

**HOUSE BILL No. 2536**

By Committee on Appropriations

4-1

9 AN ACT making and concerning appropriations for the fiscal years end-  
10 ing June 30, 2006, for state agencies; authorizing certain transfers,  
11 capital improvement projects and fees, imposing certain restrictions  
12 and limitations, and directing or authorizing certain receipts, disburse-  
13 ments and acts incidental to the foregoing.

14  
15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. (a) For the fiscal years ending June 30, 2006, appropriations  
17 are hereby made, restrictions and limitations are hereby imposed, and  
18 transfers, capital improvement projects, fees, receipts, disbursements and  
19 acts incidental to the foregoing are hereby directed or authorized as pro-  
20 vided in this act.

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

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

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

29 Sec. 2.

30 DEPARTMENT OF CORRECTIONS

31 (a) There is appropriated for the above agency from the state general  
32 fund for the fiscal year ending June 30, 2006, for the capital improvement  
33 project or projects specified as follows:

34 Debt service payment for the revenue refunding bond	
35 issues.....	\$575,303
36 Debt service payment for the Wichita work release facility	
37 bond issue .....	\$170,000
38 Debt service payment for the Ellsworth correctional facil-	
39 ity at Ellsworth, Kansas .....	\$1,620,000
40 Debt service payment for the reception and diagnostic unit	
41 relocation bond issue .....	\$1,336,000
42 Debt service payment for the Topeka and Lansing correc-	
43 tional facility bond issue .....	\$1,018,000

1 (b) There is appropriated for the above agency from the correctional  
2 institutions building fund for the fiscal year ending June 30, 2006, for the  
3 capital improvement project or projects specified as follows:

4 Debt service payment for the revenue refunding bond  
5 issues..... \$1,689,697

6 Sec. 3. *Appeals to exceed expenditure limitations.* (a) Upon written  
7 application to the governor and approval of the state finance council,  
8 expenditures from special revenue funds may exceed the amounts spec-  
9 ified in this act.

10 (b) This section shall not apply to the state economic development  
11 initiatives fund, the children’s initiatives fund, the state water plan fund  
12 or the Kansas endowment for youth fund, or to any account of any of  
13 such funds.

14 Sec. 4. *Savings.* (a) Any unencumbered balance as of June 30, 2005, in  
15 any special revenue fund, or account thereof, of any state agency named  
16 in this act which is not otherwise specifically appropriated or limited by  
17 this or other appropriation act of the 2005 regular session of the legisla-  
18 ture, is hereby appropriated for the fiscal year ending June 30, 2006, for  
19 the same use and purpose as the same was heretofore appropriated.

20 (b) Any unencumbered balance as of June 30, 2006, in any special  
21 revenue fund, or account thereof, of any state agency named in section  
22 79 of this 2005 Senate Bill No. 225 which is not otherwise specifically  
23 appropriated or limited for fiscal year 2007 by chapter 123 or chapter 184  
24 of the 2004 Session Laws of Kansas or by this or other appropriation act  
25 of the 2005 regular session of the legislature, is hereby appropriated for  
26 fiscal year 2007 for the same use and purpose as the same was heretofore  
27 appropriated.

28 (c) This section shall not apply to the state economic development  
29 initiatives fund, the children’s initiatives fund, the state water plan fund,  
30 the Kansas endowment for youth fund, the Kansas educational building  
31 fund, the state institutions building fund, or the correctional institutions  
32 building fund, or to any account of any of such funds.

33 Sec. 5. During the fiscal year ending June 30, 2006, all moneys which  
34 are lawfully credited to and available in any bond special revenue fund,  
35 which are not otherwise specifically appropriated or limited by this or  
36 other appropriation act of the 2005 regular session of the legislature, are  
37 hereby appropriated for the fiscal year ending June 30, 2006, for the state  
38 agency for which the bond special revenue fund was established for the  
39 purposes authorized by law for expenditures from such bond special rev-  
40 enue fund. As used in this section, “bond special revenue fund” means  
41 any special revenue fund or account thereof established in the state treas-  
42 ury prior to or on or after the effective date of this act for the deposit of  
43 the proceeds of bonds issued by the Kansas development finance au-

1   thority, for the payment of debt service for bonds issued by the Kansas  
2   development finance authority, or for any related purpose in accordance  
3   with applicable bond covenants.

4   Sec. 6. (a) Any correctional institutions building fund appropriation  
5   heretofore appropriated to any state agency named in this or other ap-  
6   propriation act of the 2005 regular session of the legislature, and having  
7   an unencumbered balance as of June 30, 2005, in excess of \$100 is hereby  
8   reappropriated for the fiscal year ending June 30, 2006, for the same uses  
9   and purposes as originally appropriated unless specific provision is made  
10   for lapsing such appropriation.

11   (b) This section shall not apply to the unencumbered balance in any  
12   account of the correctional institutions building fund that was first ap-  
13   propriated for any fiscal year commencing prior to July 1, 2004.

14   Sec. 7. (a) Any Kansas educational building fund appropriation here-  
15   tofore appropriated to any institution named in this or other appropriation  
16   act of the 2005 regular session of the legislature and having an unencum-  
17   bered balance as of June 30, 2005, in excess of \$100 is hereby reappro-  
18   priated for the fiscal year ending June 30, 2006, for the same use and  
19   purpose as originally appropriated, unless specific provision is made for  
20   lapsing such appropriation.

21   (b) This section shall not apply to the unencumbered balance in any  
22   account of the Kansas educational building fund that was first appropri-  
23   ated for any fiscal year commencing prior to July 1, 2004.

24   Sec. 8. (a) Any state institutions building fund appropriation heretofore  
25   appropriated to any state agency named in this or other appropriation act  
26   of the 2005 regular session of the legislature and having an unencumbered  
27   balance as of June 30, 2005, in excess of \$100 is hereby reappropriated  
28   for the fiscal year ending June 30, 2006, for the same use and purpose as  
29   originally appropriated, unless specific provision is made for lapsing such  
30   appropriation.

31   (b) This section shall not apply to the unencumbered balance in any  
32   account of the state institutions building fund that was first appropriated  
33   for any fiscal year commencing prior to July 1, 2004.

34   Sec. 9. This act shall take effect and be in force from and after July 1,  
35   2005, or the date upon which the omnibus reconciliation spending limit  
36   bill of the 2005 regular session of the legislature becomes effective,  
37   whichever is later, and its publication in the statute book.