

{As Amended by House Committee of the Whole}

Session of 2012

House Substitute for SENATE BILL No. 294

By Committee on Appropriations

3-14

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 and directing payment of certain claims
4 against the state; authorizing certain transfers, capital improvement
5 projects and fees imposing certain restrictions and limitations, and
6 directing or authorizing certain receipts, disbursements, procedures and
7 acts incidental to the foregoing; amending K.S.A. 2011 Supp. 2-223,
8 12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 76-775, 76-
9 783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i, 79-
10 34,156, 79-34,171 and 82a-953a and repealing the existing sections.

11

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

13

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

18

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

22

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

24

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

26

Sec. 2. The department of revenue is hereby authorized and directed
27 to pay the following amounts from the motor-vehicle fuel tax refund fund,
28 for claims not filed within the statutory filing period prescribed in K.S.A.
29 79-3458, and amendments thereto, to the following claimants:

30

31 Babcock, Phillip DBA Babcock Angus
32 473 Road W3
33 Norton, KS 67654.....\$58.46

34

35 Barr, Kathy
36 9775 W 333 Rd St



1 established for the fiscal year ending June 30, 2012, by section 106(b) of
2 chapter 118 of the 2011 Session Laws of Kansas on the veterans home
3 federal fund of the Kansas commission on veterans affairs is hereby
4 increased from \$2,924,231 to \$3,129,375.

5 (g) On the effective date of this act, the expenditure limitation
6 established for the fiscal year ending June 30, 2012, by section 106(b) of
7 chapter 118 of the 2011 Session Laws of Kansas on the veterans home fee
8 fund of the Kansas commission on veterans affairs is hereby increased
9 from \$3,000,003 to \$3,129,622.

10 (h) On the effective date of this act, the expenditure limitation
11 established for the fiscal year ending June 30, 2012, by section 106(b) of
12 chapter 118 of the 2011 Session Laws of Kansas on the VA burial
13 reimbursement fund – federal of the Kansas commission on veterans
14 affairs is hereby increased from \$80,538 to \$101,942.

15 Sec. 41.

16 STATE BOARD OF REGENTS

17 (a) There is appropriated for the above agency from the Kansas
18 educational building fund for the fiscal year ending June 30, 2012, for the
19 capital improvement project or projects specified as follows:

20 Debt service – revenue bonds issued for major remodeling and new
21 construction projects at state educational institutions.....\$1,254,925

22 (b) In addition to the other purposes for which expenditures may be
23 made by the state board of regents from the operating expenditures
24 (including official hospitality) account of the state general fund for the
25 fiscal year ending June 30, 2012, as authorized by section 128 of chapter
26 118 of the 2011 Session Laws of Kansas, or by this or other appropriation
27 act of the 2012 regular session of the legislature, expenditures shall be
28 made by the state board of regents from moneys appropriated in the
29 operating expenditures (including official hospitality) account of the state
30 general fund for the fiscal year ending June 30, 2012, in the amount of
31 \$5,462 for the midwest higher education compact dues.

32 Sec. 42.

33 DEPARTMENT OF EDUCATION

34 (a) There is appropriated for the above agency from the state general
35 fund for the fiscal year ending June 30, 2012, the following:

36 KPERS – employer contributions.....\$6,992,555

37 Operating expenditures (including official hospitality).....\$50,000

38 (b) On and after the effective date of this act, notwithstanding the
39 provisions of section 113(a) of chapter 118 of the 2011 Session Laws of
40 Kansas or any other statute, no appropriation shall be made for fiscal year
41 2012 from the state general fund to the general state aid account of the
42 department of education by the second proviso to the general state aid
43 account appropriation from the state general fund of section 113(a) of

1 chapter 118 of the 2011 Session Laws of Kansas: *Provided*, That the
 2 amount that would be appropriated for the above agency for the fiscal year
 3 ending June 30, 2012, pursuant to the second proviso to the general state
 4 aid account appropriation from the state general fund of section 113(a) of
 5 chapter 118 of the 2011 Session Laws of Kansas from the state general
 6 fund to the general state aid account is hereby lapsed: *provided further*,
 7 That, on the effective date of this act, the provisions of the second proviso
 8 to the general state aid account appropriation from the state general fund
 9 of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas are
 10 hereby declared to be null and void and shall have no force and effect.

11 ~~(c) On the effective date of this act, of the \$1,902,775,680~~
 12 ~~appropriated for the above agency for the fiscal year ending June 30, 2012,~~
 13 ~~by section 113(a) of chapter 118 of the 2011 Session Laws of Kansas from~~
 14 ~~the state general fund in the general state aid account, the sum of~~
 15 ~~\$4,727,065 is hereby lapsed {On the effective date of this act, or as soon~~
 16 ~~thereafter as moneys are available, the director of accounts and~~
 17 ~~reports shall transfer \$24,632,000 from the state highway fund of the~~
 18 ~~Kansas department of transportation to the general state aid account~~
 19 ~~of the state general fund for the department of education}.~~

20 Sec. 43.

21 DEPARTMENT OF CORRECTIONS

22 (a) There is appropriated for the above agency from the state general
23 fund for the fiscal year ending June 30, 2012, the following:

24 Treatment and programs.....	\$1,825,000
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25 (b) There is appropriated for the above agency from the expanded
26 lottery act revenues fund for the fiscal year ending June 30, 2012, the
27 following:

28 Labette facility renovation.....	\$1,696,150
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29 (c) There is appropriated for the above agency from the following
30 special revenue fund or funds for the fiscal year ending June 30, 2012, all
31 moneys now or hereafter lawfully credited to and available in such fund or
32 funds, except that expenditures other than refunds authorized by law shall
33 not exceed the following:

34 Disaster grants – public assistance fund.....	No limit
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35 Sec. 44.

36 JUVENILE JUSTICE AUTHORITY

37 (a) There is appropriated for the above agency from the state general
38 fund for the fiscal year ending June 30, 2012, the following:

39 Purchase of services.....	\$870,540
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40 (b) On the effective date of this act, the expenditure limitation
41 established for the fiscal year ending June 30, 2012, by section 130(b) of
42 chapter 118 of the 2011 Session Laws of Kansas on the juvenile detention
43 facilities fund of the juvenile justice authority is hereby increased from

1 fiscal year 2013 to fix, charge and collect fees from parents for services
 2 provided to their children by an institution or program of the Kansas
 3 department for children and families: *Provided*, That all moneys received
 4 by the Kansas department for children and families for such fees shall be
 5 deposited in the state treasury in accordance with the provisions of K.S.A.
 6 75-4215, and amendments thereto, and shall be credited to the social
 7 welfare fund.

8 Sec. 90.

9 KANSAS GUARDIANSHIP PROGRAM

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

12 Kansas guardianship program.....\$1,157,539

13 *Provided*, That any unencumbered balance in the Kansas guardianship
 14 program account in excess of \$100 as of June 30, 2012, is hereby
 15 reappropriated for fiscal year 2013.

16 Sec. 91.

17 DEPARTMENT OF EDUCATION

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

20 Operating expenditures (including official hospitality).....\$11,004,144

21 *Provided*, That any unencumbered balance in the operating
 22 expenditures (including official hospitality) account in excess of \$100 as
 23 of June 30, 2012, is hereby reappropriated for fiscal year 2013.

24 Special education services aid.....\$427,717,630

25 *Provided*, That any unencumbered balance in the special education
 26 services aid account in excess of \$100 as of June 30, 2012, is hereby
 27 reappropriated for fiscal year 2013: *provided further*, That expenditures
 28 shall not be made from the special education services aid account for the
 29 provision of instruction for any homebound or hospitalized child unless
 30 the categorization of such child as exceptional is conjoined with the
 31 categorization of the child within one or more of the other categories of
 32 exceptionality: *And provided further*, That expenditures shall be made from
 33 this account for grants to school districts in amounts determined pursuant
 34 to and in accordance with the provisions of K.S.A. 72-983, and
 35 amendments thereto: *And provided further*, That expenditures shall be
 36 made from the amount remaining in this account, after deduction of the
 37 expenditures specified in the foregoing proviso, for payments to school
 38 districts in amounts determined pursuant to and in accordance with the
 39 provisions of K.S.A. 72-978, and amendments thereto.

40 General state aid.....\$1,888,411,728

41 *Provided*, That any unencumbered balance in the general state aid
 42 account in excess of \$100 as of June 30, 2012, is hereby reappropriated for
 43 fiscal year 2013.

1 Supplemental general state aid.....\$339,212,000
 2 *Provided*, That any unencumbered balance in the supplemental general
 3 state aid account in excess of \$100 as of June 30, 2012, is hereby
 4 reappropriated for fiscal year 2013.
 5 Discretionary grants.....\$322,457
 6 *Provided*, That the above agency shall make expenditures from the
 7 discretionary grants account during the fiscal year 2013, in the amount not
 8 less than \$125,000 for after school programs for middle school students in
 9 the sixth, seventh and eighth grade: *provided further*, That the after school
 10 programs may also include fifth and ninth grade students, if they attend a
 11 junior high: *And provided further*, That such discretionary grants shall be
 12 awarded to after school programs that operate for a minimum of two hours
 13 a day, every day that school is in session, and a minimum of six hours a
 14 day for a minimum of five weeks during the summer: *And provided*
 15 *further*, That the discretionary grants awarded to after school programs
 16 shall require a \$1 for \$1 local match: *And provided further*, That the
 17 aggregate amount of discretionary grants awarded to any one after school
 18 program shall not exceed \$25,000.
 19 School food assistance.....\$2,510,486
 20 School safety hotline.....\$10,000
 21 Mentor teacher program grants.....\$484,337
 22 Moving Expenses.....\$700,000
 23 Technical education grants.....\$28,910,952
 24 Technical education transportation.....\$500,000
 25 Technical education promotion.....\$50,000
 26 KPERS – employer contributions.....\$332,095,628
 27 *Provided*, That any unencumbered balance in the KPERS – employer
 28 contributions account in excess of \$100 as of June 30, 2012, is hereby
 29 reappropriated for fiscal year 2013: *provided further*, That all expenditures
 30 from the KPERS – employer contributions account shall be for payment of
 31 participating employers' contributions to the Kansas public employees
 32 retirement system as provided in K.S.A. 74-4939, and amendments
 33 thereto: *And provided further*, That expenditures from this account for the
 34 payment of participating employers' contributions to the Kansas public
 35 employees retirement system may be made regardless of when the liability
 36 was incurred.
 37 Educable deaf-blind and severely handicapped children's
 38 programs aid.....\$110,000
 39 School district juvenile detention facilities and Flint Hills job
 40 corps center grants.....\$6,012,355
 41 *Provided*, That any unencumbered balance in the school district
 42 juvenile detention facilities and Flint Hills job corps center grants account
 43 in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal

1 year 2013: *provided further*, That expenditures shall be made from the
2 school district juvenile detention facilities and Flint Hills job corps center
3 grants account for grants to school districts in amounts determined
4 pursuant to and in accordance with the provisions of K.S.A. 72-8187, and
5 amendments thereto.

6 Any unencumbered balance in the governor’s teaching excellence
7 scholarships and awards account in excess of \$100 as of June 30, 2012, is
8 hereby reappropriated for fiscal year 2013: *provided further*, That all
9 expenditures from the governor's teaching excellence scholarships and
10 awards account for teaching excellence scholarships shall be made in
11 accordance with K.S.A. 72-1398, and amendments thereto: *And provided*
12 *further*, That each such grant shall be required to be matched on a \$1 for \$1
13 basis from nonstate sources: *And provided further*, That award of each such
14 grant shall be conditioned upon the recipient entering into an agreement
15 requiring the grant to be repaid if the recipient fails to complete the course
16 of training under the national board for professional teaching standards
17 certification program: *And provided further*, That all moneys received by
18 the department of education for repayment of grants for governor's
19 teaching excellence scholarships shall be deposited in the state treasury
20 and credited to the governor's teaching excellence scholarships program
21 repayment fund.

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

27 State school district finance fund.....	No limit
28 School district capital improvements fund.....	No limit
29 <i>Provided</i> , That expenditures from the school district capital	
30 improvements fund shall be made only for the payment of general	
31 obligation bonds approved by voters under the authority of K.S.A. 72-	
32 6761, and amendments thereto.	
33 School district capital outlay state aid fund.....	\$0
34 Conversion of materials and equipment fund.....	No limit
35 State safety fund.....	No limit
36 School bus safety fund.....	No limit
37 Motorcycle safety fund.....	No limit
38 Federal indirect cost reimbursement fund.....	No limit
39 Teacher and administrator fee fund.....	No limit
40 Food assistance – federal fund.....	No limit
41 Education jobs fund – federal.....	No limit
42 Food assistance – school breakfast program – federal fund.....	No limit
43 Food assistance – national school lunch program – federal fund.....	No limit

- 1 Food assistance – child and adult care food program – federal
- 2 fund.....No limit
- 3 Elementary and secondary school aid – federal fund.....No limit
- 4 Elementary and secondary school aid – educationally deprived
- 5 children – federal fund.....No limit
- 6 Educationally deprived children – state operations – federal fund...No limit
- 7 Elementary and secondary school – educationally deprived
- 8 children – LEA’s fund.....No limit
- 9 ESEA chapter II – state operations – federal fund.....No limit
- 10 Education of handicapped children fund – federal.....No limit
- 11 Education of handicapped children fund – state operations –
- 12 federal fund.....No limit
- 13 Education of handicapped children fund – preschool – federal
- 14 fund.....No limit
- 15 Education of handicapped children fund – preschool state
- 16 operations – federal.....No limit
- 17 Elementary and secondary school aid – federal fund – migrant
- 18 education fund.....No limit
- 19 Elementary and secondary school aid – federal fund – migrant
- 20 education – state operations..... No limit
- 21 Vocational education amendments of 1968 – federal fund.....No limit
- 22 Vocational education title II – federal fund.....No limit
- 23 Vocational education title II – federal fund – state operations.....No limit
- 24 Educational research grants and projects fund.....No limit
- 25 Drug abuse fund – department of education – federal.....No limit
- 26 Drug abuse funds – federal – state operations fund.....No limit
- 27 Federal K-12 fiscal stabilization fund.....No limit
- 28 Inservice education workshop fee fund.....No limit
- 29 *Provided*, That expenditures may be made from the inservice education
- 30 workshop fee fund for operating expenditures, including official
- 31 hospitality, incurred for inservice workshops and conferences: *provided*
- 32 *further*, That the state board of education is hereby authorized to fix,
- 33 charge and collect fees for inservice workshops and conferences: *And*
- 34 *provided further*, That such fees shall be fixed in order to recover all or
- 35 part of such operating expenditures incurred for inservice workshops and
- 36 conferences: *And provided further*, That all fees received for inservice
- 37 workshops and conferences shall be deposited in the state treasury in
- 38 accordance with the provisions of K.S.A. 75-4215, and amendments
- 39 thereto, and shall be credited to the inservice education workshop fee fund.
- 40 Private donations, gifts, grants and bequests fund.....No limit
- 41 Interactive video fee fund.....No limit
- 42 *Provided*, That expenditures may be made from the interactive video
- 43 fee fund for operating expenditures incurred in conjunction with the

1 operation and use of the interactive video conference facility of the
 2 department of education: *provided further*, That the state board of
 3 education is hereby authorized to fix, charge and collect fees for the
 4 operation and use of such interactive video conference facility: *And*
 5 *provided further*, That all fees received for the operation and use of such
 6 interactive video conference facility shall be deposited in the state treasury
 7 in accordance with the provisions of K.S.A. 75-4215, and amendments
 8 thereto, and shall be credited to the interactive video fee fund.

9 Reimbursement for services fund.....No limit
 10 Communities in schools program fund.....No limit
 11 Governor’s teaching excellence scholarships program repayment
 12 fund.....No limit

13 *Provided*, That all expenditures from the governor’s teaching excellence
 14 scholarships program repayment fund shall be made in accordance with
 15 K.S.A. 72-1398, and amendments thereto: *provided further*, That each such
 16 grant shall be required to be matched on a \$1 for \$1 basis from nonstate
 17 sources: *And provided further*, That award of each such grant shall be
 18 conditioned upon the recipient entering into an agreement requiring the
 19 grant to be repaid if the recipient fails to complete the course of training
 20 under the national board for professional teaching standards certification
 21 program: *And provided further*, That all moneys received by the
 22 department of education for repayment of grants made under the
 23 governor’s teaching excellence scholarships program shall be deposited in
 24 the state treasury in accordance with the provisions of K.S.A. 75-4215, and
 25 amendments thereto, and shall be credited to the governor’s teaching
 26 excellence scholarships program repayment fund.

27 Elementary and secondary school aid – federal fund –
 28 reading first.....No limit
 29 Elementary and secondary school aid – federal fund –
 30 reading first – state operations.....No limit
 31 State grants for improving teacher quality – federal fund.....No limit
 32 State grants for improving teacher quality – federal fund –
 33 state operations.....No limit
 34 21st century community learning centers – federal fund.....No limit
 35 State assessments – federal fund.....No limit
 36 Rural and low-income schools program – federal fund.....No limit
 37 Language assistance state grants – federal fund.....No limit
 38 Service clearing fund.....No limit
 39 Helping schools license plate program fund.....No limit

40 (c) There is appropriated for the above agency from the children’s
 41 initiatives fund for the fiscal year ending June 30, 2013, the following:
 42 Pre-K program.....\$3,323,750
 43 Parent education program.....\$5,023,541

1 *Provided*, That expenditures from the parent education program
2 account for each such grant shall be matched by the school district in an
3 amount which is equal to not less than 65% of the grant.

4 (d) On July 1, 2012, or as soon thereafter as moneys are available,
5 notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and
6 amendments thereto, or any other statute, the director of accounts and
7 reports shall transfer \$50,000 from the family and children trust account of
8 the family and children investment fund of the department of social and
9 rehabilitation services to the communities in schools program fund of the
10 department of education.

11 (e) On March 30, 2013, or as soon thereafter as moneys are available,
12 notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments
13 thereto, or any other statute, the director of accounts and reports shall
14 transfer \$750,000 from the state safety fund to the state general fund:
15 *Provided*, That the transfer of such amount shall be in addition to any
16 other transfer from the state safety fund to the state general fund as
17 prescribed by law: *provided further*, That the amount transferred from the
18 state safety fund to the state general fund pursuant to this subsection is to
19 reimburse the state general fund for accounting, auditing, budgeting, legal,
20 payroll, personnel and purchasing services and any other governmental
21 services which are performed on behalf of the department of education by
22 other state agencies which receive appropriations from the state general
23 fund to provide such services.

24 (f) On June 30, 2013, or as soon thereafter as moneys are available,
25 notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments
26 thereto, or any other statute, the director of accounts and reports shall
27 transfer \$750,000 from the state safety fund to the state general fund:
28 *Provided*, That the transfer of such amount shall be in addition to any
29 other transfer from the state safety fund to the state general fund as
30 prescribed by law: *provided further*, That the amount transferred from the
31 state safety fund to the state general fund pursuant to this subsection is to
32 reimburse the state general fund for accounting, auditing, budgeting, legal,
33 payroll, personnel and purchasing services and any other governmental
34 services which are performed on behalf of the department of education by
35 other state agencies which receive appropriations from the state general
36 fund to provide such services.

37 (g) On July 1, 2012, and quarterly thereafter, the director of accounts
38 and reports shall transfer \$73,259 from the state highway fund of the
39 department of transportation to the school bus safety fund of the
40 department of education.

41 (h) On July 1, 2012, the director of accounts and reports shall transfer
42 an amount certified by the commissioner of education from the motorcycle
43 safety fund of the department of education to the motorcycle safety fund of

1 the state board of regents: *Provided*, That the amount to be transferred
2 shall be determined by the commissioner of education based on the
3 amounts required to be paid pursuant to subsection (b)(2) of K.S.A. 8-272,
4 and amendments thereto.

5 (i) (1) During the fiscal years ending June 30, 2012, and June 30,
6 2013, the department of education or any school district shall not expend
7 any additional moneys appropriated for the fiscal year ending June 30,
8 2012, or June 30, 2013, from the state general fund or in any special
9 revenue fund or funds for such state agency by chapter 118 of the 2011
10 Session Laws of Kansas or by this or other appropriation act of the 2012
11 regular session of the legislature, to implement the common core
12 standards, or any portion thereof: *Provided*, That a study shall be
13 conducted for a cost analysis of the implementation of the common core
14 standards in Kansas: *provided further*, That the cost analysis shall
15 determine what additional expenditures schools, the department of
16 education and the state board of education will incur in implementing the
17 common core standards over one, three, five and 10 year periods from the
18 date of implementation: *And provided further*, That the cost analysis report
19 shall be submitted to the governor, the legislature and the state board of
20 education on or before January 31, 2013: *And provided further*, That upon
21 receipt of the final cost analysis, the state board of education shall post the
22 cost analysis on the main website of the department of education.

23 (2) During the fiscal year ending June 30, 2013, when all of the
24 requirements of subsection (i)(1) are satisfied, in addition to the other
25 purposes for which expenditures may be made by the department of
26 education in fiscal year 2013 from the state general fund or in any special
27 revenue fund or funds for such state agency by chapter 118 of the 2011
28 Session Laws of Kansas or by this or other appropriation act of the 2012
29 regular session of the legislature, the above agency may proceed with the
30 implementation of the common core standards, and the provisions of
31 subsection (i)(1) are hereby declared to be null and void and shall have no
32 force and effect.

33 (3) As used in this subsection, "common core standards" means the
34 set of educational curriculum standards for grades kindergarten through 12
35 established by the common core state standards initiative.

36 Sec. 92.

37 STATE LIBRARY

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

40 Operating expenditures.....\$1,574,479

41 *Provided*, That any unencumbered balance in the operating
42 expenditures account in excess of \$100 as of June 30, 2012, is hereby
43 reappropriated for fiscal year 2013: *Provided, however*, That expenditures

1 *not exceed \$600,000 and such transfer from the state water plan fund to*
2 *the abandoned oil and gas well fund shall be made on the 15th day of each*
3 *calendar quarter during state fiscal year 2013 in substantially equal*
4 *amounts as determined by the director of accounts and reports.*

5 Sec. 153. On July 1, 2012, K.S.A. 2011 Supp. 72-8814 is hereby
6 amended to read as follows: 72-8814. (a) There is hereby established in the
7 state treasury the school district capital outlay state aid fund. Such fund
8 shall consist of all amounts transferred thereto under the provisions of
9 subsection (c).

10 (b) In each school year, each school district which levies a tax
11 pursuant to K.S.A. 72-8801 *et seq.*, and amendments thereto, shall be
12 entitled to receive payment from the school district capital outlay state aid
13 fund in an amount determined by the state board of education as provided
14 in this subsection. The state board of education shall:

15 (1) Determine the amount of the assessed valuation per pupil (AVPP)
16 of each school district in the state and round such amount to the nearest
17 \$1,000. The rounded amount is the AVPP of a school district for the
18 purposes of this section;

19 (2) determine the median AVPP of all school districts;

20 (3) prepare a schedule of dollar amounts using the amount of the
21 median AVPP of all school districts as the point of beginning. The
22 schedule of dollar amounts shall range upward in equal \$1,000 intervals
23 from the point of beginning to and including an amount that is equal to the
24 amount of the AVPP of the school district with the highest AVPP of all
25 school districts and shall range downward in equal \$1,000 intervals from
26 the point of beginning to and including an amount that is equal to the
27 amount of the AVPP of the school district with the lowest AVPP of all
28 school districts;

29 (4) determine a state aid percentage factor for each school district by
30 assigning a state aid computation percentage to the amount of the median
31 AVPP shown on the schedule, decreasing the state aid computation
32 percentage assigned to the amount of the median AVPP by one percentage
33 point for each \$1,000 interval above the amount of the median AVPP, and
34 increasing the state aid computation percentage assigned to the amount of
35 the median AVPP by one percentage point for each \$1,000 interval below
36 the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp.
37 72-8814b, and amendments thereto, the state aid percentage factor of a
38 school district is the percentage assigned to the schedule amount that is
39 equal to the amount of the AVPP of the school district, except that the state
40 aid percentage factor of a school district shall not exceed 100%. The state
41 aid computation percentage is 25%;

42 (5) determine the amount levied by each school district pursuant to
43 K.S.A. 72-8801 *et seq.*, and amendments thereto;

1 (6) multiply the amount computed under (5), but not to exceed 8
2 mills, by the applicable state aid percentage factor. The product is the
3 amount of payment the school district is entitled to receive from the school
4 district capital outlay state aid fund in the school year.

5 (c) The state board shall certify to the director of accounts and reports
6 the entitlements of school districts determined under the provisions of
7 subsection (b), and an amount equal thereto shall be transferred by the
8 director from the state general fund to the school district capital outlay
9 state aid fund for distribution to school districts, except that no transfers
10 shall be made from the state general fund to the school district capital
11 outlay state aid fund during the fiscal years ending June 30, ~~2012~~ 2013, or
12 June 30, ~~2013~~ 2014. All transfers made in accordance with the provisions
13 of this subsection shall be considered to be demand transfers from the state
14 general fund.

15 (d) Payments from the school district capital outlay state aid fund
16 shall be distributed to school districts at times determined by the state
17 board of education. The state board of education shall certify to the
18 director of accounts and reports the amount due each school district
19 entitled to payment from the fund, and the director of accounts and reports
20 shall draw a warrant on the state treasurer payable to the treasurer of the
21 school district. Upon receipt of the warrant, the treasurer of the school
22 district shall credit the amount thereof to the capital outlay fund of the
23 school district to be used for the purposes of such fund.

24 (e) Amounts transferred to the capital outlay fund of a school district
25 as authorized by K.S.A. 72-6433, and amendments thereto, shall not be
26 included in the computation when determining the amount of state aid to
27 which a district is entitled to receive under this section.

28 Sec. 154. On July 1, 2012, K.S.A. 2011 Supp. 74-50,107 is hereby
29 amended to read as follows: 74-50,107. (a) (1) The secretary shall
30 determine and from time to time shall redetermine the rate at which
31 moneys shall be credited to the IMPACT program repayment fund in order
32 to satisfy all bond repayment obligations which have been incurred to
33 finance program costs for IMPACT programs, which shall be referred to as
34 the debt service rate, and the rate at which moneys shall be credited to the
35 IMPACT program services fund in order to finance program costs that are
36 not financed by bonds, which shall be referred to as the direct funding rate.
37 The total of the debt service rate and the direct funding rate shall be the
38 combined rate. Each rate so determined shall be certified to the secretary
39 of revenue. The combined rate determined under this subsection shall not
40 exceed 2%.

41 (2) Upon receipt of the rates determined and certified under
42 subsection (a)(1), the secretary of revenue shall apply daily the combined
43 rate to that portion of the moneys withheld from the wages of individuals

1 *plus interest earnings pursuant to subsection (d)(1) shall not exceed*
2 *\$12,322,186 for such fiscal year.*

3 Sec. 156. On July 1, 2012, K.S.A. 2011 Supp. 75-2319 is hereby
4 amended to read as follows: 75-2319. (a) There is hereby established in the
5 state treasury the school district capital improvements fund. The fund shall
6 consist of all amounts transferred thereto under the provisions of
7 subsection (c).

8 (b) Subject to the provisions of subsection (f), in each school year,
9 each school district which is obligated to make payments from its capital
10 improvements fund shall be entitled to receive payment from the school
11 district capital improvements fund in an amount determined by the state
12 board of education as provided in this subsection. The state board of
13 education shall:

14 (1) Determine the amount of the assessed valuation per pupil (AVPP)
15 of each school district in the state and round such amount to the nearest
16 \$1,000. The rounded amount is the AVPP of a school district for the
17 purposes of this section;

18 (2) determine the median AVPP of all school districts;

19 (3) prepare a schedule of dollar amounts using the amount of the
20 median AVPP of all school districts as the point of beginning. The
21 schedule of dollar amounts shall range upward in equal \$1,000 intervals
22 from the point of beginning to and including an amount that is equal to the
23 amount of the AVPP of the school district with the highest AVPP of all
24 school districts and shall range downward in equal \$1,000 intervals from
25 the point of beginning to and including an amount that is equal to the
26 amount of the AVPP of the school district with the lowest AVPP of all
27 school districts;

28 (4) determine a state aid percentage factor for each school district by
29 assigning a state aid computation percentage to the amount of the median
30 AVPP shown on the schedule, decreasing the state aid computation
31 percentage assigned to the amount of the median AVPP by one percentage
32 point for each \$1,000 interval above the amount of the median AVPP, and
33 increasing the state aid computation percentage assigned to the amount of
34 the median AVPP by one percentage point for each \$1,000 interval below
35 the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp.
36 75-2319c, and amendments thereto, the state aid percentage factor of a
37 school district is the percentage assigned to the schedule amount that is
38 equal to the amount of the AVPP of the school district. The state aid
39 percentage factor of a school district shall not exceed 100%. The state aid
40 computation percentage is 5% for contractual bond obligations incurred by
41 a school district prior to the effective date of this act, and 25% for
42 contractual bond obligations incurred by a school district on or after the
43 effective date of this act;

1 (5) determine the amount of payments in the aggregate that a school
2 district is obligated to make from its bond and interest fund and, of such
3 amount, compute the amount attributable to contractual bond obligations
4 incurred by the school district prior to the effective date of this act and the
5 amount attributable to contractual bond obligations incurred by the school
6 district on or after the effective date of this act;

7 (6) multiply each of the amounts computed under (5) by the
8 applicable state aid percentage factor; and

9 (7) add the products obtained under (6). The amount of the sum is the
10 amount of payment the school district is entitled to receive from the school
11 district capital improvements fund in the school year.

12 (c) The state board of education shall certify to the director of
13 accounts and reports the entitlements of school districts determined under
14 the provisions of subsection (b), and an amount equal thereto shall be
15 transferred by the director from the state general fund to the school district
16 capital improvements fund for distribution to school districts. All transfers
17 made in accordance with the provisions of this subsection shall be
18 considered to be demand transfers from the state general fund, except that
19 all such transfers during the fiscal years ending June 30, ~~2012~~ 2013, and
20 June 30, ~~2013~~ 2014, shall be considered to be revenue transfers from the
21 state general fund.

22 (d) Payments from the school district capital improvements fund shall
23 be distributed to school districts at times determined by the state board of
24 education to be necessary to assist school districts in making scheduled
25 payments pursuant to contractual bond obligations. The state board of
26 education shall certify to the director of accounts and reports the amount
27 due each school district entitled to payment from the fund, and the director
28 of accounts and reports shall draw a warrant on the state treasurer payable
29 to the treasurer of the school district. Upon receipt of the warrant, the
30 treasurer of the school district shall credit the amount thereof to the bond
31 and interest fund of the school district to be used for the purposes of such
32 fund.

33 (e) The provisions of this section apply only to contractual
34 obligations incurred by school districts pursuant to general obligation
35 bonds issued upon approval of a majority of the qualified electors of the
36 school district voting at an election upon the question of the issuance of
37 such bonds.

38 (f) Amounts transferred to the capital improvements fund of a school
39 district as authorized by K.S.A. 72-6433, and amendments thereto, shall
40 not be included in the computation when determining the amount of state
41 aid to which a district is entitled to receive under this section.

42 Sec. 157. On July 1, 2012, K.S.A. 2011 Supp. 76-775 is hereby
43 amended to read as follows: 76-775. (a) Subject to the other provisions of

1 transfer shall be limited to the amount necessary for the fund to reach a
2 total of \$1.5 million.

3 (b) There is hereby created in the state treasury the Kansas retail
4 dealer incentive fund. All moneys in the Kansas retail dealer incentive
5 fund shall be expended by the secretary of the department of revenue for
6 the payment of incentives to Kansas retail dealers who sell and dispense
7 renewable fuels or biodiesel through a motor fuel pump in accordance with
8 the provisions of K.S.A. 2011 Supp. 79-34,170 through 79-34,175, and
9 amendments thereto.

10 (c) All moneys remaining in the Kansas retail dealer incentive fund
11 upon the expiration of K.S.A. 2011 Supp. 79-34,170 through 79-34,175,
12 and amendments thereto, shall be credited by the state treasurer to the state
13 general fund.

14 Sec. 167. On July 1, 2012, K.S.A. 2011 Supp. 82a-953a is hereby
15 amended to read as follows: 82a-953a. During each fiscal year, the director
16 of accounts and reports shall transfer \$6,000,000 from the state general
17 fund to the state water plan fund created by K.S.A. 82a-951, and
18 amendments thereto, one-half of such amount to be transferred on July 15
19 and one-half to be transferred on January 15, except that ~~(1) such transfers~~
20 ~~during each fiscal year commencing after June 30, 2008, are subject to~~
21 ~~reduction under K.S.A. 75-6704, and amendments thereto, (2) the total~~
22 ~~amount of moneys transferred from the state general fund to the state~~
23 ~~water plan fund during the fiscal year ending June 30, 2009, shall not~~
24 ~~exceed \$2,000,000, (3) the total amount of moneys transferred from the~~
25 ~~state general fund to the state water plan fund during the fiscal year ending~~
26 ~~June 30, 2010, shall not exceed \$3,295,432, (4) the total amount of~~
27 ~~moneys transferred from the state general fund to the state water plan fund~~
28 ~~during the fiscal year ending June 30, 2011, shall not exceed \$1,348,245,~~
29 ~~and (5) no moneys shall be transferred from the state general fund to the~~
30 ~~state water plan fund during the fiscal years ending June 30, 2012 2013, or~~
31 ~~June 30, 2013 2014. On the effective date of this act, the director of~~
32 ~~accounts and reports shall transfer the amount in excess of \$2,000,000~~
33 ~~which was transferred from the state general fund to the state water plan~~
34 ~~fund prior to the effective date of this act during the fiscal year ending~~
35 ~~June 30, 2009, as certified by the director of the budget to the director of~~
36 ~~accounts and reports to the state general fund. All transfers under this~~
37 ~~section shall be considered to be demand transfers from the state general~~
38 ~~fund, except that all such transfers during the fiscal years ending June 30,~~
39 ~~2010, and June 30, 2011, shall be considered revenue transfers from the~~
40 ~~state general fund.~~

41 Sec. 168. On the effective date of this act, K.S.A. 2011 Supp. 12-
42 5256 and 74-99b34 are hereby repealed.

43 Sec. 169. On July 1, 2012, K.S.A. 2011 Supp. 2-223, 55-193, 72-

1 8814, 74-50,107, 75-2319, 76-775, 76-783, 76-7,107, 79-2959, 79-2964,
2 79-2978, 79-2979, 79-3425i, 79-34,156, 79-34,171 and 82a-953a are
3 hereby repealed.

4 {Sec. 170. (a) During the fiscal year ending June 30, 2013, except
5 to the extent required by federal law, no state agency named in
6 chapter 118 of the 2011 Session Laws of Kansas or in this or other
7 appropriation act of the 2012 regular session of the legislature shall
8 expend any moneys appropriated for the fiscal year ending June 30,
9 2013, from the state general fund or in any special revenue fund or
10 funds for such state agency by chapter 118 of the 2011 Session Laws of
11 Kansas or by this or other appropriation act of the 2012 regular
12 session of the legislature, for any abortion: *Provided, That*, except to
13 the extent required by federal law, no health care services provided by
14 any such state agency, or any employee of such state agency while
15 acting within the scope of such employee's employment, shall include
16 abortion: *Provided*, however, That the provisions of this section shall
17 not apply to an abortion which is necessary to preserve the life of the
18 pregnant woman.

19 (b) As used in this section "abortion" means an abortion as
20 defined by K.S.A. 65-6701, and amendments thereto.}

21 Sec. ~~170~~{171}. Severability. If any provision or clause of this act or
22 application thereof to any person or circumstances is held invalid, such
23 invalidity shall not affect other provisions or applications of the act which
24 can be given effect without the invalid provision or application, and to this
25 end the provisions of this act are declared to be severable.

26 Sec. ~~171~~{172}. *Appeals to exceed position limitations.* (a) The
27 limitations imposed by this act on the number of full-time and regular part-
28 time positions equated to full-time, excluding seasonal and temporary
29 positions, paid from appropriations for the fiscal year ending June 30,
30 2012, made in chapter 118 of the 2011 Session Laws of Kansas or in this
31 act or in any other appropriation act of the 2012 regular session of the
32 legislature may be exceeded upon approval of the state finance council.

33 (b) The limitations imposed by this act on the number of full-time and
34 regular part-time positions equated to full-time, excluding seasonal and
35 temporary positions, paid from appropriations for the fiscal year ending
36 June 30, 2013, made in chapter 118 of the 2011 Session Laws of Kansas or
37 in this act or in any other appropriation act of the 2012 regular session of
38 the legislature may be exceeded upon approval of the state finance council.

39 Sec. ~~172~~{173}. *Appeals to exceed expenditure limitations.* (a) Upon
40 written application to the governor and approval of the state finance
41 council, expenditures from special revenue funds may exceed the amounts
42 specified in this act.

43 (b) This section shall not apply to the expanded lottery act revenues