

{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.

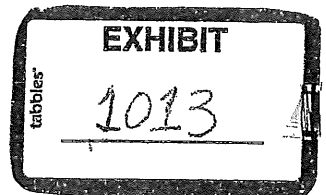
18 (b) The agencies named in this act are hereby authorized to initiate
19 and complete the capital improvement projects specified and authorized by
20 this act or for which appropriations are made by this act, subject to the
21 restrictions and limitations imposed by this act.

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

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

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

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

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	<i>Provided</i> , 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	<i>Provided</i> , 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: <i>provided further</i> , That the after school	
10	programs may also include fifth and ninth grade students, if they attend a	
11	junior high: <i>And provided further</i> , 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: <i>And provided</i>	
15	<i>further</i> , That the discretionary grants awarded to after school programs	
16	shall require a \$1 for \$1 local match: <i>And provided further</i> , 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
		
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	<i>Provided</i> , 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: <i>provided further</i> , 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: <i>And provided further</i> , 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	<i>Provided</i> , 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.

STATE LIBRARY

37
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 fund, the state economic development initiatives fund, the children's
2 initiative fund, the state water plan fund or the Kansas endowment for
3 youth, or to any account of any such funds.

4 Sec. ~~173~~{174}. *Savings.* (a) Any unencumbered balance as of June
5 30, 2012, in any special revenue fund, or account thereof, of any state
6 agency named in this act which is not otherwise specifically appropriated
7 or limited by this or other appropriation act of the 2012 regular session of
8 the legislature, is hereby appropriated for the fiscal year ending June 30,
9 2013, for the same use and purpose as the same was heretofore
10 appropriated.

11 (b) Any unencumbered balance as of June 30, 2012, in any special
12 revenue fund, or account thereof, of any state agency named in section 79
13 of chapter 118 of the 2011 Session Laws of Kansas which is not otherwise
14 specifically appropriated or limited for fiscal year 2013 by chapter 118 of
15 the 2011 Session Laws of Kansas or by this act or any other appropriation
16 act of the 2012 regular session of the legislature, is hereby appropriated for
17 the fiscal year ending June 30, 2013, for the same use and purpose as the
18 same was heretofore appropriated.

19 (c) This section shall not apply to the expanded lottery act revenues
20 fund, the state economic development initiatives fund, the children's
21 initiatives fund, the state water plan fund, the Kansas endowment for youth
22 fund, the Kansas educational building fund, the state institutions building
23 fund, or the correctional institutions building fund, or to any account of
24 any of such funds.

25 Sec. ~~174~~{175}. During the fiscal year ending June 30, 2013, all
26 moneys which are lawfully credited to and available in any bond special
27 revenue fund, which are not otherwise specifically appropriated or limited
28 by this or other appropriation act of the 2012 regular session of the
29 legislature, are hereby appropriated for the fiscal year ending June 30,
30 2013, for the state agency for which the bond special revenue fund was
31 established for the purposes authorized by law for expenditures from such
32 bond special revenue fund. As used in this section, "bond special revenue
33 fund" means any special revenue fund or account thereof established in the
34 state treasury prior to or on or after the effective date of this act for the
35 deposit of the proceeds of bonds issued by the Kansas development
36 finance authority, for the payment of debt service for bonds issued by the
37 Kansas development finance authority, or for any related purpose in
38 accordance with applicable bond covenants.

39 Sec. ~~175~~{176}. *Federal grants.* (a) During the fiscal year ending June
40 30, 2013, each federal grant or other federal receipt which is received by a
41 state agency named in this act and which is not otherwise appropriated to
42 that state agency by this or other appropriation act of the 2012 regular
43 session of the legislature, is hereby appropriated for the fiscal year ending

1 June 30, 2013, for that state agency for the purpose set forth in such
2 federal grant or receipt, except that no expenditure shall be made from and
3 no obligation shall be incurred against any such federal grant or other
4 federal receipt, which has not been previously appropriated or
5 reappropriated or approved for expenditure by the governor, until the
6 governor has authorized the state agency to make expenditures therefrom.

7 (b) During the fiscal year ending June 30, 2013, each federal grant or
8 other federal receipt which is received by a state agency named in section
9 79 of chapter 118 of the 2011 Session Laws of Kansas and which is not
10 otherwise appropriated to that state agency for fiscal year 2013 by this or
11 other appropriation act of the 2012 regular session of the legislature, is
12 hereby appropriated for fiscal year 2013 for that state agency for the
13 purpose set forth in such federal grant or receipt, except that no
14 expenditure shall be made from and no obligation shall be incurred against
15 any such federal grant or other federal receipt, which has not been
16 previously appropriated or reappropriated or approved for expenditure by
17 the governor, for fiscal year 2013, until the governor has authorized the
18 state agency to make expenditures from such federal grant or other federal
19 receipt for fiscal year 2013.

20 (c) In addition to the other purposes for which expenditures may be
21 made by any state agency which is named in this act and which is not
22 otherwise authorized by law to apply for and receive federal grants,
23 expenditures may be made by such state agency from moneys appropriated
24 for fiscal year 2013 by chapter 118 of the 2011 Session Laws of Kansas or
25 by this act or any other appropriation act of the 2012 regular session of the
26 legislature to apply for and receive federal grants during fiscal year 2013,
27 which federal grants are hereby authorized to be applied for and received
28 by such state agencies: *Provided*, That no expenditure shall be made from
29 and no obligation shall be incurred against any such federal grant or other
30 federal receipt, which has not been previously appropriated or
31 reappropriated or approved for expenditure by the governor, until the
32 governor has authorized the state agency to make expenditures therefrom.

33 Sec. ~~176~~{177}. (a) Any correctional institutions building fund
34 appropriation heretofore appropriated to any state agency named in this or
35 other appropriation act of the 2012 regular session of the legislature, and
36 having an unencumbered balance as of June 30, 2012, in excess of \$100 is
37 hereby reappropriated for the fiscal year ending June 30, 2013, for the
38 same uses and purposes as originally appropriated unless specific
39 provision is made for lapsing such appropriation.

40 (b) This section shall not apply to the unencumbered balance in any
41 account of the correctional institutions building fund that was encumbered
42 for any fiscal year commencing prior to July 1, 2011.

43 Sec. ~~177~~{178}. (a) Any Kansas educational building fund

1 appropriation heretofore appropriated to any institution named in this or
2 other appropriation act of the 2012 regular session of the legislature and
3 having an unencumbered balance as of June 30, 2012, in excess of \$100 is
4 hereby reappropriated for the fiscal year ending June 30, 2013, for the
5 same use and purpose as originally appropriated, unless specific provision
6 is made for lapsing such appropriation.

7 (b) This section shall not apply to the unencumbered balance in any
8 account of the Kansas educational building fund that was encumbered for
9 any fiscal year commencing prior to July 1, 2011.

10 Sec. ~~178~~{179}. (a) Any state institutions building fund appropriation
11 heretofore appropriated to any state agency named in this or other
12 appropriation act of the 2012 regular session of the legislature and having
13 an unencumbered balance as of June 30, 2012, in excess of \$100 is hereby
14 reappropriated for the fiscal year ending June 30, 2013, for the same use
15 and purpose as originally appropriated, unless specific provision is made
16 for lapsing such appropriation.

17 (b) This section shall not apply to the unencumbered balance in any
18 account of the state institutions building fund that was encumbered for any
19 fiscal year commencing prior to July 1, 2011.

20 Sec. ~~179~~{180}. Any transfers of money during the fiscal year ending
21 June 30, 2013, from any special revenue fund of any state agency named
22 in this act to the audit services fund of the division of post audit under
23 K.S.A. 46-1121, and amendments thereto, shall be in addition to any
24 expenditure limitation imposed on any such fund for the fiscal year ending
25 June 30, 2013.

26 Sec. ~~180~~{181}. This act shall take effect and be in force from and after
27 its publication in the Kansas register.