

SENATE BILL No. 76

By Committee on Ways and Means

1-24

1 AN ACT making and concerning appropriations for fiscal years ending
2 June 30, 2012, June 30, 2013, June 30, 2014, and June 30, 2015, for
3 state agencies; authorizing certain transfers, imposing certain
4 restrictions and limitations, and directing or authorizing certain
5 receipts, disbursements and acts incidental to the foregoing; amending
6 K.S.A. 2012 Supp. 74-50,107, 74-99b34 and 79-4227 and repealing the
7 existing sections.
8

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

10 Section 1. (a) For the fiscal years ending June 30, 2012, June 30,
11 2013, June 30, 2014, and June 30, 2015, appropriations are hereby made,
12 restrictions and limitations are hereby imposed, and transfers, capital
13 improvement projects, fees, receipts, disbursements and acts incidental to
14 the foregoing are hereby directed or authorized as provided in this act.

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

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

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

23 Sec. 2.

24 **ABSTRACTERS' BOARD OF EXAMINERS**

25 (a) On the effective date of this act, the expenditure limitation
26 established for the fiscal year ending June 30, 2013, by section 58(a) of
27 chapter 118 of the 2011 Session Laws of Kansas on the abstracters' fee
28 fund of the abstracters' board of examiners is hereby decreased from
29 \$24,742 to \$22,308.

30 Sec. 3.

31 **BOARD OF ACCOUNTANCY**

32 (a) On the effective date of this act, the expenditure limitation
33 established for the fiscal year ending June 30, 2013, by section 124(c) of
34 chapter 175 of the 2012 Session Laws of Kansas on the board of
35 accountancy fee fund of the board of accountancy is hereby increased from
36 \$346,426 to \$364,455.

1 (b) On the effective date of this act, the position limitation established
2 for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of
3 the 2011 Session Laws of Kansas for the board of accountancy is hereby
4 decreased from 3.00 to 1.00.

5 Sec. 4.

6 STATE BOARD OF HEALING ARTS

7 (a) On the effective date of this act, the expenditure limitation
8 established for the fiscal year ending June 30, 2013, by section 21(a) of
9 chapter 175 of the 2012 Session Laws of Kansas on the healing arts fee
10 fund of the state board of healing arts is hereby decreased from \$4,319,499
11 to \$4,314,775.

12 Sec. 5.

13 KANSAS STATE BOARD OF COSMETOLOGY

14 (a) On the effective date of this act, the expenditure limitation for
15 official hospitality established for the fiscal year ending June 30, 2013, by
16 section 64(a) of chapter 118 of the 2011 Session Laws of Kansas on the
17 cosmetology fee fund of the Kansas state board of cosmetology is hereby
18 increased from \$500 to \$750.

19 Sec. 6.

20 KANSAS BOARD OF EXAMINERS IN THE FITTING
21 AND DISPENSING OF HEARING INSTRUMENTS

22 (a) On the effective date of this act, the expenditure limitation
23 established for the fiscal year ending June 30, 2013, by section 68(a) of
24 chapter 118 of the 2011 Session Laws of Kansas, on the hearing
25 instrument board fee fund of the board of examiners in fitting and
26 dispensing of hearing instruments is hereby decreased from \$29,181 to
27 \$27,814.

28 (b) There is appropriated for the above agency from the following
29 special revenue fund or funds for the fiscal year ending June 30, 2013, all
30 moneys now or hereafter lawfully credited to and available in such fund or
31 funds, except that expenditures other than refunds authorized by law shall
32 not exceed the following:

33 Hearing instrument litigation fund.....\$7,000

34 Sec. 7.

35 BOARD OF NURSING

36 (a) On the effective date of this act, the expenditure limitation
37 established for the fiscal year ending June 30, 2013, by section 14(b) of
38 chapter 175 of the 2012 Session Laws of Kansas on the board of nursing
39 fee fund of the board of nursing is hereby decreased from \$2,109,710 to
40 \$2,105,593.

41 Sec. 8.

42 BOARD OF EXAMINERS IN OPTOMETRY

43 (a) On the effective date of this act, the expenditure limitation

1 established for the fiscal year ending June 30, 2013, by section 124(c) of
2 chapter 175 of the 2012 Session Laws of Kansas on the optometry fee fund
3 of the board of examiners in optometry is hereby decreased from \$114,368
4 to \$91,114.

5 (b) On the effective date of this act, the expenditure limitation
6 established for the fiscal year ending June 30, 2013, by section 15(c)
7 chapter 175 of the 2012 Session Laws of Kansas on the optometry
8 litigation fund of the board of examiners in optometry is hereby decreased
9 from \$400,000 to \$50,000.

10 Sec. 9.

11 REAL ESTATE APPRAISAL BOARD

12 (a) On the effective date of this act, the expenditure limitation
13 established for the fiscal year ending June 30, 2013, by section 124(c) of
14 chapter 175 of the 2012 Session Laws of Kansas on the appraiser fee fund
15 of the real estate appraisal board is hereby decreased from \$314,100 to
16 \$293,500.

17 Sec. 10.

18 KANSAS REAL ESTATE COMMISSION

19 (a) On the effective date of this act, the expenditure limitation
20 established for the fiscal year ending June 30, 2013, by section 124(c) of
21 chapter 175 of the 2012 Session Laws of Kansas on the real estate fee fund
22 of the Kansas real estate commission is hereby decreased from \$1,131,121
23 to \$997,211.

24 (b) On the effective date of this act, the position limitation established
25 for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of
26 the 2011 Session Laws of Kansas for the Kansas real estate commission is
27 hereby decreased from 13.00 to 11.00.

28 Sec. 11.

29 STATE BOARD OF TECHNICAL PROFESSIONS

30 (a) On the effective date of this act, the expenditure limitation for the
31 fiscal year ending June 30, 2013, by section 18(a) of chapter 175 of the
32 2012 Session Laws of Kansas on the technical professions fee fund of the
33 state board of technical professions is hereby decreased from \$615,138 to
34 \$614,683.

35 Sec. 12.

36 KANSAS HOME INSPECTORS REGISTRATION BOARD

37 (a) On the effective date of this act, the expenditure limitation
38 established for the fiscal year ending June 30, 2013, by section 78(a) of
39 chapter 118 of the 2011 Session Laws of Kansas on the home inspectors
40 registration fee fund of the Kansas home inspectors registration board is
41 hereby decreased from \$16,800 to \$15,013.

42 Sec. 13.

43 LEGISLATIVE COORDINATING COUNCIL

1 (a) On the effective date of this act, of the \$563,652 appropriated for
2 the above agency for the fiscal year ending June 30, 2013, by section 55(a)
3 of chapter 175 of the 2012 Session Laws of Kansas from the state general
4 fund in the legislative coordinating council – operations account, the sum
5 of \$93 is hereby lapsed.

6 (b) On the effective date of this act, of the \$3,743,092 appropriated
7 for the above agency for the fiscal year ending June 30, 2013, by section
8 55(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
9 general fund in the legislative research department – operations account,
10 the sum of \$154,530 is hereby lapsed.

11 (c) On the effective date of this act, of the \$3,127,906 appropriated
12 for the above agency for the fiscal year ending June 30, 2013, by section
13 55(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
14 general fund in the office of revisor of statutes – operations account, the
15 sum of \$1,562 is hereby lapsed.

16 Sec. 14.

17 LEGISLATURE

18 (a) On the effective date of this act, of the \$16,680,245 appropriated
19 for the above agency for the fiscal year ending June 30, 2013, by section
20 56(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
21 general fund in the operations (including official hospitality) account, the
22 sum of \$4,392 is hereby lapsed.

23 Sec. 15.

24 ATTORNEY GENERAL

25 (a) There is appropriated for the above agency from the state general
26 fund for the fiscal year ending June 30, 2013, the following:

27 Operating expenditures.....\$2,000

28 (b) There is appropriated for the above agency from the following
29 special revenue fund or funds for the fiscal year ending June 30, 2013, all
30 moneys now or hereafter lawfully credited to and available in such fund or
31 funds, except that expenditures other than refunds authorized by law shall
32 not exceed the following:

33 Kansas attorney general batterer intervention program certification fundNo
34 limit

35 (c) On the effective date of this act, the expenditure limitation for
36 state operations established for the fiscal year ending June 30, 2013 by
37 section 60(b) of chapter 175 of the 2012 Session Laws of Kansas in the
38 crime victims compensation fund of the attorney general is hereby
39 increased from \$454,058 to \$646,058.

40 (d) On the effective date of this act, the position limitation established
41 for the fiscal year ending June 30, 2013, by section 117(a) of chapter 175
42 of the 2012 Session Laws of Kansas for the attorney general is hereby
43 increased from 106.50 to 115.00.

1 Sec. 16.

2 STATE BOARD OF INDIGENTS' DEFENSE SERVICES

3 (a) There is appropriated for the above agency from the state general
4 fund for the fiscal year ending June 30, 2013, the following:

5 Operating expenditures.....\$504,532

6 (b) On the effective date of this act, of the \$9,000,000 appropriated
7 for the above agency for the fiscal year ending June 30, 2013, by section
8 66(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
9 general fund in the assigned counsel expenditures account, the sum of
10 \$400,000 is hereby lapsed.

11 Sec. 17.

12 JUDICIAL BRANCH

13 (a) There is appropriated for the above agency from the state general
14 fund for the fiscal year ending June 30, 2013, the following:

15 Judiciary operations.....\$199,499

16 Sec. 18.

17 KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

18 (a) On the effective date of this act, the expenditure limitation
19 established for the fiscal year ending June 30, 2013, by section 124(c) of
20 chapter 175 of the 2012 Session Laws of Kansas on the agency operations
21 account of the non-retirement administration fund of the Kansas public
22 employees retirement system is hereby increased from \$83,081 to \$83,376.

23 Sec. 19.

24 STATE CORPORATION COMMISSION

25 (a) On the effective date of this act, the expenditure limitation for the
26 fiscal year ending June 30, 2013, by the state corporation commission
27 from the public service regulation fund, the motor carrier license fees fund,
28 and the conservation fee fund in the aggregate, as established in section
29 70(b) of chapter 175 of the 2012 Session Laws of Kansas, is hereby
30 decreased from \$16,961,396 to \$16,952,609.

31 Sec. 20.

32 DEPARTMENT OF ADMINISTRATION

33 (a) On the effective date of this act, of the \$1,602,035 appropriated
34 for the above agency for the fiscal year ending June 30, 2013, by section
35 72(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
36 general fund in the personnel services account, the sum of \$65,608 is
37 hereby lapsed.

38 (b) On the effective date of this act, of the \$483,885 appropriated for
39 the above agency for the fiscal year ending June 30, 2013, by section
40 125(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
41 general fund in the replace Docking chillers account, the sum of \$243,885
42 is hereby lapsed.

43 (c) On the effective date of this act, of the \$13,502,124 appropriated

1 for the above agency for the fiscal year ending June 30, 2013, by section
2 125(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
3 general fund in the statehouse improvements — debt service account, the
4 sum of \$97,519 is hereby lapsed.

5 (d) There is appropriated for the above agency from the expanded
6 lottery act revenues fund for the fiscal year ending June 30, 2013, for the
7 capital improvement project or projects specified, the following:
8 State improvements – debt service.....\$117,500

9 (e) On the effective date of this act, of the \$1,695,523 appropriated
10 for the above agency for the fiscal year ending June 30, 2013, by section
11 72(b) of chapter 175 of the 2012 Session Laws of Kansas from the
12 expanded lottery act revenues fund in the public broadcasting digital
13 conversion debt service account, the sum of \$117,523 is hereby lapsed.

14 (f) On the effective date of this act or as soon thereafter as moneys
15 are available, the director of accounts and reports shall transfer
16 \$25,000,000 from the FICA reimbursements medical residents fund of the
17 department of administration to the state general fund.

18 (g) There is appropriated for the above agency from the following
19 special revenue fund or funds for the fiscal year ending June 30, 2013, all
20 moneys now or hereafter lawfully credited to and available in such fund or
21 funds, except that expenditures other than refunds authorized by law shall
22 not exceed the following:

23 Finney state office building Wichita security fund.....No limit
24 Sec. 21.

25 STATE COURT OF TAX APPEALS

26 (a) On the effective date of this act, the expenditure limitation
27 established for the fiscal year ending June 30, 2013, by section 124(c) of
28 chapter 175 of the 2012 Session Laws of Kansas on the COTA filing fee
29 fund of the state court of tax appeals is hereby increased from \$1,025,373
30 to \$1,225,373.

31 Sec. 22.

32 DEPARTMENT OF REVENUE

33 (a) On the effective date of this act, the expenditure limitation
34 established for the fiscal year ending June 30, 2013, by section 124(c) of
35 chapter 175 of the 2012 Session Laws of Kansas on the division of
36 vehicles operating fund of the state department of revenue is hereby
37 increased from \$46,939,883 to \$48,139,472.

38 (b) On the effective date of this act, or as soon thereafter as moneys
39 are available, the director of accounts and reports shall transfer \$6,751,952
40 from the state highway fund of the state department of transportation to the
41 division of vehicles modernization fund of the state department of revenue.

42 Sec. 23.

43 KANSAS LOTTERY

1 (a) On the effective date of this act, the aggregate of the amounts
2 authorized by section 76(b) of chapter 175 of the 2012 Session Laws of
3 Kansas to be transferred from the lottery operating fund to the state
4 gaming revenues fund during the fiscal year ending June 30, 2013, is
5 hereby increased from \$71,300,000 to \$73,300,000: *Provided*, That the
6 transfers prescribed by this subsection shall be the maximum amount
7 possible while maintaining an adequate cash balance necessary to make
8 expenditures for prize payments and operating costs.

9 (b) On the effective date of this act, the position limitation established
10 for the fiscal year ending June 30, 2013, by section 117(a) of chapter 175
11 of the 2012 Session Laws of Kansas for the Kansas lottery is hereby
12 decreased from 96.00 to 90.00.

13 (c) The director of accounts and reports shall not make the transfer of
14 \$5,000,000 from the expanded lottery act revenues fund to the state
15 general fund which was authorized to be made during the fiscal year
16 ending June 30, 2013, and on the effective date of this act, the provisions
17 of section 76(e) of chapter 175 of the 2012 Session Laws of Kansas are
18 hereby declared to be null and void and shall have no force and effect.

19 (d) On June 30, 2013, the director of accounts and reports shall
20 transfer \$2,000,000 from the state general fund to the expanded lottery act
21 revenues fund.

22 Sec. 24.

23 KANSAS RACING AND GAMING COMMISSION

24 (a) On the effective date of this act, the position limitation established
25 for the fiscal year ending June 30, 2013, by section 117(a) of chapter 175
26 of the 2012 Session Laws of Kansas for the Kansas racing and gaming
27 commission – state racing operations and expanded gaming regulation
28 division is hereby decreased from 74.00 to 70.50.

29 (b) On the effective date of this act, the position limitation established
30 for the fiscal year ending June 30, 2013, by section 117(a) of chapter 175
31 of the 2012 Session Laws of Kansas for the Kansas racing and gaming
32 commission – state gaming agency is hereby decreased from 24.00 to
33 23.00.

34 Sec. 25.

35 DEPARTMENT OF COMMERCE

36 (a) On the effective date of this act, the position limitation established
37 for the fiscal year ending June 30, 2013, by section 117(a) of chapter 175
38 of the 2012 Session Laws of Kansas for the department of commerce is
39 hereby decreased from 238.00 to 192.00.

40 (b) On the effective date of this act, the expenditure limitation
41 established for the fiscal year ending June 30, 2013, by section 126(b) of
42 chapter 175 of the 2012 Session Laws of Kansas on the rehabilitation and
43 repair account of the Wagner Peyser employment services – federal fund

1 of the department of commerce is hereby increased from \$80,000 to no
2 limit.

3 (c) On the effective date of this act, any unencumbered balance in
4 excess of \$100 as of June 30, 2012, in the strong military bases program
5 account of the state economic development initiatives fund is hereby
6 reappropriated for fiscal year 2013.

7 (d) In addition to the other purposes for which expenditures may be
8 made by the above agency from the reimbursement and recovery fund for
9 fiscal year 2013, expenditures may be made by the above agency from the
10 following capital improvement account or accounts of the reimbursement
11 and recovery fund during the fiscal year 2013, for the following capital
12 improvement project or projects, subject to the expenditure limitations
13 prescribed therefor:

14 Rehabilitation and repair.....No limit

15 Sec. 26.

16 DEPARTMENT OF LABOR

17 (a) On the effective date of this act, of the \$383,069 appropriated for
18 the above agency for the fiscal year ending June 30, 2013, by section 80(a)
19 of chapter 175 of the 2012 Session Laws of Kansas from the state general
20 fund in the operating expenditures account, the sum of \$103,085 is hereby
21 lapsed.

22 Sec. 27.

23 KANSAS COMMISSION ON VETERANS AFFAIRS

24 (a) On the effective date of this act, of the \$392,481 appropriated for
25 the above agency for the fiscal year ending June 30, 2013, by section
26 124(b)(1) of chapter 175 of the 2012 Session Laws of Kansas from the
27 state general fund in the operating expenditures – administration account,
28 the sum of \$1,500 is hereby lapsed.

29 (b) On the effective date of this act, of the \$2,252,008 appropriated
30 for the above agency for the fiscal year ending June 30, 2013, by section
31 123(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
32 general fund in the operating expenditures – Kansas veterans’ home
33 account, the sum of \$24,200 is hereby lapsed.

34 (c) There is appropriated for the above agency from the state general
35 fund for the fiscal year ending June 30, 2013, the following:

36 Veterans claims assistance program – service grants.....\$24,200

37 (d) On the effective date of this act, of the \$274,585 appropriated for
38 the above agency for the fiscal year ending June 30, 2012, by section
39 150(a) of chapter 118 of the 2011 Session Laws of Kansas from the state
40 institutions building fund in the soldiers’ home rehabilitation and repair
41 projects account, the sum of \$109,971 is hereby lapsed.

42 (e) On the effective date of this act, the expenditure limitation
43 established for the fiscal year ending June 30, 2013, by section 123(b) of

1 chapter 175 of the 2012 Session Laws of Kansas for the veterans home
2 federal fund of the Kansas commission on veterans affairs is hereby
3 decreased from \$3,625,889 to \$1,469,822.

4 (f) On the effective date of this act, the expenditure limitation
5 established for the fiscal year ending June 30, 2013, by section 123(b) of
6 chapter 175 of the 2012 Session Laws of Kansas for the soldiers home
7 federal fund of the Kansas commission on veterans affairs is hereby
8 increased from \$2,413,337 to \$5,204,680.

9 (g) On the effective date of this act, the expenditure limitation
10 established for the fiscal year ending June 30, 2013, by section 123(b) of
11 chapter 175 of the 2012 Session Laws of Kansas for the veterans home fee
12 fund of the Kansas commission on veterans affairs is hereby decreased
13 from \$3,302,864 to \$3,222,248.

14 (h) On the effective date of this act, the expenditure limitation
15 established for the fiscal year ending June 30, 2013, by section 123(b) of
16 chapter 175 of the 2012 Session Laws of Kansas for the soldiers home fee
17 fund of the Kansas commission on veterans affairs is hereby decreased
18 from \$1,747,955 to \$1,623,353.

19 (i) On the effective date of this act, the expenditure limitation
20 established for the fiscal year ending June 30, 2013, by section 123(b) of
21 chapter 175 of the 2012 Session Laws of Kansas for the commission on
22 veterans affairs federal fund of the Kansas commission on veterans affairs
23 is hereby decreased from \$207,915 to \$188,395.

24 Sec. 28.

25 DEPARTMENT OF HEALTH AND ENVIRONMENT—
26 DIVISION OF HEALTH CARE FINANCE

27 (a) On the effective date of this act, of the \$634,870,000 appropriated
28 for the above agency for the fiscal year ending June 30, 2013, by section
29 83(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
30 general fund in the other medical assistance account, the sum of
31 \$21,450,000 is hereby lapsed.

32 (b) On the effective date of this act, the expenditure limitation
33 established for the fiscal year ending June 30, 2013, pursuant to section
34 83(b) of chapter 175 of the 2012 Session Laws of Kansas on expenditures
35 from the state workers compensation self-insurance fund of the department
36 of health and environment – division of health care finance for salaries and
37 wages and other operating expenditures is hereby increased from
38 \$3,698,812 to \$4,017,320.

39 (c) On the effective date of this act, the expenditure limitation
40 established for the fiscal year ending June 30, 2013, pursuant to section
41 83(b) of chapter 175 of the 2012 Session Laws of Kansas on expenditures
42 from the dependent care assistance program fund of the department of
43 health and environment – division of health care finance for salaries and

1 wages and other operating expenditures is hereby increased from \$430,916
2 to \$667,865.

3 (d) On the effective date of this act, the expenditure limitation
4 established for the fiscal year ending June 30, 2013, pursuant to section
5 83(b) of chapter 175 of the 2012 Session Laws of Kansas on the medical
6 programs fee fund of the department of health and environment – division
7 of health care finance is hereby increased from \$64,826,805 to
8 \$70,058,569.

9 Sec. 29.

10 KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

11 (a) There is appropriated for the above agency from the state general
12 fund for the fiscal year ending June 30, 2013, the following:

13 Administration.....	\$225,553
14 Alcohol and drug abuse services grants.....	\$1,008,555
15 Other medical assistance.....	\$1,381,871
16 Kansas neurological institute – operating expenditures.....	\$59,504
17 Larned state hospital – operating expenditures.....	\$20,798
18 Osawatomie state hospital – operating expenditures.....	\$850,311
19 Rainbow mental health facility – operating expenditures.....	\$714,011

20 (b) On the effective date of this act, of the \$10,200,226 appropriated
21 for the above agency for the fiscal year ending June 30, 2013, by section
22 85(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
23 general fund in the Parsons state hospital and training center – operating
24 expenditures account, the sum of \$50,256 is hereby lapsed.

25 (c) On the effective date of this act, the expenditure limitation
26 established for the fiscal year ending June 30, 2013, by section 123(b) and
27 section 124(c) of chapter 175 of the 2012 Session Laws of Kansas for on
28 the title XIX fund of the Kansas department for aging and disability
29 services is hereby decreased from \$47,398,297 to \$46,542,666.

30 (d) On the effective date of this act, the expenditure limitation
31 established for the fiscal year ending June 30, 2013, by section 123(b) and
32 section 124(c) of chapter 175 of the 2012 Session Laws of Kansas for the
33 Kansas neurological institute fee fund of the Kansas department for aging
34 and disability services is hereby decreased from \$1,567,610 to \$1,523,400.

35 (e) On the effective date of this act, the expenditure limitation
36 established for the fiscal year ending June 30, 2013, by section 85(b) of
37 chapter 175 of the 2012 Session Laws of Kansas on the Larned state
38 hospital fee fund of the Kansas department for aging and disability
39 services is hereby increased from \$4,466,618 to \$5,112,693.

40 (f) On the effective date of this act, the expenditure limitation
41 established for the fiscal year ending June 30, 2013, by section 123(b) and
42 section 124(c) of chapter 175 of the 2012 Session Laws of Kansas for the
43 Osawatomie state hospital fee fund of the Kansas department for aging and

1 disability services is hereby decreased from \$9,209,629 to \$8,359,891.

2 (g) On the effective date of this act, the expenditure limitation
3 established for the fiscal year ending June 30, 2013, by section 123(b) and
4 section 124(c) of chapter 175 of the 2012 Session Laws of Kansas for the
5 Rainbow mental health facility fee fund of the Kansas department for
6 aging and disability services is hereby decreased from \$2,426,570 to
7 \$1,712,559.

8 (h) There is appropriated for the above agency from the following
9 special revenue fund or funds for the fiscal year ending June 30, 2013, all
10 moneys now or hereafter lawfully credited to and available in such fund or
11 funds, except that expenditures other than refunds authorized by law shall
12 not exceed the following:

- 13 Kansas neurological institute – foster grandparents
- 14 program – federal fund.....No limit
- 15 Osawatomie State Hospital – cottage revenue and
- 16 expenditures fund.....No limit

17 (i) There is appropriated for the above agency from the state
18 institutions building fund for the fiscal year ending June 30, 2013, for the
19 capital improvement project or projects specified, the following:

- 20 Parsons state hospital and training center – energy
- 21 conservation improvement debt service.....\$66,279

22 (j) During the fiscal year ending June 30, 2013, no moneys paid by
23 the Kansas department for aging and disability services from the mental
24 health and retardation services aid and assistance account of the state
25 general fund shall be expended by the entity receiving such moneys to pay
26 membership dues and fees to any entity that does not provide the Kansas
27 department for aging and disability services, the legislative division of post
28 audit, or another state agency, access to its financial records upon request
29 for such access.

30 Sec. 30.

31 KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

32 (a) On the effective date of this act, of the \$30,133,787 appropriated
33 for the above agency for the fiscal year ending June 30, 2013, by section
34 86(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
35 general fund in the cash assistance account, the sum of \$1,698,000 is
36 hereby lapsed.

37 (b) On the effective date of this act, of the \$103,188,486 appropriated
38 for the above agency for the fiscal year ending June 30, 2013, by section
39 86(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
40 general fund in the youth services aid and assistance account, the sum of
41 \$232,144 is hereby lapsed.

42 (c) On the effective date of this act, of the \$519,325 appropriated for
43 the above agency for the fiscal year ending June 30, 2013, by section 86(c)

1 of chapter 175 of the 2012 Session Laws of Kansas from the children's
2 initiatives fund in the children's cabinet accountability fund account, the
3 sum of \$26,589 is hereby lapsed.

4 (d) On the effective date of this act, of the \$66,584 appropriated for
5 the above agency for the fiscal year ending June 30, 2013, by section 86(c)
6 of chapter 175 of the 2012 Session Laws of Kansas from the children's
7 initiatives fund in the early head start account, the sum of \$4,374 is hereby
8 lapsed.

9 (e) On the effective date of this act, of the \$18,179,410 appropriated
10 for the above agency for the fiscal year ending June 30, 2013, by section
11 86(c) of chapter 175 of the 2012 Session Laws of Kansas from the
12 children's initiatives fund in the early childhood block grant account, the
13 sum of \$3,135 is hereby lapsed.

14 (f) On the effective date of this act, of the \$256,637 appropriated for
15 the above agency for the fiscal year ending June 30, 2013, by section 86(c)
16 of chapter 175 of the 2012 Session Laws of Kansas from the children's
17 initiatives fund in the reading roadmap program account, the sum of
18 \$14,936 is hereby lapsed.

19 Sec. 31.

20 DEPARTMENT OF EDUCATION

21 (a) There is appropriated for the above agency from the state general
22 fund for the fiscal year ending June 30, 2013, the following:

23 KPERS – employer contributions.....	\$2,054,214
24 General state aid.....	\$21,292,000
25 State match for Ft. Riley school construction.....	\$1,500,000

26 (b) On the effective date of this act, of the \$700,000 appropriated for
27 the above agency for the fiscal year ending June 30, 2013, by section 88(a)
28 of chapter 175 of the 2012 Session Laws of Kansas from the state general
29 fund in the moving expenses account, the sum of \$613,418 is hereby
30 lapsed.

31 (c) On the effective date of this act, the \$500,000 appropriated for the
32 above agency for the fiscal year ending June 30, 2013, by section 88(a) of
33 chapter 175 of the 2012 Session Laws of Kansas from the state general
34 fund in the technical education transportation account, is hereby lapsed.

35 (d) On the effective date of this act, of the \$6,012,355 appropriated
36 for the above agency for the fiscal year ending June 30, 2013, by section
37 88(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
38 general fund in the school district juvenile detention facilities and Flint
39 Hills job corps center grants account, the sum of \$1,518,640 is hereby
40 lapsed.

41 (e) On the effective date of this act, there is appropriated for the
42 above agency from the following special revenue fund or funds for the
43 fiscal year ending June 30, 2013, all moneys now or hereafter lawfully

1 credited to and available in such fund or funds, except that expenditures
2 other than refunds authorized by law shall not exceed the following:

3 Technical education transportation state aid – state highway fund...No limit

4 (f) On the effective date of this act, or as soon thereafter as moneys
5 are available, the director of accounts and reports shall transfer \$600,000
6 from the state highway fund of the department of transportation to the
7 technical education transportation state aid – state highway fund of the
8 department of education.

9 Sec. 32.

10 STATE BOARD OF REGENTS

11 (a) There is appropriated for the above agency from the state general
12 fund for the fiscal year ending June 30, 2013, the following:

13 Incentive for technical education.....	\$8,750,000
14 Tuition for technical education.....	\$1,500,000

15 Sec. 33.

16 DEPARTMENT OF CORRECTIONS

17 (a) There is appropriated for the above agency from the state general
18 fund for the fiscal year ending June 30, 2013, the following:

19 Operating expenditures.....	\$18,790
20 Topeka correctional facility – facilities operations.....	\$23,254
21 Hutchinson correctional facility – facilities operations.....	\$34,487
22 Lansing correctional facility – facilities operations.....	\$46,961
23 Ellsworth correctional facility – facilities operations.....	\$28,705
24 Winfield correctional facility – facilities operations.....	\$23,763
25 Norton correctional facility – facilities operations.....	\$30,435
26 El Dorado correctional facility – facilities operations.....	\$54,839
27 Larned correctional mental health facility – facilities operations.....	\$21,997

28 (b) On the effective date of this act, there is appropriated for the
29 above agency from the following special revenue fund or funds for the
30 fiscal year ending June 30, 2013, all moneys now or hereafter lawfully
31 credited to and available in such fund or funds, except that expenditures
32 other than refunds authorized by law shall not exceed the following:

33 Community awareness project—federal fund.....	No limit
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34 (c) On the effective date of this act, of the \$24,360,048 appropriated
35 for the above agency for the fiscal year ending June 30, 2013, by section
36 103(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
37 general fund in the operating expenditures account, the sum of \$1,790,652
38 is hereby lapsed.

39 (d) On the effective date of this act, of the \$49,784,426 appropriated
40 for the above agency for the fiscal year ending June 30, 2013, by section
41 103(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
42 general fund in the treatment and programs account, the sum of \$144 is
43 hereby lapsed.

1 (e) On the effective date of this act, of the \$126,786 appropriated for
 2 the above agency for the fiscal year ending June 30, 2013, by section
 3 143(b) of chapter 175 of the 2012 Session Laws of Kansas from the
 4 correctional institutions building fund in the debt service payment for the
 5 prison capacity expansion projects bond issue account, the sum of \$1,024
 6 is hereby lapsed.

7 (f) On the effective date of this act, of the \$1,689,697 appropriated
 8 for the above agency for the fiscal year ending June 30, 2012, by section
 9 163(b) of chapter 118 of the 2011 Session Laws of Kansas from the
 10 correctional institutions building fund in the debt service payment for the
 11 revenue refunding bond issues account, the sum of \$66,816 is hereby
 12 lapsed.

13 (g) On the effective date of this act, during the fiscal year ending June
 14 30, 2013, expenditures may be made by the above agency from the
 15 department of corrections forensic psychologist fund for general health
 16 care contract expenses.

17 Sec. 34.

18 JUVENILE JUSTICE AUTHORITY

19 (a) There is appropriated for the above agency from the state general
 20 fund for the fiscal year ending June 30, 2013, the following:

21 Kansas juvenile correctional complex facility operations.....	\$48,917
22 Larned juvenile correctional facility operations.....	\$27,021
23 Purchase of services.....	\$276,575

24 Sec. 35.

25 ADJUTANT GENERAL

26 (a) There is appropriated for the above agency from the state general
 27 fund for the fiscal year ending June 30, 2013, the following:

28 Civil air patrol – operating expenditures.....	\$384
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29 (b) On the effective date of this act, of the \$4,587,104 appropriated
 30 for the above agency for the fiscal year ending June 30, 2013, by section
 31 105(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
 32 general fund in the operating expenditures account, the sum of \$384 is
 33 hereby lapsed.

34 (c) There is appropriated for the above agency from the following
 35 special revenue fund or funds for the fiscal year ending June 30, 2013, all
 36 moneys now or hereafter lawfully credited to and available in such fund or
 37 funds, except that expenditures other than refunds authorized by law shall
 38 not exceed the following:

39 General fees fund.....	No limit
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40 Sec. 36.

41 STATE FIRE MARSHAL

42 (a) On the effective date of this act, the expenditure limitation
 43 established for the fiscal year ending June 30, 2013, by section 124(c) of

1 chapter 175 of the 2012 Session Laws of Kansas for the fire marshal fee
2 fund of the state fire marshal is hereby decreased from \$3,617,751 to
3 \$3,576,513.

4 (b) On the effective date of this act, the expenditure limitation
5 established for the fiscal year ending June 30, 2013, by section 124(c) of
6 chapter 175 of the 2012 Session Laws of Kansas for the hazardous
7 material program fund of the state fire marshal is hereby decreased from
8 \$373,763 to \$352,784.

9 (c) On the effective date of this act, the expenditure limitation
10 established for the fiscal year ending June 30, 2013, by section 124(c) of
11 chapter 175 of the 2012 Session Laws of Kansas for the state fire marshal
12 liquefied petroleum gas fee fund of the state fire marshal is hereby
13 decreased from \$189,102 to \$170,814.

14 (d) On the effective date of this act, or as soon thereafter as moneys
15 are available, the director of accounts and reports shall transfer \$59,714
16 from the hazardous material program fund of the state fire marshal to the
17 fire marshal fee fund of the state fire marshal.

18 (e) During the fiscal year ending June 30, 2013, the director of the
19 budget and the director of legislative research shall consult periodically
20 and review the balance credited to and the estimated receipts to be credited
21 to the fire marshal fee fund and any other resources available to the fire
22 marshal fee fund during the fiscal year 2013, and, upon a finding by the
23 director of the budget in consultation with the director of legislative
24 research that the total of the unencumbered balance and estimated receipts
25 to be credited to the fire marshal fee fund during fiscal year 2013 are
26 insufficient to meet in full the estimated expenditures for fiscal year 2013
27 as they become due to meet the financial obligations imposed by law on
28 the fire marshal fee fund as a result of a cash flow shortfall, within the
29 authorized budgeted expenditures in accordance with the provisions of
30 appropriation acts, the director of the budget is authorized and directed to
31 certify such finding to the director of accounts and reports. Upon receipt of
32 any such certification, the director of accounts and reports shall transfer
33 the amount of money specified in such certification from the state general
34 fund to the fire marshal fee fund in order to maintain the cash flow of the
35 fire marshal fee fund for such purposes for fiscal year 2013: *Provided*,
36 That the aggregate amount of such transfers during fiscal year 2013
37 pursuant to this subsection shall not exceed \$500,000. Within one year
38 from the date of each such transfer to the fire marshal fee fund pursuant to
39 this subsection, the director of accounts and reports shall transfer the
40 amount equal to the amount transferred from the state general fund to the
41 fire marshal fee fund from the fire marshal fee fund to the state general
42 fund in accordance with a certification for such purpose by the director of
43 the budget. At the same time as the director of the budget transmits any

1 certification under this subsection to the director of accounts and reports
 2 during fiscal year 2013, the director of the budget shall transmit a copy of
 3 such certification to the director of legislative research: *Provided further*,
 4 That on the effective date of this act, the provisions of section 106(e) of
 5 chapter 175 of the 2012 Session Laws of Kansas are hereby declared to be
 6 null and void and shall have no force and effect.

7 Sec. 37.

8 KANSAS HIGHWAY PATROL

9 (a) On the effective date of this act, or as soon thereafter as moneys
 10 are available, the director of accounts and reports shall transfer \$315,986
 11 from the state highway fund of the department of transportation to the
 12 Kansas highway patrol operations fund of the Kansas highway patrol.

13 (b) In addition to the other purposes for which expenditures may be
 14 made from the highway patrol training center fund for fiscal year 2013,
 15 expenditures may be made by the above agency from the highway patrol
 16 training center fund for fiscal year 2013 for the following capital
 17 improvement project or projects, subject to the expenditure limitation
 18 prescribed therefor:

19 Roof replacement – Salina.....\$505,322

20 Sec. 38.

21 ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

22 (a) On the effective date of this act, of the \$450,000 appropriated for
 23 the above agency for the fiscal year ending June 30, 2013, by section
 24 108(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
 25 general fund in the meth lab cleanup account, the sum of \$384,785 is
 26 hereby lapsed.

27 Sec. 39.

28 EMERGENCY MEDICAL SERVICES BOARD

29 (a) On the effective date of this act, the expenditure limitation
 30 established for the fiscal year ending June 30, 2013, by section 124(c) of
 31 chapter 175 of the 2012 Session Laws of Kansas for the emergency
 32 medical services operating fund of the emergency medical services board
 33 is hereby decreased from \$1,342,408 to \$1,322,222.

34 Sec. 40.

35 STATE FAIR BOARD

36 (a) There is appropriated for the above agency from the state general
 37 fund for the fiscal year ending June 30, 2013, the following:

38 State fair debt service.....\$8,966

39 Sec. 41.

40 KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

41 (a) There is appropriated for the above agency from the state
 42 economic development initiatives fund for the fiscal year ending June 30,
 43 2013, the following:

1 SEDIF travel/tourism operating expense.....\$98,094
 2 State parks operating expense.....\$132,075

3 (b) On the effective date of this act, of the \$3,445,734 appropriated
 4 for the above agency for the fiscal year ending June 30, 2013, by section
 5 123(a) of chapter 175 of the 2012 Session Laws of Kansas from the state
 6 economic development initiatives fund in the operating expense account,
 7 the sum of \$230,169 is hereby lapsed.

8 (c) On the effective date of this act, the expenditure limitation
 9 established for the fiscal year ending June 30, 2013, by section 123(b) of
 10 chapter 175 of the 2012 Session Laws of Kansas for the parks fee fund of
 11 the Kansas department of wildlife, parks and tourism is hereby increased
 12 from \$5,636,603 to \$5,965,933.

13 (d) On the effective date of this act, the expenditure limitation
 14 established for the fiscal year ending June 30, 2013, by section 123(b) of
 15 chapter 175 of the 2012 Session Laws of Kansas for the boating fee fund
 16 of the Kansas department of wildlife, parks and tourism is hereby
 17 decreased from \$1,073,000 to \$929,526.

18 (e) On the effective date of this act, the expenditure limitation
 19 established for the fiscal year ending June 30, 2013, by section 123(b) of
 20 chapter 175 of the 2012 Session Laws of Kansas for the wildlife fee fund
 21 of the Kansas department of wildlife, parks and tourism is hereby
 22 increased from \$26,040,564 to \$26,142,469.

23 (f) On the effective date of this act, of the \$1,785,473 appropriated
 24 for the above agency for the fiscal year ending June 30, 2013, by section
 25 115(c) of chapter 175 of the 2012 Session Laws of Kansas from the
 26 expanded lottery act revenues fund in the cabin loan payoff account, the
 27 sum of \$27,431 is hereby lapsed.

28 Sec. 42.

29 DEPARTMENT OF TRANSPORTATION

30 (a) On the effective date of this act, the expenditure limitation
 31 established for the fiscal year ending June 30, 2013, by section 123(b) and
 32 section 124(c) of chapter 175 of the 2012 Session Laws of Kansas for the
 33 agency operations account of the state highway fund of the department of
 34 transportation is hereby decreased from \$286,159,433 to \$257,365,724.

35 Sec. 43. (a) The director of accounts and reports shall not make the
 36 transfer of \$1,000,000 prescribed to be transferred from the state general
 37 fund to the workers compensation fund of the insurance department by
 38 section 131(b)(2) of chapter 124 of the 2009 Session Laws of Kansas,
 39 which was directed to be made on or before June 30, 2012, on a date
 40 certified by the director of the budget for the purpose of repaying 25% of
 41 the amount transferred from the workers compensation fund to the state
 42 general fund pursuant to section 10(a) of chapter 3 of the 2003 Session
 43 Laws of Kansas. On the effective date of this act, the provisions of section

1 131(b)(2) of chapter 124 of the 2009 Session Laws of Kansas are hereby
2 declared to be null and void and shall have no force and effect.

3 Sec. 44. (a) On the effective date of this act, of the \$7,158,744
4 appropriated for the department of social and rehabilitation services for the
5 fiscal year ending June 30, 2012, by section 111(c) of chapter 118 of the
6 2011 Session Laws of Kansas from the children's initiatives fund in the
7 children's cabinet early childhood discretionary grant program account, the
8 sum of \$270 is hereby lapsed.

9 Sec. 45. K.S.A. 2012 Supp. 74-50,107 is hereby amended to read as
10 follows: 74-50,107. (a) (1) The secretary shall determine and from time to
11 time shall redetermine the rate at which moneys shall be credited to the
12 IMPACT program repayment fund in order to satisfy all bond repayment
13 obligations which have been incurred to finance program costs for
14 IMPACT programs, which shall be referred to as the debt service rate, and
15 the rate at which moneys shall be credited to the IMPACT program
16 services fund in order to finance program costs that are not financed by
17 bonds, which shall be referred to as the direct funding rate. The total of the
18 debt service rate and the direct funding rate shall be the combined rate.
19 Each rate so determined shall be certified to the secretary of revenue. The
20 combined rate determined under this subsection shall not exceed 2%.

21 (2) Upon receipt of the rates determined and certified under
22 subsection (a)(1), the secretary of revenue shall apply daily the combined
23 rate to that portion of the moneys withheld from the wages of individuals
24 and collected under the Kansas withholding and declaration of estimated
25 tax act, K.S.A. 79-3294 et seq., and amendments thereto. The amount so
26 determined shall be credited as follows: (A) The portion attributable to the
27 debt service rate shall be credited to the IMPACT program repayment
28 fund; and (B) the remaining portion shall be credited to the IMPACT
29 program services fund.

30 (3) The aggregate of all amounts credited to the IMPACT program
31 repayment fund under this section during any fiscal year to pay bond
32 repayment obligations on bonds to finance major project investments shall
33 not exceed the amount which results when the rate of 2% is applied to all
34 moneys withheld from the wages of individuals and received under the
35 Kansas withholding and declaration of estimated tax act.

36 (4) The provisions of this subsection shall remain in effect prior to
37 July 1, 2012.

38 (b) Commencing July 1, 2012, and on the first day of each month
39 thereafter during fiscal year 2013~~and~~, fiscal year 2014, *and fiscal year*
40 *2015*, the secretary of revenue shall apply a rate of 2% to that portion of
41 moneys withheld from the wages of individuals and collected under the
42 Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294
43 et seq., and amendments thereto. The amount so determined shall be

1 credited on a monthly basis as follows: (1) An amount necessary to meet
2 obligations of the debt services for the IMPACT program repayment fund;
3 and (2) an amount to the IMPACT program services fund as needed for
4 program administration; and (3) any remaining amounts to the job creation
5 program fund created pursuant to K.S.A. 2012 Supp. 74-50,224, and
6 amendments thereto. *During fiscal year 2013, fiscal year 2014, and fiscal*
7 *year 2015, the aggregate amount that is credited to the job creation*
8 *program fund pursuant to this subsection shall not exceed \$10,000,000 for*
9 *such fiscal year.*

10 (c) Commencing July 1, ~~2014~~ 2015, and on an annual basis thereafter,
11 the secretary of revenue shall estimate the amount equal to the amount of
12 net savings realized from the elimination, modification or limitation of any
13 credit, deduction or program pursuant to the provisions of this act as
14 compared to the expense deduction provided for in K.S.A. 2012 Supp. 79-
15 32,143a, and amendments thereto. Whereupon such amount of savings in
16 accordance with appropriation acts shall be remitted to the state treasurer
17 in accordance with the provisions of K.S.A. 75-4215, and amendments
18 thereto. Upon receipt of each such remittance, the state treasurer shall
19 deposit the entire amount to the credit of the job creation program fund
20 created pursuant to K.S.A. 2012 Supp. 74-50,224, and amendments
21 thereto. In addition, such other amount or amounts of money may be
22 transferred from the state general fund or any other fund or funds in the
23 state treasury to the job creation program fund in accordance with
24 appropriation acts.

25 Sec. 46. K.S.A. 2012 Supp. 74-99b34 is hereby amended to read as
26 follows: 74-99b34. (a) The bioscience development and investment fund is
27 hereby created. The bioscience development and investment fund shall not
28 be a part of the state treasury and the funds in the bioscience development
29 and investment fund shall belong exclusively to the authority.

30 (b) Distributions from the bioscience development and investment
31 fund shall be for the exclusive benefit of the authority, under the control of
32 the board and used to fulfill the purpose, powers and duties of the
33 authority pursuant to the provisions of K.S.A. 2012 Supp. 74-99b01 et
34 seq., and amendments thereto.

35 (c) The secretary of revenue and the authority shall establish the base
36 year taxation for all bioscience companies and state universities. The
37 secretary of revenue, the authority and the board of regents shall establish
38 the number of bioscience employees associated with state universities and
39 report annually and determine the increase from the taxation base annually.
40 The secretary of revenue and the authority may consider any verifiable
41 evidence, including, but not limited to, the NAICS code assigned or
42 recorded by the department of labor for companies with employees in
43 Kansas, when determining which companies should be classified as

1 bioscience companies.

2 (d) (1) Except as provided in subsection (d)(2), (d)(3), (h) or (i), for a
3 period of 15 years from the effective date of this act, the state treasurer
4 shall pay annually 95% of withholding above the base, as certified by the
5 secretary of revenue, upon Kansas wages paid by bioscience employees to
6 the bioscience development and investment fund. Such payments shall be
7 reconciled annually. On or before the 10th day of each month, the director
8 of accounts and reports shall transfer from the state general fund to the
9 bioscience development and investment fund interest earnings based on:

10 (A) The average daily balance of moneys in the bioscience
11 development and investment fund for the preceding month; and

12 (B) the net earnings rate of the pooled money investment portfolio for
13 the preceding month.

14 (2) (A) For fiscal year 2013, the first \$1,000,000 that the secretary of
15 revenue certifies to the state treasurer of the annual 95% of withholding
16 above the base, upon Kansas wages paid by bioscience employees, shall be
17 transferred by the director of accounts and reports from the state general
18 fund to the following: the center of innovation for biomaterials in
19 orthopaedic research – Wichita state university fund.

20 (B) There is hereby established in the state treasury the center of
21 innovation for biomaterials in orthopaedic research – Wichita state
22 university fund which shall be administered by Wichita state university.
23 All moneys credited to the fund shall be used for research and
24 development. All expenditures from the center of innovation for
25 biomaterials in orthopaedic research – Wichita state university fund shall
26 be made in accordance with appropriation acts and upon warrants of the
27 director of accounts and reports issued pursuant to expenditures approved
28 by the president of Wichita state university or by the person or persons
29 designated by the president of Wichita state university.

30 (3) (A) For fiscal year 2013, the next \$5,000,000 that the secretary of
31 revenue certifies to the state treasurer of the annual 95% of withholding
32 above the base, upon Kansas wages paid by bioscience employees above
33 the first \$1,000,000 certified pursuant to subsection (d)(2)(A), shall be
34 transferred by the director of accounts and reports from the state general
35 fund to the following: The national bio agro-defense facility fund at
36 Kansas state university.

37 (B) There is hereby established in the state treasury the national bio
38 agro-defense facility fund which shall be administered by Kansas state
39 university in accordance with the strategic plan adopted by the governor's
40 national bio agro-defense facility steering committee. All moneys credited
41 to the fund shall be used in accordance with the governor's national bio
42 agro-defense facility steering committee's plan with the approval of the
43 president of Kansas state university. All expenditures from the national bio

1 agro-defense facility fund shall be made in accordance with appropriation
2 acts and upon warrants of the director of accounts and reports issued
3 pursuant to expenditures approved by the steering committee and the
4 president of Kansas state university or by the person or persons designated
5 by the president of Kansas state university.

6 (e) The cumulative amounts of funds paid by the state treasurer to the
7 bioscience development and investment fund shall not exceed
8 \$581,800,000.

9 (f) The division of post audit is hereby authorized to conduct a post
10 audit in accordance with the provisions of the legislative post audit act,
11 K.S.A. 46-1106 et seq., and amendments thereto.

12 (g) At the direction of the authority, the fund may be held in the
13 custody of and invested by the state treasurer, provided that the bioscience
14 development and investment fund shall at all times be accounted for in a
15 separate report from all other funds of the authority and the state.

16 (h) During the fiscal ~~years~~ *year* ending ~~June 30, 2013, and~~ June 30,
17 2014, the aggregate amount that is directed to be transferred from the state
18 general fund to the bioscience development and investment fund pursuant
19 to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1)
20 shall not exceed \$35,000,000 for each such fiscal year.

21 (i) During the fiscal year ending June 30, ~~2012~~ *2013*, the aggregate
22 amount that is directed to be transferred from the state general fund to the
23 bioscience development and investment fund pursuant to subsection (d)(1)
24 plus interest earnings pursuant to subsection (d)(1) shall not exceed
25 ~~\$12,322,186~~ *\$12,287,267* for such fiscal year.

26 Sec. 47. K.S.A. 2012 Supp. 79-4227 is hereby amended to read as
27 follows: 79-4227. (a) All revenue collected or received by the director
28 from the tax imposed by this act shall be remitted to the state treasurer in
29 accordance with the provisions of K.S.A. 75-4215, and amendments
30 thereto. Upon receipt of each such remittance, the state treasurer shall
31 deposit the entire amount in the state treasury. The state treasurer shall first
32 credit such amount as the director shall order to the mineral production tax
33 refund fund created under subsection (b) of this section. Except as
34 otherwise provided by this section, the state treasurer shall credit the
35 remainder of such amounts as follows: (1) Seven percent to the special
36 county mineral production tax fund created under subsection (c) of this
37 section; and (2) the remainder shall be credited to the state general fund.
38 On and after July 1, 2012, and thereafter, ~~except as otherwise provided by~~
39 ~~this section~~, the state treasurer shall credit the remainder of such amounts
40 for oil and gas for any county which had \$100,000 or more in receipts of
41 the excise tax upon the severance and production of oil and gas as follows:
42 (1) Seven percent to the special county mineral production tax fund
43 created under subsection (c); (2) 12.41% to the oil and gas valuation

1 depletion trust fund; and (3) the remainder shall be credited to the state
2 general fund. ~~During fiscal year 2013, the state treasurer shall credit the~~
3 ~~remainder of such amounts as follows: (1) As otherwise provided in this~~
4 ~~section, and (2) on the 15th day of each month, the state treasurer shall~~
5 ~~determine the amount of revenue collected or received by the director from~~
6 ~~the tax imposed by this act during the preceding month which exceeds the~~
7 ~~consensus revenue estimate for such preceding month. If such amount of~~
8 ~~revenue collected or received for such preceding month is greater than the~~
9 ~~estimated amount of revenue for such preceding month, then the state~~
10 ~~treasurer shall credit 14.63% of the difference between the actual amount~~
11 ~~collected or received and the estimated amount of revenue to the incentive~~
12 ~~for technical education fund, and 85.37% of the difference between the~~
13 ~~actual amount collected or received and the estimated amount of revenue~~
14 ~~to the tuition for technical education fund. During fiscal year 2013, the~~
15 ~~amount credited to the incentive for technical education fund shall not~~
16 ~~exceed \$1,500,000, and the amount credited to the tuition for technical~~
17 ~~education fund shall not exceed \$8,750,000. The incentive for technical~~
18 ~~education fund and the tuition for technical education fund are hereby~~
19 ~~created in the state treasury. Any revenue collected or received from the tax~~
20 ~~imposed by this act during fiscal year 2013 shall be credited as provided~~
21 ~~in this section as in existence on the effective date of this act.~~

22 (b) A refund fund designated as "mineral production tax refund fund"
23 not to exceed \$50,000 is hereby created for the prompt payment of all tax
24 refunds. The mineral production tax refund fund shall be in such amount,
25 within the limit set by this section, as the director shall determine is
26 necessary to meet current refunding requirements under this act.

27 (c) There is hereby created a special county mineral production tax
28 fund. On December 1, 1983, and quarterly thereafter, the director of
29 taxation shall distribute all moneys credited to such fund to the county
30 treasurers of all counties in which taxes were levied under K.S.A. 79-4217,
31 and amendments thereto, for the severing and producing of coal, oil or gas
32 from property within the county, in the proportion that the taxes levied
33 upon production in each county bears to the total of all of such taxes levied
34 in all of such counties. Such distribution shall be based on returns filed,
35 with any adjustments or corrections thereto made by the director of
36 taxation.

37 (d) The secretary of revenue shall make provision for the
38 determination of the counties within which taxes are levied under K.S.A.
39 79-4217, and amendments thereto, for the severance of coal, oil or gas and
40 shall certify the same to the director of accounts and reports.

41 (e) The director of accounts and reports shall draw warrants on the
42 state treasurer payable to the county treasurer of each county entitled to
43 payment from the special county mineral production tax fund upon

1 vouchers approved by the director of taxation. Upon receipt of such
2 warrant, each county treasurer shall credit 50% of the amount thereof to
3 the county general fund and shall distribute the remaining 50% thereof to
4 the treasurer of each school district all or any portion of which is located
5 within the county in the proportion that the assessed value of coal, oil and
6 gas properties within each district bears to the total of the assessed value of
7 all coal, oil and gas properties within the county. Such assessed valuation
8 shall be determined upon the basis of the most recent November 1 tax roll.
9 The treasurer of each school district shall credit the entire amount of the
10 moneys so received to the general fund of the school district.

11 Sec. 48. K.S.A. 2012 Supp. 74-50,107, 74-99b34 and 79-4227 are
12 hereby repealed.

13 Sec. 49. *Appeals to exceed position limitations.* The limitations
14 imposed by this act on the number of full-time and regular part-time
15 positions equated to full-time, excluding seasonal and temporary positions,
16 paid from appropriations for the fiscal year ending June 30, 2013, made in
17 chapter 175 of the 2012 Session Laws of Kansas or in this act or in any
18 other appropriation act of the 2013 regular session of the legislature may
19 be exceeded upon approval of the state finance council.

20 Sec. 50. *Appeals to exceed expenditure limitations.* (a) Upon written
21 application to the governor and approval of the state finance council,
22 expenditures from the special revenue funds may exceed the amounts
23 specified in this act.

24 (b) This section shall not apply to the state economic development
25 initiatives fund, the children's initiatives fund, the state water plan fund or
26 the Kansas endowment for youth fund, or to any account of any of such
27 funds.

28 Sec. 51. This act shall take effect and be in force from and after its
29 publication in the Kansas register.