

Message from the Governor

Pursuant to Article 2, Section 14 of the Kansas Constitution, Governor Kathleen Sebelius signed Senate Bill 4, with four exceptions: Section 2 (c), Section 3, Section 5, and Section 6 of Senate Bill 4 have been line item vetoed.

Message from Governor Sebelius regarding line item veto on Section 2(c):

"Over the past several years, Kansas has been faced with considerable uncertainty over federal funding for state human services programs. As a result, it is dangerous to set a precedent whereby the SRS fee fund is used to pay for programs in other state agencies. All available resources in the SRS fee fund must be devoted to protecting children and the state's most vulnerable adults.

The Young Kansans - Safe Kids Program is an exciting new initiative. To ensure that the program is appropriately funded, in line with the Legislature's intentions, the funding should come from the State General Fund."

Message from Governor Sebelius regarding line item veto on Section 3 and 6:

"Kansas taxpayers deserve to know where their tax dollars are going. Section 3 of Senate Bill 4 would prevent that from happening, by misleading taxpayers into believing their tax dollars are paying for all state media advertising. Many state advertisements are paid for by federal dollars, private grants, and voluntary payments like lottery ticket sales, but this section makes no distinction.

Even worse, Section 3 would waste the very tax dollars it seeks to save. For example, agencies placing simple classified ads for employment openings would be required to place the disclaimer in eight-point font, which would significantly increase the cost of the ads. It would be ironic and unfortunate to waste tax dollars in the name of saving them.

Earlier this year, I signed Senate Substitute for House Bill 2482, which requires a reasonable, accurate disclosure in state advertising. This new proposal would prevent taxpayers from knowing where their tax dollars are going, and would waste those very dollars. Because I believe misleading the people is bad for our democracy, I veto this section."

Note: Section 6 was line item vetoed to allow previously passed disclaimer language in Senate Substitute for House Bill 2482 to remain the law.

Message from Governor Sebelius regarding line item veto on Section 5:

"Section 5 of Senate Bill 4 appropriated \$1.75 million for a special election to amend the Kansas Constitution. Because the resolution calling for the special election did not pass the Legislature, this appropriation is no longer necessary."

Signed: Kathleen Sebelius

Approved: July 25, 2005

SENATE BILL No. 4

AN ACT making and concerning appropriations for the fiscal year ending June 30, 2006, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing; amending section 83 of 2005 Senate Substitute for House Bill No. 2482 and repealing the existing section.

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

Section 1. (a) For the fiscal year ending June 30, 2006, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

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

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

Sec. 2.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Death penalty litigation	
For the fiscal year ending June 30, 2006.....	\$150,000
Young Kansans — safe kids program	
For the fiscal year ending June 30, 2006.....	\$250,000

Provided, That all expenditures from the young Kansans — safe kids program account shall be made only for the purpose of matching nonstate moneys for young Kansans — safe kids program projects on the basis of \$1 from this account and \$1 from nonstate moneys: *Provided further*, That the attorney general shall prepare and submit a report on expenditures from the young Kansans — safe kids program account during January, 2006, to the committee on appropriations of the house of representatives and the committee on ways and means of the senate.

(b) On July 1, 2005, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 79(b) of 2005 Senate Substitute for House Bill No. 2482 on the tort claims fund for costs of defending the state or an employee of the state in any actions or proceedings on claims against the state or an employee of the state under the Kansas tort claims act or under the civil rights laws of the United States or the state of Kansas is hereby increased from \$1,301,227 to no limit.

~~(c) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$250,000 from the social welfare fund of the department of social and rehabilitation services to the state general fund for the purpose of financing the young Kansans — safe kids program of the attorney general.~~

~~Sec. 3. Section 83 of 2005 Senate Substitute for House Bill No. 2482 is hereby amended to read as follows: Sec. 83. (a) On and after the effective date of this act, during the fiscal year ending June 30, 2005, and during the fiscal year ending June 30, 2006, no expenditures shall be made by any state agency from any moneys appropriated for any state agency from the state general fund or any special revenue fund for fiscal year 2005 and or fiscal year 2006 by chapter 123 or 184 of the 2004 Session Laws of Kansas or by 2005 Senate Bill No. 225 or by this or other appropriation act 2005 Senate Substitute for House Bill No. 2482 of the 2005 regular session of the legislature, or by this or other appropriation or other act of the special session of 2005 of the legislature for media advertising by any state agency of the state of Kansas unless such media advertising includes a disclosure the specific statement that such media advertising is funded, in whole or in part, by state taxpayer dollars, as the case may be, and includes the following specific statement: "Paid for by your Kansas tax dollars". The specific statement shall be included so that the specific statement is in eight point font or larger and is easily seen~~

~~and read or can be easily heard, in the case of media advertising utilizing audible broadcast media.~~

~~(b) As used in this section “state agency” has the meaning ascribed thereto by K.S.A. 75-3701 and amendments thereto, and “media advertising” means all forms of advertising expressed or otherwise communicated, in any fashion, utilizing or otherwise through the use of (1) billboards, newspapers, handbills, or mailings, or (2) television, radio, or cable broadcasting.~~

~~(c) The provisions of this section shall be broadly construed, applied and administered to be as inclusive as possible. The provisions of this section shall not apply to any media advertising that has been printed or manufactured prior to July 1, 2005.~~

Sec. 4.

LEGISLATURE

(a) In addition to the other purposes for which expenditures may be made by the legislature from the moneys appropriated from the state general fund or from the legislative special revenue fund for fiscal year 2006 as authorized by 2005 Senate Bill No. 225 or 2005 Senate Substitute for House Bill No. 2482 of the 2005 regular session of the legislature or by this or other appropriation act of the special session of 2005 of the legislature expenditures shall be made by the legislature from moneys appropriated from the state general fund or from the legislative special revenue fund for fiscal year 2006 to provide for meetings of a special committee on children’s issues composed of senators and representatives appointed by the legislative coordinating council who are members of the joint committee on children’s issues, except that no representative shall be required to be a member of the house committee on insurance or the house committee on appropriations to be a member of the special committee on children’s issues: *Provided*, That the special committee on children’s issues shall be assigned by the legislative coordinating council to oversee the implementation and operation of the children’s health insurance plans created under the provisions of K.S.A. 38-2001 through 38-2010 and amendments thereto, including the assessment of the performance based contracting’s measurable outcomes as set forth in subsection (b)(4) of K.S.A. 38-2001 and amendments thereto, and other children’s issues as the special committee deems necessary and such other matters as may be assigned by the legislative coordinating council.

(b) In addition to the other purposes for which expenditures may be made by the legislature from the moneys appropriated from the state general fund or from the legislative special revenue fund for fiscal year 2006 as authorized by 2005 Senate Bill No. 225 or 2005 Senate Substitute for House Bill No. 2482 of the 2005 regular session of the legislature or by this or other appropriation act of the special session of 2005 of the legislature, expenditures shall be made by the legislature from moneys appropriated from the state general fund or from the legislative special revenue fund for fiscal year 2006 to provide for an interim study regarding the administration of the provisions of section 83 of 2005 Senate Substitute for House Bill No. 2482, and amendments thereto, and the expansion of the provisions of that statute to apply to expenditures by state agencies for media advertising through the use of other printed materials, the internet, or promotional products or items.

~~Sec. 5.~~

~~SECRETARY OF STATE~~

~~(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:~~

Constitutional amendment — reimbursements to counties, publication, and other costs	
For the fiscal year ending June 30, 2006.....	\$1,750,000

~~Sec. 6. Section 83 of 2005 Senate Substitute for House Bill No. 2482 is hereby repealed.~~

Sec. 7. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body

SENATE concurred in
HOUSE amendments _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE
as amended _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.