Supp. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$5,200 from the problem gambling and addiction grant fund to the state general fund.

Sec. 52.

#### KANSAS GUARDIANSHIP PROGRAM

(a) On the effective date of this act, of the \$1,297,557 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 100(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Kansas guardianship program account, the sum of \$101,169 is hereby lapsed.

Sec. 53.

#### DEPARTMENT OF EDUCATION

~~(a) On the effective date of this act, of the \$2,187,377,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 30(a) of chapter 197 of the 2006 Session Laws of Kansas from the state general fund in the general state aid account, the sum of \$27,840,710 is hereby lapsed.~~

~~(b) On the effective date of this act, of the \$54,500,455 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 101(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the special education services aid account, the sum of \$4,464,507 is hereby lapsed.~~

(c) On the effective date of this act, of the \$7,934,825 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 101(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the school district juvenile detention facilities and Flint Hills job corps center grants account, the sum of \$1,249,370 is hereby lapsed.

(d) On the effective date of this act, of the \$292,891,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 30(a) of chapter 197 of the 2006 Session Laws of Kansas from the state general fund in the supplemental general state aid account, the sum of \$8,530,369 is hereby lapsed.

(e) On the effective date of this act, of the \$420,120 appropriated for the above agency for the fiscal year ending June 30, 2009, by

section 34(a) of chapter 201 of the 2007 Session Laws of Kansas from the state general fund in the Kansas career pipeline grant account, the sum of \$8,305 is hereby lapsed.

(f) On the effective date of this act, the \$37,170,000 appropriated for the above agency for the fiscal year ending June 30, 2010, by section 10 (a) of chapter 172 of the 2008 Session Laws of Kansas from the state general fund in the general state aid account is hereby lapsed.

(g) (1) On the effective date of this act, notwithstanding the provisions of section 11 of chapter 172 of the 2008 Session Laws of Kansas, or any other statute, the director of accounts and reports shall transfer all moneys in the keeping education promises trust fund to the state general fund. On the effective date of this act, the keeping education promises trust fund is hereby abolished.

(2) The director of accounts and reports shall not make the transfer of \$37,170,000 prescribed to be transferred from the keeping education promises trust fund to the state general fund by section 11(c) of chapter 172 of the 2008 Session Laws of Kansas, which was directed to be made on July 1, 2009. On July 1, 2009, the provisions of section 11(c) of chapter 172 of the 2008 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(h) On the effective date of this act, of the \$200,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 101(c) of chapter 131 of the 2008 Session Laws of Kansas from the children's initiatives fund in the grant to the Kansas optometric association for vision study account, the sum of \$100,000 is hereby lapsed.

Sec. 54.

#### STATE LIBRARY

(a) On the effective date of this act, of the \$2,393,562 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 102(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the grants to libraries and library systems — grants-in-aid account, the sum of \$166,289 is hereby lapsed.

(b) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131 of the 2008 Session Laws of Kansas for the state library is hereby decreased from 27.00 to 26.00.

Sec. 55.

#### KANSAS ARTS COMMISSION

(a) On the effective date of this act, of the \$354,601 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 103(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$59,344 is hereby lapsed.

(b) On the effective date of this act, of the \$1,399,196 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 103(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the arts programming grants and challenge grants account, the sum of \$210,527 is hereby lapsed.

Sec. 56.

#### KANSAS STATE SCHOOL FOR THE BLIND

(a) On the effective date of this act, of the \$5,658,707 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 104(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$148,191 is hereby lapsed.

Sec. 57.

#### KANSAS STATE SCHOOL FOR THE DEAF

(a) On the effective date of this act, of the \$9,112,020 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 105(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$215,793 is hereby lapsed.

Sec. 58.

#### STATE HISTORICAL SOCIETY

(a) On the effective date of this act, of the \$6,027,353 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 106(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$329,751 is hereby lapsed.



(b) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 145(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the rehabilitation and repair projects account, the sum of \$50,199 is hereby lapsed.

(c) On the effective date of this act, of the \$81,830 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 106(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Kansas humanities council account, the sum of \$1,637 is hereby lapsed.

Sec. 59.

#### EMPORIA STATE UNIVERSITY

(a) On the effective date of this act, of the \$33,865,048 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 111(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$1,056,090 is hereby lapsed.

(b) On the effective date of this act, of the \$242,889 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 111(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the reading recovery program account, the sum of \$7,287 is hereby lapsed.

(c) On the effective date of this act, of the \$145,766 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 111(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Nat'l Board Cert/Future Teacher Academy account, the sum of \$4,373 is hereby lapsed.

Sec. 60.

#### FORT HAYS STATE UNIVERSITY

(a) On the effective date of this act, of the \$35,720,190 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 107(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$1,112,844 is hereby lapsed.

(b) On the effective date of this act, of the \$150,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 107(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the master's-level nursing capacity account, the sum of \$4,500 is hereby lapsed.

(c) On the effective date of this act, of the \$309,430 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 107(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Kansas wetlands education center at Cheyenne bottoms account, the sum of \$9,283 is hereby lapsed.

Sec. 61.

#### KANSAS STATE UNIVERSITY

(a) On the effective date of this act, of the \$113,487,252 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 108(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$3,511,398 is hereby lapsed.

(b) On the effective date of this act, of the \$150,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 108(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the midwest institute for comparative stem cell biology account, the sum of \$4,500 is hereby lapsed.

Sec. 62.

#### KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) On the effective date of this act, of the \$696,754 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 109(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$26,007 is hereby lapsed.

(b) On the effective date of this act, of the \$20,514,007 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 109(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the cooperative extension service

(including official hospitality) account, the sum of \$638,476 is hereby lapsed.

(c) On the effective date of this act, of the \$32,727,735 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 109(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the agricultural experiment stations (including official hospitality) account, the sum of \$1,019,230 is hereby lapsed.

(d) On the effective date of this act, of the \$300,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 109(c) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the agricultural experiment stations account, the sum of \$19,500 is hereby lapsed.

Sec. 63.

#### KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) On the effective date of this act, of the \$10,927,680 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 110(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$338,618 is hereby lapsed.

Sec. 64.

#### PITTSBURG STATE UNIVERSITY

(a) On the effective date of this act, of the \$37,197,366 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 112(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$1,157,566 is hereby lapsed.

(b) On the effective date of this act, of the \$326,999 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 151(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the armory/classroom/recreation center debt service account, the sum of \$160,000 is hereby lapsed.

Sec. 65.

#### UNIVERSITY OF KANSAS

(a) On the effective date of this act, of the \$142,852,221 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 113(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$4,408,520 is hereby lapsed.

(b) On the effective date of this act, of the \$6,571,267 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 113(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the geological survey account, the sum of \$202,794 is hereby lapsed.

(c) On the effective date of this act, of the \$150,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 113(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the umbilical cord matrix project account, the sum of \$4,500 is hereby lapsed.

(d) On the effective date of this act, of the \$1,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 152(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the school of pharmacy expansion planning account, the sum of \$30,000 is hereby lapsed.

(e) On the effective date of this act, of the \$40,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 113(d) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the geological survey account, the sum of \$8,000 is hereby lapsed.

Sec. 66.

#### UNIVERSITY OF KANSAS MEDICAL CENTER

(a) On the effective date of this act, of the \$111,465,815 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 114(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$3,472,009 is hereby lapsed.

(continued)

(b) On the effective date of this act, of the \$1,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 114(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Wichita center for graduate medical education account, the sum of \$75,000 is hereby lapsed.

(c) On the effective date of this act, of the \$908,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 153(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the energy conservation debt service account, the sum of \$27,240 is hereby lapsed.

(d) On the effective date of this act, of the \$5,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 114(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the cancer center account, the sum of \$150,000 is hereby lapsed.

~~(e) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following: Wichita center for graduate medical education..... \$2,900,000~~

Sec. 67.

WICHITA STATE UNIVERSITY

(a) On the effective date of this act, of the \$71,758,241 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 115(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$2,229,691 is hereby lapsed.

(b) On the effective date of this act, of the \$2,500,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 115(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the aviation infrastructure account, the sum of \$75,000 is hereby lapsed.

(c) On the effective date of this act, of the \$5,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 115(d) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the aviation research account, the sum of \$325,133 is hereby lapsed.

(d) On the effective date of this act, of the \$2,500,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 115(d) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the aviation infrastructure account, the sum of \$162,500 is hereby lapsed.

Sec. 68.

STATE BOARD OF REGENTS

(a) On the effective date of this act, of the \$3,385,455 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$104,087 is hereby lapsed.

(b) On the effective date of this act, of the \$106,265,068 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the community college operating grant account, the sum of \$3,289,566 is hereby lapsed.

(c) On the effective date of this act, of the \$2,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the KAN-ED operating expenditures account, the sum of \$60,138 is hereby lapsed.

(d) On the effective date of this act, of the \$34,010,397 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the postsecondary aid for vocational education account, the sum of \$1,052,834 is hereby lapsed.

(e) On the effective date of this act, of the \$779,687 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the postsecondary technical education authority account, the sum of \$23,794 is hereby lapsed.

(f) On the effective date of this act, of the \$12,126,216 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the municipal university operating grant account, the sum of \$375,382 is hereby lapsed.

(g) On the effective date of this act, of the \$441,040 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the technology equipment at community colleges and Washburn university account, the sum of \$13,653 is hereby lapsed.

(h) On the effective date of this act, of the \$10,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the postsecondary education operating grant account, the sum of \$81,758 is hereby lapsed.

(i) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following: Vocational education capital outlay aid..... \$79,305  
Provided, That expenditures from the vocational education capital outlay aid account for each grant of vocational education capital outlay aid shall be matched by the area vocational school, the area vocational-technical school or the technical college awarded such grant in an amount which is equal to 50% of the grant.

(j) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2009, the following:

EBF — state building insurance..... \$475,000  
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 educational institutions building insurance premiums.

(k) On the effective date of this act, of the \$2,565,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(g) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the SEDIF — vocational education capital outlay aid account, the sum of \$166,725 is hereby lapsed.

(l) On the effective date of this act, of the \$180,500 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 116(g) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the SEDIF — technology innovation and internship program account, the sum of \$16,137 is hereby lapsed.

(m) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following: Payment to KPERs ..... \$1,755

Sec. 69.

DEPARTMENT OF CORRECTIONS

(a) On the effective date of this act, of the \$19,069,339 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$1,718,455 is hereby lapsed.

(b) On the effective date of this act, of the \$19,548,912 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the community corrections account, the sum of \$1,000,000 is hereby lapsed.

(c) On the effective date of this act, of the \$7,531,429 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the day reporting centers and reentry programs account, the sum of \$857,118 is hereby lapsed.

(d) On the effective date of this act, of the \$3,371,324 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the community correctional conservation camps account, the sum of \$563,000 is hereby lapsed.

(e) On the effective date of this act, of the \$54,717,573 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the treatment and programs account, the sum of \$2,139,447 is hereby lapsed.

(f) On the effective date of this act, of the \$13,913,121 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the facilities operations account, the sum of \$454,436 is hereby lapsed.

(g) On the effective date of this act, of the \$1,549,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 156(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the debt service payment for the infrastructure projects bond issue account, the sum of \$798,000 is hereby lapsed.

(h) On the effective date of this act, of the \$35,891,511 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Lansing correctional facility — facilities operations account, the sum of \$175,000 is hereby lapsed.

(i) On the effective date of this act, or as soon thereafter as monies are available, the director of accounts and reports shall transfer \$1,122,096 from the correctional industries fund to the department of corrections — general fees fund.

(j) On the effective date of this act, of the \$23,410,329 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 117(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the El Dorado correctional facility — facilities operations account, the sum of \$199,000 is hereby lapsed.

(k) On the effective date of this act, of the \$1,401,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 156(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the debt service payment for the reception and diagnostic unit relocation bond issue account, the sum of \$40,000 is hereby lapsed.

Sec. 70.

JUVENILE JUSTICE AUTHORITY

(a) On the effective date of this act, of the \$20,188,218 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$309,424 is hereby lapsed.

(b) On the effective date of this act, of the \$1,000,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the incentive funding account, the sum of \$547,000 is hereby lapsed.

(c) On the effective date of this act, of the \$14,999,886 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Kansas juvenile correctional complex facility operations account, the sum of \$127,270 is hereby lapsed.

(d) On the effective date of this act, of the \$5,603,011 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Atchison juvenile correctional facility operations account, the sum of \$1,960,029 is hereby lapsed.

(e) On the effective date of this act, of the \$4,003,018 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Beloit juvenile correctional facility operations account, the sum of \$68,780 is hereby lapsed.

(f) On the effective date of this act, of the \$8,315,291 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 118(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the Larned juvenile correctional facility operations account, the sum of \$160,486 is hereby lapsed.

(g) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:  
Purchase of services ..... \$961,059

(h) During the fiscal year ending June 30, 2009, 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, 2009, from the children’s initiatives fund for the juvenile justice authority to another item of appropriation for fiscal year 2009 from the children’s initiatives fund for the juvenile justice authority. 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 legislative research.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section

118(c) of chapter 131 of the 2008 Session Laws of Kansas on the juvenile detention facilities fund is hereby increased from \$3,995,690 to \$4,899,190.

(j) On the effective date of this act, of the \$3,997,763 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 157(a) of chapter 131 of the 2008 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 \$6,173 is hereby lapsed.

Sec. 71.

ADJUTANT GENERAL

(a) (1) On the effective date of this act, the \$37,296 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 119(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the NG life insurance premium reimbursement account, is hereby lapsed.

(2) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 119(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the NG life insurance premium reimbursement account, the sum of \$56,889 is hereby lapsed.

(b) On the effective date of this act, of the \$477,097 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 160(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the rehabilitation and repair projects account, the sum of \$1,406 is hereby lapsed.

(c) On the effective date of this act, the \$100,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 160(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the regional training center spoke 1 planning account, is hereby lapsed.

(d) On the effective date of this act, or as soon thereafter as monies are available, notwithstanding the provisions of K.S.A. 48-281, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$319,657 from the national guard life insurance premium reimbursement fund of the adjutant general to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the national guard life insurance premium reimbursement fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the national guard life insurance premium reimbursement 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 adjutant general by other state agencies which receive appropriations from the state general fund to provide such services.

(e) On the effective date of this act, or as soon thereafter as monies are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$1,883,892 from the adjutant general expense fund-hazardous mitigation of the adjutant general to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the adjutant general expense fund-hazardous mitigation to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the adjutant general expense fund-hazardous mitigation 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 adjutant general by other state agencies which receive appropriations from the state general fund to provide such services.

(f) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2009, the following:  
NG death benefits ..... \$250,000  
Operating expenditures..... \$25,212

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 14(d) of chapter 184 of the 2008 Session Laws of Kansas on the national guard museum assistance fund is hereby decreased from no limit to \$0.

(continued)

(h) On the effective date of this act, of the \$2,226,807 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 160(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the debt service — rehabilitation and repair of the statewide armories account, the sum of \$1,140,000 is hereby lapsed.

(i) On the effective date of this act, of the \$115,188 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 160(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the debt service — armory/classroom/recreation center at PSU account, the sum of \$55,000 is hereby lapsed.

Sec. 72.

#### STATE FIRE MARSHAL

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the fire marshal fee fund is hereby decreased from \$3,935,859 to \$3,770,616.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the hazardous material program fund is hereby decreased from \$385,032 to \$377,330.

(c) On the effective date of this act, the amount of \$189,979.50 authorized by section 120(b) of chapter 131 of the 2008 Session Laws of Kansas to be transferred by the director of accounts and reports from the fire marshal fee fund to the hazardous material program fund of the state fire marshal on January 1, 2009, is hereby decreased to \$138,649.50: *Provided*, That on the effective date of this act, or as soon after as moneys are available, the director of accounts and reports shall reverse part of such transfer of moneys from the fire marshal fee fund to the hazardous material program fund of the state fire marshal made prior to the effective date of this act pursuant to such section by transferring \$51,330 from the hazardous material program fund of the state fire marshal to the fire marshal fee fund: *Provided further*, That reversing entries shall be entered upon the accounting records of the state treasurer therefor.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the state fire marshal liquefied petroleum gas fee fund is hereby increased from \$162,487 to \$171,613.

Sec. 73.

#### KANSAS PAROLE BOARD

(a) On the effective date of this act, of the \$494,582 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 121(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the parole from adult correctional institutions account, the sum of \$20,231 is hereby lapsed.

Sec. 74.

#### KANSAS HIGHWAY PATROL

(a) On the effective date of this act, of the \$36,301,567 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 122(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$1,124,973 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the Kansas highway patrol operations fund is hereby increased from \$19,982,339 to \$20,140,639.

(c) On the effective date of this act, the amount of \$7,825,391.75 authorized by section 122(i) of chapter 131 of the 2008 Session Laws of Kansas to be transferred by the director of accounts and reports from the state highway fund of the department of transportation to the state general fund on April 1, 2009, is hereby increased to \$7,897,947.75.

Sec. 75.

#### ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

(a) On the effective date of this act, of the \$16,335,662 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 123(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$907,607 is hereby lapsed.

(b) On the effective date of this act, of the \$100,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 158(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the rehabilitation and repair projects account, the sum of \$50,000 is hereby lapsed.

(c) On the effective date of this act, of the \$311,850 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 158(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the debt service — headquarters building account, the sum of \$285,000 is hereby lapsed.

Sec. 76.

#### EMERGENCY MEDICAL SERVICES BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the emergency medical services operating fund is hereby decreased from \$1,469,242 to \$1,422,165.

(b) On the effective date of this act, the amount of \$150,000 authorized by section 124(d) of chapter 131 of the 2008 Session Laws of Kansas to be transferred by the director of accounts and reports from the emergency medical services operating fund to the educational incentive grant payment fund of the emergency medical services board on January 1, 2009, is hereby decreased to \$144,000: *Provided*, That on the effective date of this act, or as soon after as moneys are available, the director of accounts and reports shall reverse part of such transfer of moneys from the emergency medical services operating fund to the educational incentive grant payment fund of the emergency medical services board made prior to the effective date of this act pursuant to such section by transferring \$6,000 from the educational incentive grant payment fund of the emergency medical services board to the emergency medical services operating fund: *Provided further*, That reversing entries shall be entered upon the accounting records of the state treasurer therefor.

Sec. 77.

#### KANSAS SENTENCING COMMISSION

(a) On the effective date of this act, of the \$718,511 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 125(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$79,791 is hereby lapsed.

(b) On the effective date of this act, of the \$8,900,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 125(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the substance abuse treatment programs account, the sum of \$612,298 is hereby lapsed.

Sec. 78.

#### KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the Kansas commission on peace officers' standards and training fund is hereby decreased from \$722,502 to \$643,000.

Sec. 79.

#### KANSAS DEPARTMENT OF AGRICULTURE

(a) On the effective date of this act, of the \$11,454,531 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 127(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$540,033 is hereby lapsed.

(b) On the effective date of this act, of the \$739,996 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 127(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the basin management account, the sum of \$28,849 is hereby lapsed.

(c) On the effective date of this act, of the \$60,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 127(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the water use account, the sum of \$12,000 is hereby lapsed.

(d) On the effective date of this act, of the \$576,577 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 127(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the interstate water issues account, the sum of \$49,463 is hereby lapsed.

Sec. 80.

#### KANSAS ANIMAL HEALTH DEPARTMENT

(a) On the effective date of this act, of the \$911,876 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 128(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$28,238 is hereby lapsed.

Sec. 81.

#### STATE FAIR BOARD

(a) On the effective date of this act, of the \$50,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 129(c) of chapter 131 of the 2008 Session Laws of Kansas from the state economic development initiatives fund in the ticket marketing account, the sum of \$4,459 is hereby lapsed.

(b) On the effective date of this act, of the \$1,540,821 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 129(b) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the state fair debt service account, the sum of \$410,000 is hereby lapsed.

Sec. 82.

#### STATE CONSERVATION COMMISSION

(a) On the effective date of this act, of the \$887,594 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 130(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$27,341 is hereby lapsed.

(b) On the effective date of this act, of the \$3,414,907 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the water resources cost share account, the sum of \$322,092 is hereby lapsed.

(c) On the effective date of this act, of the \$3,623,754 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the nonpoint source pollution assistance account, the sum of \$783,542 is hereby lapsed.

(d) On the effective date of this act, of the \$1,055,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the watershed dam construction account, the sum of \$234,623 is hereby lapsed.

(e) On the effective date of this act, of the \$350,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the Kansas water quality buffer initiatives account, the sum of \$90,802 is hereby lapsed.

(f) On the effective date of this act, of the \$251,782 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the riparian and wetland program account, the sum of \$60,650 is hereby lapsed.

(g) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 130(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the water transition assistance program account, the sum of \$1,228,078 is hereby lapsed.

(h) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 4(a) of chapter 184 of the 2008 Session Laws of Kansas from the state water plan fund in the conservation reserve enhancement program account, the sum of \$307,427 is hereby lapsed.

Sec. 83.

#### KANSAS WATER OFFICE

(a) On the effective date of this act, of the \$2,302,856 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 131(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the water resources operating expenditures account, the sum of \$88,489 is hereby lapsed.

(b) On the effective date of this act, of the \$860,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 131(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the assessment and evaluation account, the sum of \$180,035 is hereby lapsed.

(c) On the effective date of this act, of the \$624,919 appropriated for the above agency for the fiscal year ending June 30, 2009, by

section 131(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the technical assistance to water users account, the sum of \$158,230 is hereby lapsed.

(d) On the effective date of this act, of the \$84,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 131(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the water resource education account, the sum of \$24,300 is hereby lapsed.

(e) On the effective date of this act, of the \$100,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 131(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the weather stations account, the sum of \$20,000 is hereby lapsed.

Sec. 84.

#### DEPARTMENT OF WILDLIFE AND PARKS

(a) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2009, by section 162(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the state parks capital improvement projects account, the sum of \$1,005,329 is hereby lapsed.

(b) On the effective date of this act, of the \$1,500,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 162(a) of chapter 131 of the 2008 Session Laws of Kansas from the state general fund in the parks ongoing rehabilitation account, the sum of \$264,671 is hereby lapsed.

(c) On the effective date of this act, of the \$40,000 appropriated for the above agency for the fiscal year ending June 30, 2009, by section 132(c) of chapter 131 of the 2008 Session Laws of Kansas from the state water plan fund in the stream monitoring account, the sum of \$8,000 is hereby lapsed.

Sec. 85.

#### DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2009, by the state finance council on the agency operations account of the state highway fund is hereby decreased from \$277,020,766 to \$269,758,653.

(b) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$967,929 from the homeland security interoperability grant account of the state general fund of the Kansas highway patrol to the other federal grants fund of the department of transportation.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2009, by section 134(a) of chapter 131 of the 2008 Session Laws of Kansas for the department of transportation is hereby decreased from 3,150.50 to 3,113.50.

Sec. 86. (a) On the effective date of this act, the director of accounts and reports shall transfer all moneys credited in each Kansas savings incentive program account in the state general fund of each state agency to the state general fund. On the effective date of this act, all liabilities of each such Kansas savings incentive program account in the state general fund are hereby transferred to and imposed on the state general fund. On the effective date of this act, the Kansas savings incentive program is hereby suspended for the remainder of the fiscal year ending June 30, 2009, and the director of accounts and reports shall not process payments from any Kansas savings incentive program accounts of any special revenue funds of a state agency for the remainder of the fiscal year ending June 30, 2009.

~~(b) On the effective date of this act, notwithstanding the provisions of subsection (j) of K.S.A. 40-3403, and amendments thereto, or any other statute, the aggregate amount of moneys transferred pursuant to the provisions of subsection (j) of K.S.A. 40-3403, and amendments thereto, or any other statute, from the state general fund to the health care stabilization fund for the fiscal year ending June 30, 2009, shall not exceed \$2,805,000.~~

(c) On the effective date of this act, notwithstanding the provisions of K.S.A. 2008 Supp. 79-34,171, and amendments thereto, or any other statute, the director of accounts and reports shall not make any transfers pursuant to the provisions of K.S.A. 2008 Supp. 79-34,171, and amendments thereto, or any other statute, from the state general fund to the Kansas retail dealer incentive fund during the fiscal year ending June 30, 2009: *Provided further*, That any transfers of moneys from the state general fund to the Kansas retail dealer incentive fund during the fiscal year ending June 30, 2009,

(continued)

pursuant to the provisions of K.S.A. 2008 Supp. 79-34,171, and amendments thereto, or any other statute, that have been made prior to the effective date of this act shall be reversed by the director of accounts and reports and reversing entries shall be entered upon the accounting records of the state treasurer therefor.

(d) (1) The director of accounts and reports shall not make the transfer of \$23,652,162 prescribed to be transferred from the state general fund to the state highway fund of the department of transportation by section 19(b)(3) of chapter 3 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2009, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the state highway fund to the state general fund pursuant to section 40(a) of chapter 205 of the 2002 Session Laws of Kansas. On the effective date of this act, the provisions of section 19(b)(3) of chapter 3 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(2) On or before June 30, 2011, during the fiscal year ending June 30, 2011, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$23,652,162 from the state general fund to the state highway fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section 40(a) of chapter 205 of the 2002 Session Laws of Kansas: *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (d)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(e) (1) The director of accounts and reports shall not make the transfer of \$7,220,145 prescribed to be transferred from the state general fund to the state highway fund of the department of transportation by section 73(k)(3) of chapter 138 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2009, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the state highway fund to the state general fund pursuant to section 73(j) of chapter 138 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 73(k)(3) of chapter 138 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(2) On or before June 30, 2011, during the fiscal year ending June 30, 2011, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$7,220,145 from the state general fund to the state highway fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section 73(j) of chapter 138 of the 2003 Session Laws of Kansas: *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (e)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(f) (1) The director of accounts and reports shall not make the transfer of \$23,901.75 prescribed to be transferred from the state general fund to the state highway fund of the department of transportation by section 19(c)(4) of chapter 160 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2009, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the state highway fund to the state general fund pursuant to section 19(c) of chapter 160 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 19(c)(4) of chapter 160 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(2) On or before June 30, 2011, during the fiscal year ending June 30, 2011, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$23,901.75 from the state general fund to the state highway fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section 19(c) of chapter 160 of the 2003 Session Laws of Kansas: *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (f)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(g) On the effective date of this act, notwithstanding the provisions of subsection (g) of K.S.A. 2008 Supp. 79-4804, and amend-

ments thereto, or any other statute, the amount directed to be transferred by the director of accounts and reports from the state economic development initiatives fund to the state water plan fund by subsection (g) of K.S.A. 79-4804, and amendments thereto, which was directed to be made on or before January 15, 2009, is hereby decreased from \$1,000,000 to \$802,141.

~~(h) On the effective date of this act, notwithstanding the provisions of K.S.A. 2008 Supp. 74-99b34, and amendments thereto, or any other statute, the aggregate amount equal to (1) the annual amount equal to 95% of withholding above the base, as certified or estimated and reconciled by the secretary of revenue, plus (2) annual interest earnings based on the average daily balance of moneys in the bioscience development and investment fund and the net earnings rate of the pooled money investment portfolio, that is directed to be transferred during the fiscal year ending June 30, 2009, from the state general fund to the bioscience development and investment fund by K.S.A. 2008 Supp. 74-99b34, and amendments thereto, is hereby decreased from such aggregate amount, which would otherwise be transferred pursuant to K.S.A. 2008 Supp. 74-99b34, and amendments thereto, to the aggregate annual amount of \$39,000,000. *Provided*, That not more than \$39,000,000 shall be transferred from the state general fund to the bioscience development and investment fund during the fiscal year ending June 30, 2009, pursuant to K.S.A. 2008 Supp. 74-99b34, and amendments thereto. *Provided further*, That the state treasurer shall certify to the director of the budget and the director of legislative research when \$39,000,000 has been transferred from the state general fund to the bioscience development and investment fund during the fiscal year ending June 30, 2009, pursuant to K.S.A. 2008 Supp. 74-99b34, and amendments thereto.~~

(i) (1) The director of accounts and reports shall not make the transfer of \$1,000,000 prescribed to be transferred from the state general fund to the workers compensation fund of the insurance department by section 10(a)(4) of chapter 3 of the 2003 Session Laws of Kansas, which was directed to be made on or before June 30, 2009, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the workers compensation fund to the state general fund pursuant to section 10(a)(1) of chapter 3 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 10(a)(4) of chapter 3 of the 2003 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(2) On or before June 30, 2011, during fiscal year 2011, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the workers compensation fund of the insurance department for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to section 10(a) of chapter 3 of the 2003 Session Laws of Kansas: *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (i)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

Sec. 87. On the effective date of this act, K.S.A. 2008 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, 2016, 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. 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 2009; 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 2009 shall not exceed ~~\$400,000~~ \$320,000.

Sec. 88. On the effective date of this act, K.S.A. 2008 Supp. 79-2978 is hereby amended to read as follows: 79-2978. (a) There is hereby established in the state treasury the business machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the business machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions

levying ad valorem taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2007 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2008, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (e).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2008 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2009, ~~March 2, 2009, and on June 1, 2009,~~ subject to the provisions of subsection (d) and subsection (g), the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (e).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2009 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference for distribution as provided in subsection (e).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2010 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (e).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2011 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2012, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (e).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) The calculations required by subsection (b) shall be based upon a certification made by the county clerk on or before November 15 of the tax year and submitted to the director of property valuation. Such certification shall be in a format devised and prescribed by the director of property valuation. Such certification shall report the total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment. The county clerk shall provide a copy of such certification to the county treasurer for the purpose of determining the distribution of moneys pursuant to the provisions of subsection (e)(2) paid to the county pursuant to subsection (b) by the state treasurer.

(d) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(e) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the business machinery and equipment tax reduction assistance fund, *except that (A) the aggregate amount of moneys transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2009, pursuant to this section shall not exceed the maximum amount determined pursuant to subsection (g), and (B) an amount equal to 50% of the maximum amount determined pursuant to subsection (g) shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund on March 2, 2009, and an amount equal to 50% of the maximum amount determined pursuant to subsection (g) shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund on June 1, 2009.*

(2) The state treasurer shall apportion and distribute the moneys credited to the business machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the ad valorem taxing subdivisions imposing ad valorem taxes on commercial and industrial machinery and equipment in an amount equal to the difference between the total ad valorem taxes on commercial and industrial machinery and equipment levied by each such ad valorem taxing subdivision for the tax year 2005 and the total ad valorem taxes on commercial and industrial machinery and equipment levied by each such ad valorem taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(f) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of ad valorem taxes on commercial and industrial machinery and equipment not included in the total ad valorem taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and such abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of rep-

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representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

(g) (1) *The maximum amount that may be transferred during the fiscal year ending June 30, 2009, from the state general fund to the business machinery and equipment tax reduction assistance fund pursuant to this section shall be equal to (A) the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2008 Supp. 79-2979, and amendments thereto, multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2008 Supp. 79-2979, and amendments thereto.*

(2) *If a maximum amount is imposed under this subsection and the aggregate amount transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during state fiscal year 2009 pursuant to this section is reduced, then the amount allocated to each county by the state treasurer under subsection (b)(2) shall be reduced proportionately with respect to aggregate reduction in the amount of such transfer from the state general fund to the business machinery and equipment tax reduction assistance fund during state fiscal year 2009.*

Sec. 89. On the effective date of this act, K.S.A. 2008 Supp. 79-2979 is hereby amended to read as follows: 79-2979. (a) There is hereby established in the state treasury the telecommunications and railroad machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the telecommunications and railroad machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying ad valorem taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2007 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2008, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (d).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2008 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2009 ~~March 2, 2009, and on June 1, 2009, subject to the provisions of subsection (c) and subsection (f), the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (d).~~

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery

and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2009 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference for distribution as provided in subsection (d).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2010 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (d).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2011 not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2012, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (d).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(d) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund, *except that (A) the aggregate amount of moneys transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2009, pursuant to this section shall not exceed the maximum amount determined pursuant to subsection (f), and (B) an amount equal to 50% of the maximum amount determined pursuant to subsection (f) shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund on March 2, 2009, and an amount equal to 50% of the maximum amount determined pursuant to subsection (f) shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund on June 1, 2009.*

(2) The state treasurer shall apportion and distribute the moneys credited to the telecommunications and railroad machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among



the ad valorem taxing subdivisions imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment in an amount equal to the difference between the total ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such ad valorem taxing subdivision for the tax year 2005 and the total ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such ad valorem taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(e) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment not included in the total of ad valorem taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and the abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

(f) (1) *The maximum amount that may be transferred during the fiscal year ending June 30, 2009, from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund pursuant to this section shall be equal to (A) the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2008 Supp. 79-2978, and amendments thereto, multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2008 Supp. 79-2978, and amendments thereto.*

(2) *If a maximum amount is imposed under this subsection and the aggregate amount transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during state fiscal year 2009 pursuant to this section is reduced, then the amount allocated to each county by the state treasurer under subsection (b)(2) shall be reduced proportionately with respect to aggregate reduction in the amount of such transfer from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during state fiscal year 2009.*

Sec. 90. On the effective date of this act, K.S.A. 2008 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 2009 on each such date shall not exceed \$3,330,543.50; and* (3) the amount of moneys transferred from the state general fund to the special city and county highway fund during state fiscal years 2009 and year 2010 on each such date shall not exceed \$5,031,832; ~~and~~ (4) *notwithstanding the provisions of K.S.A. 79-3425c and 75-3425i, and amendments thereto, or any other statute, the aggregate amount of \$6,661,087 of the moneys credited to the special city and county highway fund shall be paid on or before April 14, 2009, by the state treasurer in accordance with the following to the following counties in the amounts*

*specified respectively therefor with the requirement that the moneys received by each such county shall be deposited and administered in accordance with K.S.A. 79-3425c, and amendments thereto, including any redistributions provided for by that statute: Barton county, \$174,544.98; Butler county, \$890,898.90; Chautauqua county, \$7,293.76; Clay county, \$15,533.75; Comanche county, \$15,525.56; Cowley county, \$151,493.36; Douglas county, \$1,152,561.96; Finney county, \$38,376.16; Geary county, \$41,101.83; Grant county, \$11,827.23; Lane county, \$6,986.21; Leavenworth county, \$655,874.14; Ness county, \$13,000.51; Rice county, \$9,780.91; Russell county, \$18,610.55; Shawnee county, \$3,299,659.69; Sherman county, \$29,689.72; Stevens county, \$7,532.41; Trego county, \$4,257.37; and Wyandotte county, \$116,537.47, which shall be for the purpose of providing such counties, cities and other local governmental entities the amounts that were not paid as directed by statute during state fiscal years 2006, 2007 and 2008. 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 years ending June 30, 2009, and June 30, 2010, shall be considered to be revenue transfers from the state general fund. Any transfers of moneys from the state general fund to the special city and county highway fund during the state fiscal year ending June 30, 2009, pursuant to the provisions of K.S.A. 79-3425i, and amendments thereto, or any other statute, that have been made prior to the effective date of this act shall be reversed by the director of accounts and reports and reversing entries shall be entered upon the accounting records of the state treasurer therefor.*

Sec. 91. On the effective date of this act, K.S.A. 2008 Supp. 79-34,156 is hereby amended to read as follows: 79-34,156. On April 1, 2007, the director of accounts and reports shall transfer \$437,500 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund. If sufficient moneys are not available in the state economic development initiatives fund for such transfer on April 1, 2007, then the director of accounts and reports shall transfer on such date the amount available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund. On July 1, 2007, and quarterly thereafter, the director of accounts and reports shall transfer \$875,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund, *except that the amount of moneys transferred from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund on April 1, 2009, shall not exceed \$849,000.* If sufficient moneys are not available in the state economic development initiatives fund for such transfer on July 1, 2007, and on the first day of any calendar quarter thereafter, in any such fiscal year, then the director of accounts and reports shall transfer on such date the amount available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund.

Sec. 92. On the effective date of this act, K.S.A. 2008 Supp. 79-4801 is hereby amended to read as follows: 79-4801. There is hereby created the state gaming revenues fund in the state treasury. All moneys credited to such fund shall be expended or transferred only for the purposes and in the manner provided by this act and all expenditures from the state gaming revenues fund shall be made in accordance with appropriation acts. All moneys credited to such fund shall be allocated and credited monthly to the funds and in the amounts specified by this act except that the total of the amounts credited to such funds in any one fiscal year pursuant to this act shall not exceed \$50,000,000, *except that the total of the amounts credited to such funds for fiscal year 2009, pursuant to this act shall not exceed \$48,059,846.* All amounts credited to such fund in any one fiscal year which are in excess of \$50,000,000 shall be transferred and credited to the state general fund on July 15, 1996, and June 25, 1997, and each year thereafter on June 25, except that: (a) All amounts credited to the state gaming revenues fund in fiscal year 2009 which are in excess of ~~\$50,000,000~~ \$48,059,846 shall be transferred and credited to the state general fund on July 15, 2009, and shall be recorded and accounted for as receipts to the state

(continued)

general fund for fiscal year 2009; and (b) all amounts credited to the state gaming revenues fund in fiscal year 2010 which are in excess of \$50,000,000 shall be transferred and credited to the state general fund on July 15, 2010, and shall be recorded and accounted for as receipts to the state general fund for fiscal year 2010.

Sec. 93. On the effective date of this act, K.S.A. 2008 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, one-half of such amount to be transferred on July 15 and one-half to be transferred on January 15, except that (1) such transfers during each fiscal year commencing after June 30, 2008, are subject to reduction under K.S.A. 75-6704, and amendments thereto, and (2) the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2009, shall not exceed \$2,000,000. On the effective date of this act, the director of accounts and reports shall transfer the amount in excess of \$2,000,000 which was transferred from the state general fund to the state water plan fund prior to the effective date of this act during the fiscal year ending June 30, 2009, as certified by the director of the budget to the director of accounts and reports to the state general fund. 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 years ending June 30, 2008, and June 30, 2009, shall be considered revenue transfers from the state general fund.

Sec. 94. On the effective date of this act, K.S.A. 2008 Supp. 55-193, 79-2978, 79-2979, 79-3425i, 79-34,156, 79-4801 and 82a-953a are hereby repealed.

Sec. 95. (a) On the effective date of this act, of the amount of each appropriation or reappropriation for a state agency for the fiscal year ending June 30, 2009, made by chapter 131, 156, 159, 160, 164, 172 or 184 of the 2008 Session Laws of Kansas, or by this or other appropriation act of the 2009 regular session of the legislature from the state general fund, the sum equal to 1.25% of such appropriation or reappropriation, which is not exempt, is hereby lapsed. The following are exempt from and shall not be reduced by such lapsing provision: (1) Any item of appropriation or reappropriation for debt service for payments pursuant to contractual bond obligations, (2) any item of appropriation or reappropriation for employer contributions for the employers who are eligible employers as specified in subsections (1), (2) and (3) of K.S.A. 74-4931, and amendments thereto, under the Kansas public employees retirement system pursuant to K.S.A. 74-4939, and amendments thereto, (3) any item of appropriation or reappropriation for the department of education, and (4) any item of appropriation or reappropriation from the state general fund for fiscal year ending June 30, 2009, for the department of social and rehabilitation services, Kansas health policy authority, or the department on aging which are required to meet caseload obligations under the state medicaid plan including nursing facilities, general medical, targeted case management, mental health, community supports and services, or addiction and prevention services or for the department of social and rehabilitation services to meet caseload obligations for nursing facilities for mental health, general assistance, temporary assistance for families, foster care and reintegration services contracts or adoption services contracts, as certified by the director of the budget to the director of accounts and reports for the purposes of this clause: *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this clause (4), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(b) The provisions of this section shall not apply to any transfer of moneys to the: (1) School district capital improvements fund for distribution to school districts pursuant to K.S.A. 75-2319, and amendments thereto, and (2) school district capital outlay state aid fund for distribution to school districts pursuant to K.S.A. 72-8814, and amendments thereto.

Sec. 96. (a) (1) On and after the effective date of this act, notwithstanding the provisions of K.S.A. 74-4927, and amendments thereto, or any other statute, no state agency shall pay to the Kansas public employees retirement system any amounts to the group insurance reserve fund attributable to the months of March, April,

May, or June 2009, that constitute such state agency's portion of the state's contribution to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto.

(2) On the effective date of this act, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2009, by chapter 131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session Laws of Kansas or by this or other appropriation act of the 2009 regular session of the legislature and that is budgeted for payment to the Kansas public employees retirement system as a contribution for March, April, May and June 2009, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2009, is hereby lapsed from each such account.

(3) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount in each account of each special revenue fund of each state agency that is appropriated for the fiscal year ending June 30, 2009, by chapter 131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session Laws of Kansas or by this or other appropriation act of the 2009 regular session of the legislature and that is budgeted for payment to the Kansas public employees retirement system as a contribution for March, April, May and June 2009, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, subject to any applicable federal limitations or restrictions, as certified by the director of the budget to the director of accounts and reports for fiscal year 2009, from such special revenue fund, or account thereof, to the state general fund: *Provided*, That the amounts transferred from special revenue funds to the state general fund pursuant to this subsection (a)(3) are 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) (1) On and after the effective date of this act, notwithstanding the provisions of K.S.A. 75-6508 or 75-6512, and amendments thereto, or any other statute, no state agency shall pay to the Kansas health policy authority any amounts specified by the Kansas state employees health care commission for employees of the state agency who are participating in the state health care benefits program, excluding any amounts prescribed under the cafeteria plan, that are attributable to the payroll periods commencing on or after March 8, 2009, and ending on or before June 13, 2009, that constitute such state agency's portion of the state's contribution for persons participating in the state health care benefits program under K.S.A. 75-6501 et seq., and amendments thereto, for such payroll periods.

(2) On the effective date of this act, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2009, by chapter 131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session Laws of Kansas or by this or other appropriation act of the 2009 regular session of the legislature and that is budgeted for payment to the Kansas health policy authority for employees of the state agency who are participating in the state health care benefits program, excluding any amounts prescribed under the cafeteria plan, that are attributable to the payroll periods commencing on or after March 8, 2009, and ending on or before June 13, 2009, under K.S.A. 75-6508, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2009, is hereby lapsed from each such account.

(3) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount in each account of each special revenue fund of each state agency that is appropriated for the fiscal year ending June 30, 2009, by chapter 131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session Laws of Kansas or by this or other appropriation act of the 2009 regular session of the legislature and that is budgeted for payment to the Kansas health policy authority for employees of such state agency who are participating in the state health care benefits program, excluding

any amounts prescribed under the cafeteria plan, that are attributable to the payroll periods commencing on or after March 8, 2009, and ending on or before June 13, 2009, under K.S.A. 75-6508, and amendments thereto, subject to any applicable federal limitations or restrictions, as certified by the director of the budget to the director of accounts and reports for fiscal year 2009, from such special revenue fund, or account thereof, to the state general fund: *Provided*, That the amounts transferred from special revenue funds to the state general fund pursuant to this subsection (b)(3) are 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.

Sec. 97. *Severability*. If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 98. *Appeals to exceed position limitations*. 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, 2009, made in chapter 5, chapter 131, chapter 156, chapter 159, chapter 160, chapter 164, chapter 172 or chapter 184 of the 2008 Session Laws of Kansas or in this act or in any other appropriation act of the 2009 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 99. *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 expanded lottery act revenues fund, 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. 100. This act shall take effect and be in force from and after its publication in the Kansas register.

## Message from the Governor

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return House Substitute for Substitute for Senate Bill No. 23 with my signature approving the bill, except for the items enumerated below.

With these line-item vetoes and accompanying allotments, the total reduction in the Fiscal Year 2009 budget, passed by the Legislature, will be \$300 million. These cuts were achieved through a strategic and responsible approach to successfully meet the budget challenges we face as a state in these difficult economic times.

I have already proposed a balanced budget for Fiscal Year 2010, and it is now time for the Legislature to turn its focus to the future, and join me in developing shared solutions to overcome the even greater challenges that lie ahead.

### Department of Administration

#### KPERS Debt Service

Section 37 (t) has been line-item vetoed in its entirety. Although the Legislature recognized the budgetary savings arising from restructuring several bond issuances, the restructuring of the KPERS bond cannot occur until approved by the State Finance Council. Since a meeting of the Council scheduled to discuss this issue did not oc-

cur, that approval has not yet been given. For this reason, I find it necessary to veto this portion of the bill that lapses the debt service. This will ensure the monies remain in the Department's budget so that the state does not fail to meet its obligations to make debt service payments.

### Department of Education

#### Reductions to Schools

Section 53 (a) has been line-item vetoed in its entirety.

Section 53 (b) has been line-item vetoed in its entirety.

Drastically reducing state aid to schools, with only three months left in the school year, leaves children, parents and teachers in a needless financial predicament. Similarly, reducing funding for special education services in the middle of the school year is pointlessly punitive to those students in need of additional assistance. The state also must preserve special education funding to ensure we can access federal stimulus funds requiring maintenance of effort in special education spending at the state level.

Through allotment authority, I intend to follow the lead of the bipartisan efforts in the Legislature to reduce school funding by only \$33 per pupil, instead of the more severe \$66 per pupil as agreed to in conference committee on SB 23.

### University of Kansas Medical Center

#### Wichita Center for Graduate Medical Education

Section 66 (e) has been line-item vetoed in its entirety.

The revised fiscal year 2009 budget already includes \$2.5 million in additional funding for the Wichita Center for Graduate Medical Education. I will be asking the Kansas Board of Regents to make a full and comprehensive recommendation for WCGME funding in the FY 2010 budget and look forward to working with the Legislature to act on their proposal.

### Health Care Stabilization Fund

#### Transfer Limitation

Section 86 (b) has been line-item vetoed in its entirety.

With this veto and accompanying allotment, I am restoring my original budget recommendations to limit transfers to the Health Care Stabilization Fund, helping to preserve State General Fund balances.

### Kansas Bioscience Authority

#### Transfer Limitation

Section 86 (h) has been line-item vetoed in its entirety.

With this veto and accompanying allotment, I am restoring my original budget recommendations to limit transfers to the Kansas Bioscience Authority, helping to preserve State General Fund balances.

Dated February 17, 2009.

Kathleen Sebelius  
Governor

**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 2006 Volumes and the 2008 Supplement of the *Kansas Administrative Regulations*.

**AGENCY 3: KANSAS STATE TREASURER**

Reg. No.	Action	Register
3-3-1	Amended (T)	V. 27, p. 1091
3-3-1	Amended	V. 27, p. 1517
3-3-2	New (T)	V. 27, p. 1091
3-3-2	New	V. 27, p. 1517

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-6-1	New	V. 27, p. 1741
4-6-2	New	V. 27, p. 1741
4-6-3	New	V. 27, p. 1741
4-7-900	Amended	V. 27, p. 1022
4-7-901	Revoked	V. 27, p. 1022
4-7-902	Amended	V. 27, p. 1022
4-7-903	Amended	V. 27, p. 1023
4-7-904	Amended	V. 27, p. 1023
4-13-1	Amended	V. 27, p. 186
4-13-3	Amended	V. 27, p. 187
4-13-9	Amended	V. 27, p. 188
4-13-11	Revoked	V. 27, p. 188
4-13-13	Amended	V. 27, p. 188
4-13-20	Amended	V. 27, p. 190
4-13-21	Amended	V. 27, p. 191
4-13-22	Amended	V. 27, p. 191
4-13-23	Amended	V. 27, p. 191
4-13-24	Amended	V. 27, p. 191
4-13-33	Amended	V. 27, p. 191
4-13-40	Amended	V. 27, p. 1023
4-13-41	Revoked	V. 27, p. 1023
4-13-42	Revoked	V. 27, p. 1023
4-13-60	Amended	V. 27, p. 1023
4-13-61	Revoked	V. 27, p. 1023
4-13-64	Amended	V. 27, p. 1023
4-13-65	Amended	V. 27, p. 1024
4-15-11	Amended	V. 27, p. 1024
4-15-12	Revoked	V. 27, p. 1024
4-15-13	Amended	V. 27, p. 1024
4-15-14	Amended	V. 27, p. 1024
4-16-1a	Amended	V. 27, p. 1741
4-16-1c	Amended	V. 27, p. 1742
4-16-7a	Amended	V. 27, p. 1024
4-16-300	Amended	V. 27, p. 1025
4-16-301	Revoked	V. 27, p. 1025
4-16-302	Amended	V. 27, p. 1025
4-16-303	Amended	V. 27, p. 1025
4-16-304	Amended	V. 27, p. 1025
4-16-305	Amended	V. 27, p. 1025
4-17-300	Amended	V. 27, p. 1026
4-17-301	Revoked	V. 27, p. 1026
4-17-302	Amended	V. 27, p. 1026
4-17-303	Amended	V. 27, p. 1026
4-17-304	Amended	V. 27, p. 1026
4-17-305	Amended	V. 27, p. 1027
4-20-11	Amended	V. 27, p. 1027
4-28-5	Amended	V. 27, p. 1742
4-28-8		
through		
4-28-16	New	V. 27, p. 191-195

**AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES**

Reg. No.	Action	Register
5-1-1	Amended	V. 27, p. 1549
5-1-2	Amended	V. 27, p. 1553
5-1-7	Amended	V. 27, p. 1553
5-2-4	New	V. 27, p. 1554

5-3-3	Amended	V. 27, p. 1554
5-3-4	Amended	V. 27, p. 1555
5-3-4a	Amended	V. 28, p. 241
5-3-5d	Amended	V. 27, p. 1555
5-3-16	Amended	V. 27, p. 1555
5-4-2	New	V. 27, p. 1556
5-5-6c	New	V. 27, p. 1556
5-5-13	Amended	V. 27, p. 1556
5-5-14	Amended	V. 27, p. 1557
5-6-2	Amended	V. 27, p. 1557
5-6-5	Amended	V. 27, p. 1557
5-9-1a		
through		
5-9-1d	New	V. 27, p. 1557, 1558
5-14-3	Amended	V. 28, p. 241
5-14-3a	New	V. 28, p. 242
5-14-10	Amended	V. 27, p. 1558
5-40-24	Amended	V. 27, p. 1438
5-45-1	Amended	V. 27, p. 1439
5-45-4	Amended	V. 27, p. 1440
5-45-19		
through		
5-45-23	New	V. 27, p. 1441, 1442

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-16-1	Amended	V. 27, p. 1548
7-16-2	Amended	V. 27, p. 1548
7-17-1	Amended	V. 27, p. 965
7-17-4	Amended	V. 27, p. 966
7-17-11	Amended	V. 27, p. 966
7-17-19	Amended	V. 27, p. 966
7-17-21	Amended	V. 27, p. 966
7-17-22	Amended	V. 27, p. 966
7-17-24	Amended	V. 27, p. 967
7-21-1	Amended	V. 27, p. 967
7-21-2	Amended	V. 27, p. 967
7-21-3	Revoked	V. 27, p. 967
7-21-4	New	V. 27, p. 967
7-23-13	Revoked	V. 27, p. 968
7-37-2	Revoked	V. 27, p. 968
7-38-2	Revoked	V. 27, p. 968
7-41-1		
through		
7-41-7	Amended	V. 28, p. 193-195
7-41-8	Revoked	V. 28, p. 195
7-41-9	Revoked	V. 28, p. 195
7-41-10		
through		
7-41-17	Amended	V. 28, p. 195, 196
7-41-18		
through		
7-41-29	Revoked	V. 28, p. 196
7-41-30	Amended	V. 28, p. 196
7-41-31	Revoked	V. 28, p. 196
7-41-32	Amended	V. 28, p. 196
7-41-33	Amended	V. 28, p. 197
7-41-34	New	V. 28, p. 197
7-41-35	New	V. 28, p. 197
7-45-1	New	V. 27, p. 968
7-45-2	New	V. 27, p. 968

**AGENCY 11: STATE CONSERVATION COMMISSION**

Reg. No.	Action	Register
11-6-1		
through		
11-6-6	New	V. 27, p. 1633, 1634
11-12-1	Amended	V. 27, p. 1374
11-12-2	Amended	V. 27, p. 1375
11-12-3	Amended	V. 27, p. 1376
11-12-4	Amended	V. 27, p. 1377
11-12-6	Amended	V. 27, p. 1377

**AGENCY 14: DEPARTMENT OF REVENUE—**

**DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

Reg. No.	Action	Register
14-8-6	Revoked	V. 27, p. 1214
14-8-7	Amended	V. 27, p. 1214
14-8-8	Revoked	V. 27, p. 1214
14-8-12	Revoked	V. 27, p. 1214
14-17-7	New	V. 27, p. 1214

**AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER**

Reg. No.	Action	Register
17-25-1	New	V. 27, p. 356

**AGENCY 19: GOVERNMENTAL ETHICS COMMISSION**

Reg. No.	Action	Register
19-20-4	Amended	V. 27, p. 1020
19-20-5	New	V. 27, p. 1021
19-27-2	Amended	V. 27, p. 1021

**AGENCY 22: STATE FIRE MARSHAL**

Reg. No.	Action	Register
22-6-1	Amended	V. 27, p. 1834
22-6-2	Revoked	V. 27, p. 1834
22-6-3	Revoked	V. 27, p. 1834
22-6-4	Revoked	V. 27, p. 1834
22-6-5	Amended	V. 27, p. 1834
22-6-6	Revoked	V. 27, p. 1834
22-6-7	Revoked	V. 27, p. 1835
22-6-8	Revoked	V. 27, p. 1835
22-6-9	Amended	V. 27, p. 1835
22-6-12	Amended	V. 27, p. 1835
22-6-13	Revoked	V. 27, p. 1835
22-6-14	Revoked	V. 27, p. 1835
22-6-18		
through		
22-6-27	New	V. 27, p. 1835-1837

**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

Reg. No.	Action	Register
28-1-20	Amended	V. 27, p. 989
28-4-117	Amended	V. 27, p. 990
28-4-120	Amended	V. 27, p. 990
28-4-121	New	V. 27, p. 990
28-4-122	Amended	V. 27, p. 317
28-4-311	Amended	V. 27, p. 317
28-4-312		
through		
28-4-317	Revoked	V. 27, p. 317, 318
28-4-430	Amended	V. 27, p. 991
28-4-800		
through		
28-4-825	New	V. 27, p. 318-334
28-16-28g	Amended	V. 27, p. 779
28-23-16	Revoked	V. 27, p. 191
28-32-1	Revoked	V. 27, p. 247
28-32-2	Revoked	V. 27, p. 247
28-32-4	Revoked	V. 27, p. 247
28-32-5	Revoked	V. 27, p. 247
28-32-6	Revoked	V. 27, p. 247
28-32-7	Revoked	V. 27, p. 247
28-32-8		
through		
28-32-14	New	V. 27, p. 247-249
28-36-33		
through		
28-36-49	Revoked	V. 27, p. 73
28-36-70		
through		
28-36-89	New	V. 27, p. 73-87
28-38-18	Amended	V. 27, p. 1742
28-38-19	Amended	V. 27, p. 1743
28-38-21	Amended	V. 27, p. 1743
28-38-22	Amended	V. 27, p. 1744
28-38-23	Amended	V. 27, p. 1744
28-38-29	Amended	V. 27, p. 1745
28-53-1		
through		
28-53-5	Amended	V. 28, p. 240, 241
28-59-5	Amended	V. 27, p. 462
28-61-11	Amended	V. 27, p. 464
28-73-1	Amended	V. 28, p. 74

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-5-78	Revoked	V. 27, p. 1022
30-10-15a	Revoked	V. 27, p. 1345
30-10-15b	Revoked	V. 27, p. 1345
30-10-17	Revoked	V. 27, p. 1345
30-10-18	Revoked	V. 27, p. 1345

30-10-23a	Revoked	V. 27, p. 1346
30-10-23b	Revoked	V. 27, p. 1346
30-10-25	Revoked	V. 27, p. 1346
30-10-26	Revoked	V. 27, p. 1346
30-10-27	Revoked	V. 27, p. 1346
30-10-200	Revoked	V. 27, p. 1346
30-10-210	Revoked	V. 27, p. 1346
30-63-32	New	V. 27, p. 664
30-64-24	Revoked	V. 27, p. 665

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-48	Amended	V. 27, p. 1709
40-2-28	New	V. 28, p. 273
40-3-30	Amended	V. 28, p. 112
40-3-52	New	V. 27, p. 133
40-4-41	Amended	V. 27, p. 434
40-4-41a through 40-4-41j	Revoked	V. 27, p. 434, 435

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-6-101	Amended	V. 27, p. 1126
44-6-114e	Amended	V. 27, p. 1128
44-6-115a	Amended	V. 27, p. 1134
44-6-125	Amended	V. 27, p. 1135
44-6-127 through 44-6-132	New	V. 27, p. 1135-1138

**AGENCY 49: DEPARTMENT OF LABOR**

Reg. No.	Action	Register
49-45-1	Amended	V. 27, p. 1466
49-45-2	Amended	V. 27, p. 1466
49-45-3	Amended	V. 27, p. 1466
49-45-4	Amended	V. 27, p. 1466
49-45-4a	Amended	V. 27, p. 1466
49-45-5	Amended	V. 27, p. 1466
49-45-6	Amended	V. 27, p. 1466
49-45-7	Amended	V. 27, p. 1467
49-45-8	Amended	V. 27, p. 1467
49-45-9	Amended	V. 27, p. 1467
49-45-20	Amended	V. 27, p. 1467
49-45-28	Amended	V. 27, p. 1467
49-45-29	Amended	V. 27, p. 1467
49-45-29b	New	V. 27, p. 1467
49-45-31	Amended	V. 27, p. 1467
49-45-34	Amended	V. 27, p. 1467
49-45-35	Amended	V. 27, p. 1467
49-45-37	Amended	V. 27, p. 1467

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-1-103	Amended	V. 27, p. 1603
60-1-104	Amended	V. 27, p. 1603
60-2-101	Amended	V. 27, p. 1604
60-2-102	Amended	V. 27, p. 1605, 1670
60-2-104	Amended	V. 27, p. 1606
60-2-105	Amended	V. 28, p. 197
60-2-106	Amended	V. 28, p. 197
60-2-107	Amended	V. 27, p. 1606
60-2-108	Amended	V. 27, p. 1607
60-3-106	Amended	V. 27, p. 1607
60-3-106a	Amended	V. 27, p. 1608
60-3-113	New	V. 27, p. 1608
60-3-114	New	V. 27, p. 1608
60-7-111	New	V. 27, p. 1609
60-9-105	Amended	V. 28, p. 197
60-9-107	Amended	V. 28, p. 198
60-13-103	Amended	V. 28, p. 200
60-13-104	Amended	V. 28, p. 200
60-15-101	Amended	V. 28, p. 200
60-15-102	Amended	V. 28, p. 201
60-15-104	Amended	V. 28, p. 202

**AGENCY 63: BOARD OF MORTUARY ARTS**

Reg. No.	Action	Register
63-2-26	New	V. 27, p. 108
63-4-1	Amended	V. 27, p. 108

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-6-1	Amended	V. 27, p. 315
66-6-4	Amended	V. 27, p. 316

66-10-1	Amended	V. 27, p. 317
66-11-5	Amended	V. 28, p. 44
66-12-1	Amended	V. 28, p. 44
66-14-1	Amended	V. 28, p. 44
66-14-2	Amended	V. 28, p. 45
66-14-3	Amended	V. 28, p. 45
66-14-4	Revoked	V. 28, p. 45
66-14-5	Amended	V. 28, p. 45
66-14-7	Amended	V. 28, p. 45

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-7-12b	Amended	V. 27, p. 1518
68-7-20	Amended	V. 27, p. 435
68-11-2	Amended	V. 27, p. 1518
68-18-1	New	V. 27, p. 1857
68-18-2	New	V. 27, p. 1857
68-18-3	New	V. 27, p. 1858
68-20-23	New (T)	V. 27, p. 1709
68-20-23	New	V. 28, p. 192

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-9-1 through 71-9-4	New	V. 27, p. 1878
71-10-1 through 71-10-4	New	V. 27, p. 1879

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-4-7	Amended	V. 27, p. 626
74-4-8	Amended	V. 27, p. 626
74-4-9	Amended	V. 27, p. 627
74-4-10	Amended	V. 27, p. 627

**AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER**

Reg. No.	Action	Register
81-3-2	Amended	V. 27, p. 1801
81-5-7	Amended	V. 27, p. 1156
81-7-2	Amended	V. 27, p. 1156
81-14-1	Amended	V. 27, p. 1157
81-14-2	Amended	V. 27, p. 1801
81-14-5	Amended	V. 27, p. 1159
81-14-9	Amended	V. 27, p. 1163

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-3-107	Amended	V. 27, p. 1518
82-3-108	Amended	V. 27, p. 1519
82-3-111	Amended	V. 27, p. 1520
82-3-135a	Amended	V. 27, p. 1521
82-3-135b	Amended	V. 27, p. 1521
82-3-138	Amended	V. 27, p. 1521
82-3-402	Amended	V. 27, p. 1521
82-4-30a	Amended	V. 27, p. 1020

**AGENCY 86: REAL ESTATE COMMISSION**

Reg. No.	Action	Register
86-3-19	Amended (T)	V. 27, p. 1090
86-3-19	Amended	V. 27, p. 1517
86-3-30	New (T)	V. 27, p. 1091
86-3-30	New	V. 27, p. 1517

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-200	Amended	V. 27, p. 1027
91-1-201	Amended	V. 27, p. 1028
91-1-203	Amended	V. 27, p. 1030
91-1-204	Amended	V. 27, p. 1034
91-1-205	Amended	V. 27, p. 1036
91-1-207	Amended	V. 27, p. 1037
91-1-209	Amended	V. 27, p. 1037
91-1-210	Amended	V. 27, p. 1038
91-1-220	Amended	V. 27, p. 1038
91-1-221	Amended	V. 27, p. 1040
91-19-1	Amended	V. 27, p. 1041
91-19-6	Amended	V. 27, p. 1041
91-40-1	Amended	V. 27, p. 274
91-40-2	Amended	V. 27, p. 279
91-40-3	Amended	V. 27, p. 279

91-40-5	Amended	V. 27, p. 280
91-40-7 through 91-40-12	Amended	V. 27, p. 281-284
91-40-16	Amended	V. 27, p. 285
91-40-17	Amended	V. 27, p. 285
91-40-21	Amended	V. 27, p. 286
91-40-22	Amended	V. 27, p. 287
91-40-26 through 91-40-31	Amended	V. 27, p. 287-289
91-40-33	Amended	V. 27, p. 290
91-40-34	Amended	V. 27, p. 290
91-40-35	Amended	V. 27, p. 290
91-40-37	Revoked	V. 27, p. 291
91-40-38	Amended	V. 27, p. 291
91-40-39	Revoked	V. 27, p. 291
91-40-41	Amended	V. 27, p. 291
91-40-42	Amended	V. 27, p. 291
91-40-42a	New	V. 27, p. 292
91-40-43	Amended	V. 27, p. 293
91-40-44	Amended	V. 27, p. 293
91-40-45	Amended	V. 27, p. 293
91-40-46	Amended	V. 27, p. 294
91-40-48	Amended	V. 27, p. 294
91-40-50	Amended	V. 27, p. 294
91-40-51	Amended	V. 27, p. 295

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-12-114	New	V. 27, p. 865
92-12-140 through 92-12-145	New	V. 27, p. 866, 867
92-19-70	Revoked	V. 27, p. 868
92-26-1	Amended	V. 28, p. 170
92-26-4	Amended	V. 28, p. 170
92-28-1 through 92-28-4	New	V. 28, p. 113
92-52-14	New	V. 27, p. 1214
92-52-15	New	V. 27, p. 1214
92-52-16	New	V. 27, p. 1215

**AGENCY 94: COURT OF TAX APPEALS**

Reg. No.	Action	Register
94-2-1 through 94-2-5	Amended (T)	V. 27, p.1091-1093
94-2-1 through 94-2-5	Amended	V. 27, p.1522-1524
94-2-8 through 94-2-16	Amended (T)	V. 27, p. 1093-1095
94-2-8 through 94-2-16	Amended	V. 27, p. 1524-1526
94-2-19	Amended (T)	V. 27, p. 1095
94-2-19	Amended	V. 27, p. 1527
94-2-20	Amended (T)	V. 27, p. 1096
94-2-20	Amended	V. 27, p. 1527
94-2-21	Amended (T)	V. 27, p. 1096
94-2-21	Amended	V. 27, p. 1528
94-3-1	Amended (T)	V. 27, p. 1097
94-3-1	Amended	V. 27, p. 1529
94-3-2	Amended (T)	V. 27, p. 1098
94-3-2	Amended	V. 27, p. 1529
94-4-1	Amended (T)	V. 27, p. 1098
94-4-1	Amended	V. 27, p. 1530
94-4-2	Amended (T)	V. 27, p. 1098
94-4-2	Amended	V. 27, p. 1530

**AGENCY 99: DEPARTMENT OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES**

Reg. No.	Action	Register
99-25-1	Amended	V. 27, p. 108
99-25-9	Amended	V. 27, p. 108
99-25-11	New	V. 27, p. 109
99-27-2	Amended	V. 27, p. 1019
99-27-3	Revoked	V. 27, p. 1019
99-27-4	Amended	V. 27, p. 1019
99-27-5	Amended	V. 27, p. 1019

(continued)

AGENCY 100: BOARD OF HEALING ARTS

Table with 3 columns: Reg. No., Action, Register. Rows include 100-11-1, 100-22-8, 100-22-8a, 100-28a-1, 100-29-7, 100-54-4, 100-55-4, 100-69-1, 100-69-2, 100-72-1, 100-72-1, 100-72-1, 100-73-9.

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Table with 3 columns: Reg. No., Action, Register. Rows include 102-1-8a, 102-1-12, 102-2-7, 102-2-8, 102-2-11a, 102-2-12, 102-3-9b, 102-3-12a, 102-4-1a, 102-4-6a, 102-4-6b, 102-4-9b, 102-4-10a, 102-4-12, 102-5-9a, 102-5-12, 102-6-9a, 102-6-12.

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Table with 3 columns: Reg. No., Action, Register. Rows include 105-11-1, 105-11-1.

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Table with 3 columns: Reg. No., Action, Register. Row includes 109-5-5.

AGENCY 110: DEPARTMENT OF COMMERCE

Table with 3 columns: Reg. No., Action, Register. Rows include 110-13a-1, 110-13a-2, 110-13a-3, 110-19-1 through 110-19-4, 110-20-1 through 110-20-4.

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. A list of regulations filed by the Kansas Lottery from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed by the Kansas Lottery from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. The following regulations were filed after January 1, 2008:

Table with 3 columns: Reg. No., Action, Register. Rows include 111-2-211, 111-2-212, 111-2-213, 111-2-214 through 111-2-218.

Table with 3 columns: Reg. No., Action, Register. Rows include 111-2-219 through 111-2-223, 111-4-2614, 111-4-2645 through 111-4-2657, 111-4-2656, 111-4-2657 through 111-4-2662, 111-4-2662, 111-4-2663, 111-4-2664 through 111-4-2683, 111-4-2680, 111-4-2684 through 111-4-2702, 111-4-2695, 111-4-2703 through 111-4-2710, 111-4-2711 through 111-4-2715, 111-4-2716 through 111-4-2726, 111-4-2727 through 111-4-2744, 111-4-2745 through 111-4-2754, 111-4-2755 through 111-4-2766, 111-4-2767 through 111-4-2779, 111-4-2781, 111-4-2782, 111-4-2783, 111-5-81, 111-5-83, 111-5-84, 111-5-90, 111-5-127, 111-5-128, 111-5-132, 111-5-165 through 111-5-169, 111-7-80a, 111-7-223 through 111-7-232, 111-7-223a, 111-7-233 through 111-7-237, 111-7-238 through 111-7-242, 111-9-152, 111-9-153, 111-9-154, 111-9-155, 111-14-4, 111-14-5, 111-14-6.

AGENCY 112: RACING AND GAMING COMMISSION

Table with 3 columns: Reg. No., Action, Register. Rows include 112-100-1 through 112-100-7, 112-104-1 through 112-104-33, 112-105-1 through 112-105-7, 112-106-1 through 112-106-7.

Table with 3 columns: Reg. No., Action, Register. Rows include 112-112-1 through 112-112-9.

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Table with 3 columns: Reg. No., Action, Register. Rows include 115-2-1, 115-2-3, 115-2-3a, 115-2-5, 115-4-4, 115-4-4a, 115-4-6, 115-4-6a, 115-4-13, 115-4-14, 115-7-1, 115-7-2, 115-7-8, 115-7-9, 115-8-1, 115-8-9, 115-8-10, 115-8-13, 115-18-7, 115-18-21.

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Table with 3 columns: Reg. No., Action, Register. Row includes 117-6-1.

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

Table with 3 columns: Reg. No., Action, Register. Rows include 121-10-1, 121-10-2.

AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION

Table with 3 columns: Reg. No., Action, Register. Rows include 127-2-1, 127-2-2, 127-2-3.

AGENCY 128: DEPARTMENT OF COMMERCE—KANSAS ATHLETIC COMMISSION

Table with 3 columns: Reg. No., Action, Register. Rows include 128-1-1, 128-1-1, 128-2-1, 128-2-3 through 128-2-13, 128-2-12, 128-3-1, 128-4-1 through 128-4-9, 128-4a-1, 128-5-1, 128-5-2, 128-6-1, 128-6-2, 128-6-4.

AGENCY 129: KANSAS HEALTH POLICY AUTHORITY

Table with 3 columns: Reg. No., Action, Register. Rows include 129-5-1, 129-5-78, 129-5-108, 129-10-15a, 129-10-15b, 129-10-17, 129-10-18, 129-10-23a, 129-10-23b, 129-10-25, 129-10-26, 129-10-27, 129-10-200, 129-10-210.

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