

# Journal of the House

FORTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, March 14, 2005, 11:00 a.m.

The House met pursuant to adjournment with Speaker Mays in the chair.  
The roll was called with 122 members present.  
Reps. Faust-Goudeau and Shultz were excused on verified illness.  
Rep. Swenson was excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Joe H. Shultz, Executive Director, Campus Living Association, Wichita, guest and uncle of Rep. Shultz:

Our Father in Heaven,

Thanks for the blessings that are ours as citizens of Kansas and for these who represent us here in the Heart of America and the world. I pray now, on their behalf. They are our representatives; they are also people — people with families and personal concerns. We pray for each of them and their families and responsibilities at home. We remember also the men and women who are taking our place in the effort to bring freedom to Iraq, Afghanistan, and other parts of the world — and for their families as well.

Some of the decisions made by this assembly will have nationwide impact. In order to carry out their responsibility of leadership, they will need to look beyond the voters and the pressures brought to bear upon them, and humbly trust in you. We ask you to provide them with the most important qualities of proper legislative power — honesty, integrity, and wisdom.

As they wrestle with the need of schools, the elderly, the marriage amendment, and other difficult concerns, we ask that you exercise celestial control over the intentions, motives, words and actions of each member of this body and help them seek to do your will. Help them to know what to do, how to do it, and how best to provide the funds necessary to carry their decisions to fruition.

For your honor and glory. Amen.

The Pledge of Allegiance was led by Rep. Dahl.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2521**, An act concerning cosmetologists; relating to examinations; amending K.S.A. 65-1905 and 65-1912 and repealing the existing sections, by Committee on Appropriations.

**HB 2522**, An act concerning cities; relating to annexation; amending K.S.A. 12-519 and repealing the existing section, by Committee on Utilities.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **SB 62**.

Higher Education: **SB 74**.

Taxation: **SB 128**.

**CONSENT CALENDAR**

No objection was made to **SB 78** appearing on the Consent Calendar for the first day.

No objection was made to **SB 115** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**SB 115**, An act concerning social and rehabilitation services; relating to investigation of reports of abuse, neglect or exploitation; amending K.S.A. 2004 Supp. 39-1433 and repealing the existing section, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Feuerborn, Flaharty, Flora, Flower, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Larkin, Light, Loganbill, Long, Loyd, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Siegfried, Sloan, Storm, Svaty, Thull, Treaster, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Carter, Faust-Goudeau, Shultz, Swenson.

The bill passed.

**SB 43**, An act concerning drivers' license fees; relating to the use thereof; amending K.S.A. 8-272 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 1; Absent or not voting: 4.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Feuerborn, Flaharty, Flora, Flower, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Larkin, Light, Loganbill, Long, Loyd, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Siegfried, Sloan, Storm, Svaty, Thull, Treaster, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Yoder, Yonally.

Nays: None.

Present but not voting: Otto.

Absent or not voting: Carter, Faust-Goudeau, Shultz, Swenson.

The bill passed, as amended.

**SB 57**, An act concerning the Kansas consumer protection act; relating to occasional sales of certain repossessed collateral; amending K.S.A. 2004 Supp. 50-624 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 12; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Cox, Craft, Dahl, Davis, DeCastro, Decker, Edmonds, Faber, Feuerborn, Flora, Flower, Freeborn, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hay-

zlett, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Knox, Krehbiel, Landwehr, Lane, Larkin, Light, Loganbill, Long, Loyd, Mah, Mast, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Roth, Ruff, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Siegfried, Sloan, Svaty, Thull, Treaster, Vickrey, Watkins, Weber, Wilk, Williams, Yoder, Yonally.

Nays: Crow, Dillmore, Flaharty, Garcia, Henderson, Kirk, Kuether, Menghini, Ruiz, Storm, Ward, Winn.

Present but not voting: None.

Absent or not voting: Carter, Faust-Goudeau, Shultz, Swenson.

The bill passed.

**SB 101**, An act concerning banks and trust companies; relating to employment of an officer or director who has been removed for cause; amending K.S.A. 9-1805 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Feuerborn, Flaharty, Flora, Flower, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Larkin, Light, Loganbill, Long, Loyd, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Siegfried, Sloan, Storm, Svaty, Thull, Treaster, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Carter, Faust-Goudeau, Shultz, Swenson.

The bill passed.

**SB 105**, An act concerning sales taxation; relating to retailers' sales tax in Miami county; amending K.S.A. 2004 Supp. 12-187 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 6; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Feuerborn, Flaharty, Flora, Flower, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Larkin, Light, Loganbill, Long, Loyd, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Siegfried, Sloan, Storm, Thull, Treaster, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Yoder, Yonally.

Nays: Freeborn, Huebert, Lane, Myers, Powers, Svaty.

Present but not voting: None.

Absent or not voting: Carter, Faust-Goudeau, Shultz, Swenson.

The bill passed.

On motion of Rep. Aurand, the House resolved into Committee of the Whole, with Rep. DeCastro in the chair.

**COMMITTEE OF THE WHOLE**

On motion of Rep. DeCastro, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 9** be passed.

Committee report to **HB 2448** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub. HB 2003** be adopted; and the substitute bill be passed.

Committee report to **HB 2057** be adopted; and the bill be passed as amended.

**REPORTS OF STANDING COMMITTEES**

Committee on **Appropriations** recommends **HB 2480** be amended on page 2, in line 15, by striking "\$699,359" and inserting "\$569,359";

On page 3, following line 28, by inserting the following:

"(b) Notwithstanding the provisions of section 140(c)(1)(A) of chapter 123 of the 2004 Session Laws of Kansas, the amount to be transferred from the state board of pharmacy fee fund to the state general fund on or before June 30, 2005, shall not exceed \$843,600.";

On page 11, in line 4, by striking "\$59,293,068" and inserting "\$59,418,068"; in line 9, by striking "\$315,000" and inserting "\$585,149"; preceding line 21, by inserting the following:

"(h) On the effective date of this act, of the \$7,242,227 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 101(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the Parsons state hospital and training center — operating expenditures account, the sum of \$28,103 is hereby lapsed.";

Also on page 11, by striking all in lines 27 through 36; in line 37, by striking "(d)" and inserting "(b)";

On page 12, in line 13, by striking "\$167,269" and inserting "\$108,722";

On page 13, preceding line 10, by inserting the following:

"(c) On the effective date of this act, of the \$32,910,090 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 121(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the Lansing correctional facility — facilities operations account, the sum of \$68,468 is hereby lapsed.

(d) On the effective date of this act, the \$1,460,000 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 37(a) of chapter 184 of the 2004 Session Laws of Kansas from the state general fund in the bedspace contracts account, is hereby lapsed.";

Also on page 13, by striking all in lines 12 through 14 and inserting the following:

"(a) On the effective date of this act, of the \$27,534,760 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 122(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$49,317 is hereby lapsed.";

On page 14, following line 3, by inserting the following:

"(i) On the effective date of this act, the \$1,120,000 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 167(a) of chapter 123 of the 2004 Session Laws of Kansas from the state institutions building fund in the capital improvement — rehabilitation, remodeling, renovation and repair of juvenile correctional facilities account, is hereby lapsed.

(j) On the effective date of this act, of the \$4,001,013 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 167(a) of chapter 123 of the 2004 Session Laws of Kansas from the state institutions building fund in the debt service — Topeka complex and Larned juvenile correctional facility account, the sum of \$2,006,181 is hereby lapsed.

(k) On the effective date of this act, the \$494,908 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 167(a) of chapter 123 of the 2004 Session Laws of Kansas from the state institutions building fund in the install back-up generator at Topeka juvenile correctional facility account, is hereby lapsed.

(l) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2005, by section 187 of chapter 123 of the 2004 Session

Laws of Kansas from the state institutions building fund in the capital improvements — rehabilitation, remodeling, renovation and repair of juvenile correctional facilities account, the sum of \$398,192 is hereby lapsed.”;

Also on page 14, following line 8, by inserting the following:

“*Provided*, That all expenditures from the military activation payments account shall be for military activation payments which are hereby authorized and directed to be made in accordance with and subject to the procedures, guidelines, limitations and restrictions, including the eligibility conditions, prescribed in executive directive no. 05-356, to officers and employees of state agencies in the executive branch, legislative branch or judicial branch of state government, who are called or have been called to active military duty on or after September 11, 2001.”;

Also on page 14, following line 13, by inserting the following:

“(c) On the effective date of this act, of the \$3,968,580 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 123(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$57,989 is hereby lapsed.”;

And by relettering subsections accordingly;

On page 16, in line 6, by striking “\$59,049” and inserting “\$59,094”; in line 30, by striking “\$293,055” and inserting “\$501,614”; preceding line 31, by inserting the following:

“(b) On the effective date of this act, of the \$543,098 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 129(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$20,709 is hereby lapsed.”;

On page 17, in line 17, by striking “state general” and inserting “special state parks loan”; in line 19, by striking “\$300,000” and inserting “\$485,000”; preceding line 20, by inserting the following:

“(b) (1) Subject to the limitations of this section, during the fiscal year ending June 30, 2005, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the department of wildlife and parks special revenue funds which are used to pay for the payrolls of the department as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the secretary of wildlife and parks sufficient funds to maintain the cash flow of the such special revenue funds upon approval of such loan by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto. No loan shall be made unless the terms thereof have been approved by the director of the budget. A copy of the terms of the loan shall be submitted to the director of the legislative research department. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loan. Each such loan shall bear interest at a rate equal to the interest rate being paid on state inactive account moneys at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas.

(2) Upon certification by the pooled money investment board by the secretary of wildlife and parks of the amount of each loan authorized pursuant to subsection (a), the pooled money investment board shall transfer each such amount certified by the secretary of wildlife and parks from the state bank account or accounts prescribed in subsection (b)(1) to the special state parks loan fund.

(3) The principal and interest of each loan authorized pursuant to subsection (a) shall be repaid in payments payable at least annually for a period of not more than one year.

(4) The principal of the loan authorized pursuant to subsection (b) shall not exceed \$485,000.”;

On page 18, preceding line 9, by inserting the following:

“Sec. 45.

#### STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal

year ending June 30, 2005, by section 63(a) of chapter 123 of the 2004 Session Laws of Kansas on the veterinary examiners fee fund is hereby increased from \$281,238 to \$287,723.

(b) In addition to the other purposes for which expenditures may be made by the state board of veterinary examiners from the veterinary examiners fee fund for fiscal year 2005 as authorized by chapter 138 or 160 of the 2003 Session laws of Kansas, by chapter 123 of the 2004 Session Laws of Kansas or by this or other appropriation act of the 2005 regular session of the legislature, expenditures may be made by the state board of veterinary examiners from the veterinary examiners fee fund for fiscal year 2005 for the costs of litigation and fees for private attorneys.

Sec. 46.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2005, the following:

Operating expenditures ..... \$48,374

Sec. 47.

KANSAS PAROLE BOARD

(a) On the effective date of this act, of the \$433,043 appropriated for the above agency for the fiscal year ending June 30, 2005, by section 125(a) of chapter 123 of the 2004 Session Laws of Kansas from the state general fund in the parole from adult correctional institutions account, the sum of \$16,344 is hereby lapsed.

Sec. 48. (a) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2005 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2005 as authorized by chapter 123 or chapter 184 of the 2004 Session Laws of Kansas or by this or other appropriation act of the 2005 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2005 to provide a military pay differential for officers or employees of the state agency who are called or have been called to active military duty on or after September 11, 2001: *Provided, however,* That all such expenditures shall be made in accordance with and subject to the procedures, guidelines, limitations and restrictions, including the eligibility conditions, prescribed in executive directive no. 05-356.

(b) As used in this section, "state agency" means any state agency in the executive branch, legislative branch or judicial branch of state government";

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2481** be amended on page 1, in line 18, by striking "and June 30, 2007" and inserting "June 30, 2007, June 30, 2008, and June 30, 2009";

On page 3, by striking all in lines 32 through 43;

On page 4, by striking all in lines 1 through 22; in line 23, by striking "(d)" and inserting "(c)"; in line 28, by striking "(e)" and inserting "(d)";

On page 27, following line 29, by inserting the following:

"(b) In addition to the other purposes for which expenditures may be made from the forensic laboratory and materials fee fund, expenditures may be made by the above agency from the Kansas bureau of investigation forensic laboratory and materials fee fund for the following fiscal years for the capital improvement project, subject to the expenditure limitations prescribed therefor:

KBI west laboratory at Great Bend — renovation	
For the fiscal year ending June 30, 2006.....	\$357,310
For the fiscal year ending June 30, 2007.....	\$138,075
For the fiscal year ending June 30, 2008.....	\$121,947
For the fiscal year ending June 30, 2009.....	\$145,679

*Provided,* That no expenditures shall be made from the forensic laboratory and materials fee fund for the KBI west laboratory at Great Bend — renovation until such capital improvement project has been reviewed by the joint committee on state building construction.";

On page 29, preceding line 12, by inserting the following:

*Provided*, That, except in cases of emergencies or other unanticipated projects, all expenditures from the department access road fund for fiscal year 2006 shall be for projects at Crawford state park, Elk City state park, Fall River state park, Eisenhower state park, Pamona state park, Cross Timbers state park, and Farlington Fish hatchery.”;

On page 31, by striking all in lines 42 and 43;

On page 32, by striking all in lines 1 and 2;

And by redesignating subsections accordingly;

On page 33, by striking all in lines 18 through 27; in line 29, by striking “\$4,000,512” and inserting “\$2,205,512”;

On page 1, in the title, in line 10, by striking “and June 30, 2007” and inserting “June 30, 2007, June 30, 2008, and June 30, 2009”; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2482** be amended on page 1, in line 40, by striking “\$22,358” and inserting “\$21,409”;

On page 2, in line 9, by striking “\$280,241” and inserting “\$272,437”; in line 13, by striking “\$278,503” and inserting “\$278,284”;

On page 3, in line 17, by striking “\$6,813,710” and inserting “\$6,564,915”; in line 24, by striking “\$6,765,731” and inserting “\$6,698,814”;

On page 4, in line 40, by striking “\$136,808” and inserting “\$132,208”; in line 41, by striking “\$134,698” and inserting “\$134,568”;

On page 5, in line 9, by striking “\$568,376” and inserting “\$549,221”; in line 13, by striking “\$561,563” and inserting “\$561,070”; in line 25, by striking “\$2,659,350” and inserting “\$2,574,553”; in line 32, by striking “\$2,704,218” and inserting “\$2,701,908”;

On page 6, in line 4, by striking “\$757,432” and inserting “\$698,013”; in line 5, by striking “\$688,848” and inserting “\$688,213”; in line 14, by striking “\$968,691” and inserting “\$921,069”; in line 17, by striking “\$935,209” and inserting “\$934,032”; in line 28, by striking “\$298,866” and inserting “\$291,346”; in line 31, by striking “\$295,835” and inserting “\$295,661”;

On page 7, in line 24, by striking “\$250,154” and inserting “\$241,516”; in line 25, by striking “\$249,326” and inserting “\$249,080”; in line 35, by striking “\$26,680” and inserting “\$25,677”;

On page 8, in line 5, by striking “\$1,539,427” and inserting “\$1,487,510”; in line 9, by striking “\$1,518,777” and inserting “\$1,517,295”; in line 27, by striking “\$121,795” and inserting “\$118,840”; in line 30, by striking “\$121,392” and inserting “\$121,328”; in line 41, by striking “\$613,848” and inserting “\$591,643”;

On page 9, in line 2, by striking “\$609,334” and inserting “\$608,884”; in line 17, by striking “\$262,324” and inserting “\$255,144”; in line 18, by striking “\$262,416” and inserting “\$262,214”; in line 30, by striking “\$927,444” and inserting “\$866,332”; in line 33, by striking “\$905,274” and inserting “\$904,464”;

On page 10, in line 4, by striking “\$2,428,530” and inserting “\$2,318,633”; in line 14, by striking “\$2,390,015” and inserting “\$2,372,715”; in line 41, by striking “\$539,050” and inserting “\$525,263”;

On page 11, in line 2, by striking “\$541,336” and inserting “\$540,947”; in line 39, by striking “\$273,825” and inserting “\$294,669”; following line 39, by inserting:

*Provided*, That the state board of veterinary examiners may make expenditures from the veterinary examiners fee fund for fiscal year 2006 for the costs of litigation and fees for private attorneys.”;

Also on page 11, in line 40, by striking “\$267,922” and inserting “\$297,673”; following line 40, by inserting:

*Provided*, That the state board of veterinary examiners may make expenditures from the veterinary examiners fee fund for fiscal year 2007 for the costs of litigation and fees for private attorneys.”;

On page 12, in line 6, by striking “\$496,973” and inserting “\$477,601”; in line 10, by striking “\$494,708” and inserting “\$494,180”; in line 20, by striking “\$142,799” and inserting “\$135,612”; in line 21, by striking “\$140,407” and inserting “\$140,211”;

On page 16, in line 23, by striking “\$567,524” and inserting “\$530,137”; in line 27, by striking “\$3,070,454” and inserting “\$2,917,560”; in line 31, by striking “\$2,665,484” and inserting “\$2,553,900”;

On page 17, in line 2, by striking "\$14,915,123" and inserting "\$14,717,708";

On page 19, in line 5, by striking "\$1,943,180" and inserting "\$1,854,540"; in line 30, by striking "\$2,325,610" and inserting "\$2,229,050";

On page 21, in line 11, by striking "\$175,737" and inserting "\$168,339"; in line 31, by striking "\$4,003,584" and inserting "\$3,984,161";

On page 23, in line 4, by striking "\$1,303,205" and inserting "\$1,294,714"; in line 17, by striking "\$317,968" and inserting "\$305,016";

On page 26, following line 10, by inserting the following:  
 "Provided, That the state treasurer is hereby authorized to charge cash management fees, banking services fees and fees for processing warrants, vouchers and direct deposits for the services that the state treasurer's office provides to other state agencies: *Provided, however*, That payroll warrants shall not be subject to any such fee, except for the charges to the state's operating account for processing such warrants: *Provided further*, That such fees shall be based upon the number and type of transactions processed for each agency: *And provided further*, That the fees shall be based upon a combination of the banking fees incurred by the state treasurer and the operating costs for providing each service: *And provided further*, That the state treasurer shall revise the schedule of fees annually after consulting with various state agencies: *And provided further*, That all such fees collected shall be deposited in the state treasury to the credit of the services reimbursement fund of the state treasurer: *And provided further*, That moneys in the services reimbursement fund may be expended for the general operating expenditures of the state treasurer's office in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or by a person designated by the state treasurer: *And provided further*, That the director of accounts and reports shall transfer to the services reimbursement fund one or more amounts certified by the state treasurer, for expenses incurred for unemployment insurance benefit warrants issued and processed and electronic transactions processed for the department of labor payable from the employment security fund, from moneys made available to the state under section 903(d) of the federal social security act, as amended, and credited to the employment security fund.";

On page 29, in line 40, by striking "\$1,159,173" and inserting "\$1,113,025";

On page 30, in line 35, preceding the period by inserting ": *And provided further*, That when the judicial council must expend moneys for unforeseen and unbudgeted items, that such moneys shall be paid first from the judicial council fund and then from the publication fees fund"; in line 40, by striking "\$8,797,813" and inserting "\$8,368,084";

On page 31, in line 14, by striking "\$1,880,771" and inserting "\$1,830,765";

On page 32, in line 12, by striking "\$102,385,946" and inserting "\$93,351,816";

On page 34, in line 32, by striking "\$7,152,369" and inserting "\$6,894,960"; in line 40, by striking "\$151,000" and inserting "\$144,484";

On page 35, in line 10, by striking "\$1,460,991" and inserting "\$1,385,537";

On page 37, in line 37, by striking "\$15,640,671" and inserting "\$15,034,871";

On page 38, in line 6, by striking "\$150,000" and inserting "\$100,000"; by striking all in lines 16 through 25; in line 33, by striking "\$735,067" and inserting "\$713,326";

On page 40, in line 1, by striking "\$1,027,401" and inserting "\$973,419"; in line 20, by striking "\$1,794,812" and inserting "\$1,710,850"; in line 26, by striking "\$491,988" and inserting "\$455,967"; in line 31, by striking "\$1,368,626" and inserting "\$1,304,602";

On page 41, in line 19, by striking "\$252,587" and inserting "\$122,717";

On page 46, in line 35, by striking "\$2,113,213" and inserting "\$2,076,504";

On page 52, in line 21, by striking "\$1,371,092" and inserting "\$1,304,908"; in line 31, by striking "\$266,500" and inserting "\$264,000"; in line 36, by striking "\$20,678,285" and inserting "\$19,758,754";

On page 53, in line 4, by striking "\$41,037,199" and inserting "\$39,918,480";

On page 56, in line 18, by striking "\$81,810" and inserting "\$77,250"; in line 36, by striking "\$9,794,586" and inserting "\$9,342,695";

On page 57, in line 41, by striking "\$2,854,664" and inserting "\$2,739,918";

On page 59, in line 32, by striking "\$198,237" and inserting "\$188,571"; in line 41, by striking "\$15,665,118" and inserting "\$15,625,081";

On page 64, in line 22, by striking "\$382,615" and inserting "\$370,074"; in line 36, by striking "\$11,911,056" and inserting "\$11,811,585";

On page 65, in line 16, by striking "\$345,330" and inserting "\$333,248"; in line 31, by striking "\$11,765,521" and inserting "\$11,320,043";

On page 66, in line 8, by striking "\$367,391" and inserting "\$349,478";

On page 67, in line 38, by striking "\$1,853,060" and inserting "\$1,761,078"; in line 42, by striking "\$455,760" and inserting "\$436,287";

On page 68, in line 4, by striking "\$2,358,597" and inserting "\$2,250,229"; in line 8, by striking "\$2,387,118" and inserting "\$2,163,224"; in line 22, by striking "\$2,132,503" and inserting "\$2,064,471"; in line 25, by striking "\$2,951,894" and inserting "\$2,947,854";

On page 69, in line 1, by striking "\$6,891,248" and inserting "\$6,647,534";

On page 76, in line 15, by striking "\$9,910,933" and inserting "\$9,505,667"; in line 34, preceding the period by inserting ": *And provided further*, That no expenditures shall be made by the secretary of health and environment from any moneys, appropriated from the state general fund or from any special revenue fund for fiscal year 2006 by this or other appropriation act of the legislature during the 2005 regular session of the legislature, to issue a permit for the site of the proposed Harper County landfill unless a third hydrologic study is conducted at the proposed Harper County landfill site: *And provided further*, That the secretary of health and environment shall direct and require that a third hydrologic study of such site be conducted in accordance with these provisos before issuing a permit for the landfill: *And provided further*, That such study shall be used to answer and respond to questions prompted by differences in the conclusions of two existing reports provided by Waste Connections and Sumner County: *And provided further*, That the secretary of health and environment shall enter into a contract with an independent hydrologist to perform such additional hydrologic study: *And provided further*, That any expenses for such additional hydrologic study shall be paid by the company requesting the permit: *And provided further*, That the protection of the water supply of more than 20,000 people in Harper and Sumner counties and northern Oklahoma requires that this additional hydrologic study be conducted prior to issuing any permit for such landfill site";

On page 80, in line 10, by striking "\$983,867" and inserting "\$1,183,867"; preceding line 16, by inserting the following:

"Use attainability analysis..... \$300,000";

On page 81, in line 35, by striking "\$281,293" and inserting "\$266,539"; in line 38, preceding the colon by inserting ": *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$10,164 except upon approval of the state finance council";

On page 82, in line 1, by striking "\$98,628" and inserting "\$95,511"; in line 4, preceding the period by inserting ": *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$1,267 except upon approval of the state finance council"; in line 13, by striking "\$1,702,344" and inserting "\$1,636,537"; in line 16, preceding the period by inserting ": *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$24,194 except upon approval of the state finance council"; in line 17, by striking "\$184,727" and inserting "\$181,437";

On page 83, in line 20, preceding the colon by inserting ": *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$404,467 except upon approval of the state finance council";

On page 84, in line 17, by striking "\$2,034,173" and inserting "\$1,954,344"; in line 20, preceding the period by inserting ": *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$25,944 except upon approval of the state finance council"; in line 21, by striking "\$1,068,131" and inserting "\$1,026,235"; in line 24, preceding the period by inserting ": *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$17,939 except upon approval of the state finance council";

On page 87, in line 7, by striking all following "fiscal" and inserting "year ending June 30, 2006,"; in line 21, by striking "\$99,985,660" and inserting "\$96,220,778"; in line 41, preceding "That" by inserting "That, during the fiscal year ending June 30, 2006, of the expenditures from the mental health and retardation services aid and assistance account for HCBS/MRDD services as authorized by this or other appropriation act of the 2005 regular session, reimbursement rates for consumers with documented extraordinary needs who

currently receive, have been approved for or leave a state institution or private institutional setting and are approved for special tier or individualized rates shall be maintained at a level no lower than the rate of reimbursement for these consumers on July 1, 2002: *And provided further*.”;

On page 88, in line 6, by striking “\$11,561,455” and inserting “\$10,017,284”; in line 26, by striking “\$24,137,685” and inserting “\$22,530,609”; in line 42, by striking “\$7,370,785” and inserting “\$6,975,047”;

On page 89, in line 3, by striking “\$9,086,679” and inserting “\$8,139,237”; in line 17, by striking “\$8,605,960” and inserting “\$7,397,684”; in line 37, by striking “\$3,838,339” and inserting “\$3,668,064”;

On page 91, in line 32, by striking “\$1,120,402” and inserting “\$1,056,956”; in line 35, by striking “\$3,733,780” and inserting “\$2,701,304”; in line 42, by striking “\$4,279,487” and inserting “\$4,000,037”;

On page 92, in line 24, by striking “\$1,364,346” and inserting “\$1,254,346”; in line 37, by striking “\$1,059,910” and inserting “\$897,872”; in line 41, by striking “\$73,308,973” and inserting “\$73,053,462”;

On page 94, in line 22, by striking “\$8,895,491” and inserting “\$8,885,448”;

On page 97, in line 35, by striking “\$1,048,919” and inserting “\$1,038,260”;

On page 98, in line 6, by striking “\$9,578,981” and inserting “\$9,224,020”; by striking all in lines 10 and 29; in line 30, by striking “\$1,716,643,000” and inserting “\$1,698,400,000”;

On page 99, in line 16, by striking “\$170,000,000” and inserting “\$158,584,000”; in line 30, by striking “\$163,838,870” and inserting “\$158,520,015”; by striking all in line 41;

On page 100, by striking all in line 15 and by inserting the following:  
 “Children’s future fund ..... \$115,858,000”;

On page 103, in line 16, by striking “\$5,504,045” and inserting “\$4,500,000”; in line 36, by striking “\$2,000,000” and inserting “\$2,600,000”;

On page 104, in line 6, by striking “\$1,625,815” and inserting “\$1,561,591”; in line 31, by striking “\$360,521” and inserting “\$345,915”;

On page 105, in line 26, by striking “\$4,695,672” and inserting “\$4,560,877”;

On page 106, in line 18, by striking “\$7,907,019” and inserting “\$7,559,348”;

On page 107, in line 5, by striking “\$5,725,462” and inserting “\$5,484,587”; in line 11, by striking “\$131,830” and inserting “\$81,830”;

On page 111, by striking all in lines 9 through 19;

On page 114, by striking all in lines 7 through 17; in line 28, by striking “\$18,511,367” and inserting “\$18,211,367”;

On page 116, by striking all in lines 2 through 12; preceding line 13, by inserting the following:

“(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2006, the following:

Operating expenditures ..... \$300,000”;

On page 117, by striking all in lines 25 through 35;

On page 120, by striking all in lines 5 through 15;

On page 122, by striking all in lines 15 through 25;

On page 125, by striking all in lines 42 and 43;

On page 126, by striking all in lines 1 through 9; in line 37, by striking “salaries” and inserting “expenses”;

On page 127, in line 3, by striking “school of allied health” also in line 3, by striking “school of nursing e-learn-”; in line 4, by striking “ing fee;”; in line 6, preceding “housestaff” by inserting “Kansas university physicians, inc., salaries reimbursements.”;

On page 129, by striking all in lines 14 through 24;

On page 131, in line 23, by striking “\$94,551” and inserting “\$42,150”; by striking all in lines 26 through 36; in line 41, by striking “\$3,302,107” and inserting “\$3,162,535”;

On page 133, in line 37, by striking “\$18,000,000” and inserting “\$3,241,883”;

On page 134, by striking all in lines 8 through 19;

On page 139, in line 6, by striking “\$15,476,471” and inserting “\$14,836,765”;

On page 140, in line 9, by striking “\$42,867,437” and inserting “\$42,846,014”; in line 15, by striking “\$11,158,406” and inserting “\$10,629,409”; in line 23, by striking “\$26,228,871”

and inserting "\$25,116,502"; in line 31, by striking "\$34,610,561" and inserting "\$33,110,057"; in line 39, by striking "\$11,348,068" and inserting "\$10,868,847";

On page 141, in line 4, by striking "\$10,701,697" and inserting "\$10,258,441"; in line 12, by striking "\$13,155,522" and inserting "\$12,588,920"; in line 20, by striking "\$22,209,809" and inserting "\$21,281,809"; in line 29, by striking "\$8,752,919" and inserting "\$8,361,615"; by striking all in line 41;

On page 144, in line 12, by striking "\$29,615,125" and inserting "\$27,482,527"; in line 22, by striking "\$14,948,370" and inserting "\$14,387,894"; in line 37, by striking "\$6,075,402" and inserting "\$5,889,360";

On page 145, in line 4, by striking "\$4,609,697" and inserting "\$4,442,441"; in line 14, by striking "\$8,012,838" and inserting "\$7,724,621";

On page 147, in line 1, preceding the period by inserting ": *Provided*, That no amount of more than \$100,000 may be transferred from one item of appropriation for the fiscal year ending June 30, 2006, from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to another item of appropriation for fiscal year 2006 from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice, except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto";

On page 148, following line 22, by inserting the following material to read as follows:  
“(l) During the fiscal year ending June 30, 2006, no expenditures shall be made by the juvenile justice authority from any moneys appropriated by this or other appropriation act of the 2006 regular session from the state general fund or any special revenue fund for fiscal year 2006 for the closure of any juvenile correctional facility under the jurisdiction of the juvenile justice authority or for the consolidation of any such juvenile correctional facility with any other such juvenile correctional facility.”;

Also on page 148, in line 27, by striking "\$4,252,206" and inserting "\$3,977,148";

On page 150, in line 36, by striking "\$3,381,344" and inserting "\$3,185,218";

On page 151, in line 10, by striking "\$434,218" and inserting "\$425,857"; in line 12, by striking "\$155,374" and inserting "\$136,090";

On page 152, in line 11, by striking "\$458,053" and inserting "\$411,508"; in line 19, by striking "\$35,647,855" and inserting "\$34,002,084";

On page 153, by striking all in line 24;

On page 154, in line 28, by striking "\$14,591,746" and inserting "\$13,959,596";

On page 155, in line 18, by striking "\$3,647,936.50" and inserting "\$3,489,899";

On page 156, in line 8, by striking "\$8,416,225" and inserting "\$8,004,782.25"; in line 27, by striking "\$12,813,745" and inserting "\$11,873,076";

On page 157, in line 17, by striking "\$77,488" and inserting "\$74,100"; by striking all in lines 18 through 25; in line 26, by striking "\$2,285,559" and inserting "No limit";

On page 159, in line 3, by striking "\$2,341,892" and inserting "No limit"; by striking all in line 14; in line 30, by striking "\$1,100,666" and inserting "\$1,063,205";

On page 160, in line 31, by striking "\$100,000" and inserting "\$200,000";

On page 161, in line 7, by striking "\$573,188" and inserting "\$546,523"; in line 11, by striking "\$5,274,400" and inserting "\$4,532,450"; in line 26, by striking "\$10,485,429" and inserting "\$9,785,118";

On page 162, in line 10, by striking "\$675,831" and inserting "\$675,171";

On page 164, following line 37, by inserting the following:

“Gifts and donations fund ..... No limit

*Provided*, That the secretary of agriculture is hereby authorized to receive gifts and donations of money for the benefit and support of agriculture and purposes related thereto: *Provided further*, That all such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be and credited to the gifts and donations fund.

General fees fund ..... No limit

*Provided*, That expenditures may be made from the general fees fund for operating ex-

penditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the secretary of agriculture is hereby authorized to fix, charge and collect fees in order to recover all or part of the costs incurred for such regulatory program activities and for official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for the regulatory program activity or official hospitality for which such fees are imposed: *And provided further*, That all amounts received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215 and amendments thereto and shall be credited to the general fees fund: *And provided further*, That the authority to fix, charge and collect such fees shall not authorize the secretary of agriculture to increase or otherwise change any fee authorized or fixed by any other statute or to fix, charge or collect any new or additional fees for any regulatory program of the Kansas department of agriculture for which fees are authorized or fixed by any other statute.”;

Also on page 164, in line 41, by striking “\$68,773” and inserting “\$66,852”; in line 42, by striking “\$254,986” and inserting “\$248,859”; in line 43, by striking “\$554,369” and inserting “\$540,682”;

On page 165, in line 1, by striking “\$187,925” and inserting “\$181,749”; in line 40, by striking “\$779,349” and inserting “\$648,275”;

On page 167, in line 25, by striking “\$646,189” and inserting “\$600,002”; by striking all in line 29;

On page 169, by striking all in line 3; by striking all in lines 22 through 25;

And by relettering subsections accordingly;

Also on page 169, by striking all in lines 40 through 43;

On page 170, by striking all in lines 1 through 9; in line 10, by striking “(h)” and inserting “(f)”;

in line 20, by striking “\$1,441,352” and inserting “\$1,367,970”;

On page 171, in line 15, by striking “or Tuttle”; in line 16, by striking “Creek” and inserting “Big Hill or Hillsdale”; also in line 16, preceding the period by inserting “, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 *et seq.*, and amendments thereto, to supply water to users which is not held under contract in such reservoirs”;

On page 174, in line 41, by striking “\$2,591,538” and inserting “\$2,538,973”;

On page 176, in line 1, by striking “\$18,269,589” and inserting “\$17,470,411”; in line 12, by striking “\$6,465,950” and inserting “\$6,220,147”; in line 22, by striking “\$725,249” and inserting “\$684,378”;

On page 178, preceding line 18, by inserting the following:

“Sec. 87. During the fiscal year ending June 30, 2006, no moneys appropriated from the state general fund or any special revenue fund shall be expended by any state agency named in this or other appropriation act of the 2005 regular session of the legislature for the purchase or other acquisition of any seed, forage or mulch that is not certified by the Kansas department of agriculture in accordance with a memorandum of understanding entered into by the Kansas department of agriculture and the North American weed management association that such seed, forage or mulch meets the standards set forth in the North American weed management forage program: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department of agriculture from moneys appropriated by this or other appropriation act of the 2005 regular session of the legislature from the state general fund or any special revenue funds for fiscal year 2006, expenditures shall be made by the Kansas department of agriculture to provide for staff members of the Kansas department of agriculture, who are qualified to certify seed, forage and mulch to meet any additional or supplemental certification requirements of state agencies, to assist any such additional or supplemental certifications as may be required by any other state agency.”;

And by renumbering sections accordingly;

On page 179, in line 27, by striking “\$251,955,775” and inserting “\$237,219,571”;

On page 182, following line 31, by inserting the following:

“(j) On July 1, 2005, notwithstanding the provisions of K.S.A. 68-416, 79-3620 or 79-3710 and amendments thereto or any other statute, the director of accounts and reports shall transfer \$4,200,000 from the state highway fund of the department of transportation to the state general fund: *Provided*, That the amount transferred from the state highway fund of

the department of transportation to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.”;

On page 183, in line 25, by striking “465.00” and inserting “464.00”;

On page 187, by striking all in lines 32 through 43;

By striking all on pages 188, 189, 190, 191, 192, 193, 194, 195 and 196; on page 197, by striking all in lines 1 through 12 and by inserting the following sections:

“Sec. 91. (a) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2005 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 as authorized by this or other appropriation act of the 2005 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2006 to provide a military pay differential for officers or employees of the state agency who are called or have been called to active military duty on or after September 11, 2001: Provided, however, That all such expenditures shall be made in accordance with and subject to the procedures, guidelines, limitations and restrictions, including the eligibility conditions, prescribed in executive directive no. 05-356.

(b) As used in this section, “state agency” means any state agency in the executive branch, legislative branch or judicial branch of state government.

Sec. 92. (a) In addition to the other purposes for which expenditures may be made by the governor’s department from the governor’s department account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the governor’s department from the governor’s department account of the state general fund for fiscal year 2006:

(1) For an additional amount of biweekly compensation for the governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,895.42 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, and ending before March 12, 2006, and

(2) for an additional amount of biweekly compensation for the governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,992.81 per biweekly pay period for each biweekly pay period commencing on or after March 12, 2006, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the governor for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(b) In addition to the other purposes for which expenditures may be made by the lieutenant governor from the operations account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the lieutenant governor from the operations account of the state general fund for fiscal year 2006:

(1) For an additional amount of biweekly compensation for the lieutenant governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$1,101.81 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, and ending before March 12, 2006, and

(2) for an additional amount of biweekly compensation for the lieutenant governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$1,129.36 per biweekly pay period for each biweekly pay period commencing on or after March 12, 2006, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (b) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the lieutenant governor for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(c) In addition to the other purposes for which expenditures may be made by the secretary of state from the operating expenditures account of the state general fund and one or more special revenue funds for the fiscal year ending June 30, 2006, expenditures shall be made by the secretary of state from the operating expenditures account of the state general fund and one or more special revenue funds for fiscal year 2006:

(1) For an additional amount of biweekly compensation for the secretary of state equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,026.16 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, and ending before March 12, 2006, and

(2) for an additional amount of biweekly compensation for the secretary of state equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,101.81 per biweekly pay period for each biweekly pay period commencing on or after March 12, 2006, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (c) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the secretary of state for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(d) In addition to the other purposes for which expenditures may be made by the attorney general from the operating expenditures account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the attorney general from the operating expenditures account of the state general fund for fiscal year 2006:

(1) For an additional amount of biweekly compensation for the attorney general equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,480.00 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, and ending before March 12, 2006, and

(2) for an additional amount of biweekly compensation for the attorney general equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,567.00 per biweekly pay period for each biweekly pay period commencing on or after March 12, 2006, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (d) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the attorney general for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(e) In addition to the other purposes for which expenditures may be made by the state treasurer from one or more special revenue funds for the fiscal year ending June 30, 2006, expenditures shall be made by the state treasurer from one or more special revenue funds for fiscal year 2006:

(1) For an additional amount of biweekly compensation for the state treasurer equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,026.16 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, and ending before March 12, 2006, and

(2) for an additional amount of biweekly compensation for the state treasurer equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,101.81 per biweekly pay period for each biweekly pay period commencing on or after March 12, 2006, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (e) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the state treasurer for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(f) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance department service regulation fund for the fiscal year ending June 30, 2006, expenditures shall be made by the insurance department from the insurance department service regulation fund for fiscal year 2006:

(1) For an additional amount of biweekly compensation for the commissioner of insurance equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,026.16 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, and ending before March 12, 2006, and

(2) for an additional amount of biweekly compensation for the commissioner of insurance equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,101.81 per biweekly pay period for each biweekly pay period commencing on or after March 12, 2006, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (f) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the commissioner of insurance for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(g) (1) In addition to the other purposes for which expenditures may be made by each state agency from appropriations made for the fiscal year ending June 30, 2006, expenditures shall be made by each state agency from the appropriations made for fiscal year 2006:

(A) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$81.11 per calendar day for each member of a board for any calendar day occurring on or after June 5, 2005, and before March 12, 2006, for which per diem compensation is payable to such member of a board under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2006, and

(B) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of a board for any calendar day occurring on or after March 12, 2006, for which per diem compensation is payable to such member of a board under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (g) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such member of a board for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, is payable and which are chargeable to fiscal year 2006.

(2) As used in this subsection (g), (A) "state agency" means any state agency of the executive branch of state government (i) which has appropriations made for the fiscal year ending June 30, 2006, by this act or any other appropriation act of the 2005 regular session of the legislature, and (ii) which is, or which makes expenditures for, any board; and

(B) "board" means any board, commission, committee, task force, panel or other body in the executive branch of state government, including any advisory body, having one or more members who are entitled to receive per diem compensation for attendance at meetings of such body, or attendance at meetings authorized by such body of a subcommittee or other subsidiary group of such body, as provided in K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto.

(h) In addition to the other purposes for which expenditures may be made by the Kansas turnpike authority for the period commencing June 5, 2005, and ending June 30, 2006, expenditures shall be made by the Kansas turnpike authority for such period:

(1) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$81.11 per calendar day for each member of the Kansas turnpike authority for any calendar day occurring on or after June 5, 2005, and before March 12, 2006, for which per diem compensation is payable to such member of the Kansas turnpike authority under K.S.A. 68-2003 and amendments thereto who is entitled, in accordance with K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the Kansas turnpike authority for any calendar day occurring on or after March 12, 2006, for which per diem compensation is payable to such member of the Kansas turnpike authority under K.S.A. 68-2003 and amendments thereto who is entitled, in accordance with K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (h) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such member of the Kansas turnpike authority for the appropriate pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, and prior to July 1, 2006, is payable by the Kansas turnpike authority.

(i) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2006:

(1) (A) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$81.11 per calendar day for each member of the legislature for service at the regular session or any special session of the legislature for any calendar day occurring on or after June 5, 2005, and before March 12, 2006; and

(B) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the legislature for service at the regular session or any special session of the legislature for any calendar day occurring on or after March 12, 2006, which is chargeable to fiscal year 2006; and

(2) (A) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$81.11 per calendar day for each member of the legislature and for any other public officer or person for any calendar day occurring on or after June 5, 2005, and before March 12, 2006, for which per diem compensation is payable from appropriations for the legislature to such member of the legislature, public officer or person under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2006; and

(B) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the legislature and for any other public officer or person for any calendar day occurring on or after March 12, 2006, for which per diem compensation is payable from appropriations for the legislature to such member of the legislature, public officer or person under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (i) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislature, public officials and persons for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, is payable and which are chargeable to fiscal year 2006.

(j) (1) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2006 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature

to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a and amendments thereto, an aggregate amount of allowance (A) of \$324.00 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2006 and for each of the 14 ensuing two-week periods thereafter, and (B) of \$332.10 for the two-week period which coincides with the biweekly payroll period which includes April 1, 2006, which is chargeable to fiscal year 2006 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2006, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (j)(1) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (j)(1) and which are chargeable to fiscal year 2006.

(2) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2007, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2007 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a and amendments thereto, an aggregate amount of allowance of \$332.10, except as otherwise provided in this subsection (j)(2), for (A) the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2007 and for each of the 14 ensuing two-week periods thereafter, and (B) for the two-week period which coincides with the biweekly payroll period which includes April 1, 2007, which is chargeable to fiscal year 2007 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2007, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That, if the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for the payroll periods chargeable to the fiscal year ending June 30, 2007, then the aggregate amount of allowance payable under this subsection (j)(2) for the two-week period which coincides with the first biweekly pay period that such increase is effective and each of the two-week periods thereafter, which are chargeable to fiscal year 2007 and for which such allowance is payable under this subsection (j)(2), shall be increased by an amount computed by multiplying the average of the percentage increases in all steps of such pay plan by the aggregate amount of allowance otherwise payable under this subsection (j)(2): *Provided further*, That all expenditures under this subsection (j)(2) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (j)(2) and which are chargeable to fiscal year 2007.

(k) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2006 for an additional amount of biweekly compensation for the following legislative officers equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation per biweekly pay period for such legislative officers as follows:

(1) For the president of the senate and the speaker of the house of representatives equal to the amount required to provide (A) an aggregate amount of \$493.99 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, and ending before March 12, 2006, and (B) an aggregate amount of \$506.34 per biweekly pay period for services performed in connection with discharging the duties assigned to the

respective positions for each biweekly pay period commencing on or after March 12, 2006, which is chargeable to fiscal year 2006;

(2) for the speaker pro tem of the house of representatives, the vice president of the senate, the assistant majority leaders of the senate and house of representatives, and the assistant minority leaders of the senate and house of representatives equal to the amount required to provide (A) an aggregate amount of \$252.13 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, and ending before March 12, 2006, and (B) an aggregate amount of \$258.43 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after March 12, 2006, which is chargeable to fiscal year 2006;

(3) for the chairperson of the senate committee on ways and means and the chairperson of the house of representatives committee on appropriations equal to the amount required to provide (A) an aggregate amount of \$397.26 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, and ending before March 12, 2006, and (B) an aggregate amount of \$407.19 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after March 12, 2006, which is chargeable to fiscal year 2006;

(4) for the majority leaders of the senate and house of representatives equal to the amount required to provide (A) an aggregate amount of \$445.66 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, and ending before March 12, 2006, and (B) an aggregate amount of \$456.80 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after March 12, 2006, which is chargeable to fiscal year 2006; and

(5) for the minority leaders of the senate and house of representatives equal to the amount required to provide (A) an aggregate amount of \$445.66 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, and ending before March 12, 2006, and (B) an aggregate amount of \$456.80 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after March 12, 2006, which is chargeable to fiscal year 2006; *Provided*, That all expenditures under this subsection (k) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to such legislative officers under K.S.A. 46-137b and amendments thereto for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(l) In addition to the other purposes for which expenditures may be made by the legislative coordinating council from the legislative coordinating council — operations account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the legislative coordinating council from the legislative coordinating council — operations account of the state general fund for fiscal year 2006 for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (1) an aggregate amount of compensation of \$81.11 per calendar day for each member of the legislative coordinating council for any calendar day occurring on or after June 5, 2005, and before March 12, 2006, for which per diem compensation is payable from appropriations for the legislative coordinating council under K.S.A. 46-1209 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (2) an aggregate amount of compensation of \$83.14 per calendar day for each member of the legislative coordinating council for any calendar day occurring on or after March 12, 2006, for which per diem compensation is payable from appropriations for the legislative coordinating council under K.S.A. 46-1209 and amendments thereto to

such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (l) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislative coordinating council for the biweekly pay periods for which such per diem compensation is payable for calendar days occurring on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(m) In addition to the other purposes for which expenditures may be made by the division of post audit from the operations (including legislative post audit committee) account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the division of post audit from the operations (including legislative post audit committee) account of the state general fund for fiscal year 2006:

(1) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$81.11 per calendar day for each member of the legislative post audit committee for any calendar day occurring on or after June 5, 2005, and before March 12, 2006, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1104 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (B) an aggregate amount of compensation of \$83.14 per calendar day for each member of the legislative post audit committee for any calendar day occurring on or after March 12, 2006, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1104 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2006; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$81.11 per calendar day for each member of the contract audit committee for any calendar day occurring on or after June 5, 2005, and before March 12, 2006, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1120 and amendments thereto to such member as provided in K.S.A. 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (B) an aggregate amount of compensation of \$83.14 per calendar day for each member of the contract audit committee for any calendar day occurring on or after March 12, 2006, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1120 and amendments thereto to such member as provided in K.S.A. 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (m) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislative post audit committee or contract audit committee for the biweekly pay periods for which such per diem compensation is payable for calendar days occurring on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(n) In addition to the other purposes for which expenditures may be made by the judicial branch from the judiciary operations account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the judicial branch from the judiciary operations account of the state general fund for fiscal year 2006:

(1) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$81.11 per calendar day for each member of the advisory council on dispute resolution for any calendar day occurring on or after June 5, 2005, and before March 12, 2006, for which per diem compensation is payable to such member of the advisory council on dispute resolution under K.S.A. 5-505 and amendments thereto who is entitled, in accordance with subsection (e) of K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments

thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (B) an aggregate amount of compensation of \$83.14 per calendar day for each member of the advisory council on dispute resolution for any calendar day occurring on or after March 12, 2006, for which per diem compensation is payable to such member of the advisory council on dispute resolution under K.S.A. 5-505 and amendments thereto who is entitled, in accordance with subsection (e) of K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2006; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$81.11 per calendar day for each retired justice or judge who performs judicial service or duties under K.S.A. 20-2616 and amendments thereto for each calendar day occurring on or after June 5, 2005, and before March 12, 2006, for which per diem compensation is payable to such retired justice or judge under K.S.A. 20-2616 and amendments thereto, and (B) an aggregate amount of compensation of \$83.14 per calendar day for each retired justice or judge who performs judicial service or duties under K.S.A. 20-2616 and amendments thereto for each calendar day occurring on or after March 12, 2006, for which per diem compensation is payable to such retired justice or judge under K.S.A. 20-2616 and amendments thereto, and is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (n) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the advisory council on dispute resolution or to such retired justices or judges for the bi-weekly pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, is payable and which are chargeable to fiscal year 2006.

(o) In addition to the other purposes for which expenditures may be made by the judicial council from the operating expenditures account of the state general fund and one or more special revenue funds for the fiscal year ending June 30, 2006, expenditures shall be made by the judicial council from the operating expenditures account of the state general fund for fiscal year 2006 for:

(1) an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$81.11 per calendar day for each member of the judicial council and for each regularly appointed member of a special committee of the judicial council who is not a member of the judicial council for any calendar day occurring on or after June 5, 2005, and before March 12, 2006, for which per diem compensation is payable to such member of the judicial council or a special committee thereof under K.S.A. 20-2206 and amendments thereto at the rate of compensation in accordance with K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto; and

(2) an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the judicial council and for each regularly appointed member of a special committee of the judicial council who is not a member of the judicial council for any calendar day occurring on or after March 12, 2006, for which per diem compensation is payable to such member of the judicial council or a special committee thereof under K.S.A. 20-2206 and amendments thereto at the rate of compensation in accordance with K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (o) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the judicial council or special committees thereof for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, is payable and which are chargeable to fiscal year 2006.

Sec. 93. (a) On July 1, 2005, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer the amount in each special revenue fund of each state agency in the executive branch of state

government that is appropriated for the fiscal year ending June 30, 2006, by this or other appropriation act of the 2005 regular session of the legislature, and that is determined by the director of the budget as the aggregate amount of money in such special revenue fund representing the reduced expenditures in the amounts budgeted for salaries and wages and associated employer payroll contributions that are no longer required for that purpose and certified by the director of the budget to the director of accounts and reports, from such special revenue fund to the state general fund: *Provided*, That, in making each such certification, the director of the budget shall take into account the maximum prescribed by subsection (b), the approved budget for fiscal year 2006 and such other factors, limitations and considerations as are deemed applicable or appropriate by the director of the budget with respect to the particular special revenue fund and the state agency of the executive branch that is involved: *Provided further*, That, at the same time that each such certification is made by the director of the budget to the director of accounts and reports under this subsection (a), the director of the budget shall deliver a copy of such certification to the director of the legislative research department: *And provided further*, That the amount transferred from each such special revenue fund to the state general fund pursuant to this subsection (a) is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(b) The aggregate of all of the amounts transferred from all such special revenue funds of state agencies in the executive branch of state government to the state general fund pursuant to subsection (a), shall not exceed \$29,600,000.

(c) The provisions of this section shall not apply to: (1) The health care stabilization fund of the health care stabilization fund board of governors; (2) any moneys held in trust in a trust fund or any other special revenue fund of any state agency; or (3) any moneys received from any agency or authority of the federal government or from any other federal source.”;

And by renumbering the remaining sections accordingly;

On page 199, in line 7, by striking “years 2006 and 2007” and inserting “year 2006”; in line 10, by striking all following “\$400,000”; in line 11, by striking all preceding the period; and the bill be passed as amended.

Committee on **Education** recommends **HB 2331** be amended on page 2, in line 40, by striking “desig-”, in line 41, by striking “nated” and by inserting “designed”; in line 42, before “counseling” by inserting a comma;

On page 4, in line 4, by striking “needs” and inserting “need”;

On page 8, in line 35, after the stricken material by inserting “as a condition for the child to attend school or be evaluated or receive special education services under this act.”;

On page 9, in line 34, by striking “(a)” and inserting “(b)(2)”;

On page 11, in line 30, before “be” by inserting “to”; on line 33, by striking “parents” and inserting “parties”;

On page 12, in line 19, by striking “72-992 or”; in line 34, by striking “K.S.A. 72-”, in line 35, by striking, “991” and inserting “section 18”;

On page 19, in line 22, by striking “educational” and inserting “education”;

On page 21, in line 8, after “achievement” by inserting “and”;

On page 22, in line 1, by striking “in” and inserting “on”; by striking all in lines 20 through 26, and inserting:

“(S) (A) beginning at age 14, and updated annually, a statement of the transition service needs of the child under the applicable components of the child’s IEP that focuses on the child’s course of study, such as participation in advanced-placement courses or a vocational education program; and (B) beginning at age 16, or younger, if determined appropriate by the IEP team, a statement of needed transition services for the child, including, when appropriate, a statement of the interagency responsibilities or any needed linkages; and”;

On page 24, in line 1, after “by the” by inserting “parents”;

On page 27, in line 14, by striking “K.S.A. 72-922” and inserting “section 18”;

On page 30, in line 9, before the comma, by inserting “or has refused services under this law”;

On page 31, after line 23, by inserting:

“New Sec. 22. All records of an exceptional child who transfers, or who is transferred, from one school district to another shall be transferred at the same time that such child transfers, or is transferred, or as soon thereafter as possible. If the transfer is a result of the change in placement by the secretary of the department of social and rehabilitation services, it shall be the duty of the secretary to transfer, or make provision for the transfer, of such records to the district or school to which the child is transferred. If the transfer is a result of the change in placement by the commissioner of juvenile justice, it shall be the duty of the commissioner to transfer, or make provision for the transfer, of such records to the district or school to which the child is transferred. If the transfer is a result of the change in placement by the secretary of the department of corrections, it shall be the duty of the secretary to transfer, or make provision for the transfer, of such records to the district or school to which the child is transferred.”; and by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Education** recommends **SB 48** be amended on page 1, in line 17, by striking “and” and inserting “or”; following line 25, by inserting:

“Sec. 2. (a) It is the public policy of the state of Kansas that all contracts entered into by the board of education of a school district, or any officers or employees thereof acting on behalf of the board, shall be governed by and interpreted in accordance with the laws of the state of Kansas.

(b) The board of education of a school district and any of its officers or employees acting on behalf of the board shall have no power to enter into a contract which provides that the contract shall be governed by or interpreted in accordance with the laws of a state other than the state of Kansas.

(c) The board of education of a school district and any officers or employees thereof acting on behalf of the board shall have no power, pursuant to a contract, to submit to the jurisdiction of any court other than a court of the state of Kansas.

(d) The provisions of any contract entered into in violation of this section shall be contrary to the public policy of the state of Kansas and shall be void and unenforceable.

Sec. 3. (a) Except as provided by subsection (c), any contract entered into by the board of education of a school district or any of its officers or employees acting on behalf of the board shall contain the mandatory contract provisions prescribed by the department of administration in form DA-146a, as amended.

(b) Except as provided by subsection (c), any contract entered into after the effective date of this act shall be deemed to have incorporated the mandatory contract provisions prescribed by the department of administration in form DA-146a, as amended, even if such provisions are not specifically contained in such contract.

(c) The board of education of a school district may omit any of the mandatory contract provisions prescribed by the department of administration in form DA-146a, as amended, upon the affirmative recorded vote of a majority of the members of the board. The board shall not have the authority to waive or omit from the provisions of any contract the provisions of section 1 or 2, and amendments thereto.

Sec. 4. (a) It is the public policy of the state of Kansas that all contracts entered into by the board of trustees of a community college, or any officers or employees thereof acting on behalf of the board, provide that the community college and board of trustees shall be responsible solely for the community college’s or board’s actions or failure to act under a contract.

(b) The board of trustees of a community college and any officers or employees thereof acting on behalf of the board shall not have the authority to enter into a contract under which the community college or board agrees to, or is required to, indemnify or hold harmless against damages, injury or death resulting from the actions or failure to act on the part of any party to a contract other than the board or the community college.

(c) The provisions of any contract entered into in violation of this section shall be contrary to the public policy of the state of Kansas and shall be void and unenforceable.

Sec. 5. (a) It is the public policy of the state of Kansas that all contracts entered into by the board of trustees of a community college, or any officers or employees thereof acting on behalf of the board, shall be governed by and interpreted in accordance with the laws of the state of Kansas.

(b) The board of trustees of a community college and any of its officers or employees acting on behalf of the board shall have no power to enter into a contract which provides that the contract shall be governed by or interpreted in accordance with the laws of a state other than the state of Kansas.

(c) The board of trustees of a community college and any officers or employees thereof acting on behalf of the board shall have no power, pursuant to a contract, to submit to the jurisdiction of any court other than a court of the state of Kansas.

(d) The provisions of any contract entered into in violation of this section shall be contrary to the public policy of the state of Kansas and shall be void and unenforceable.

Sec. 6. (a) Except as provided by subsection (c), any contract entered into by the board of trustees of a community college or any of its officers or employees acting on behalf of the board shall contain the mandatory contract provisions prescribed by the department of administration in form DA-146a, as amended.

(b) Except as provided by subsection (c), any contract entered into after the effective date of this act shall be deemed to have incorporated the mandatory contract provisions prescribed by the department of administration in form DA-146a, as amended, even if such provisions are not specifically contained in such contract.

(c) The board of trustees of a community college may omit any of the mandatory contract provisions prescribed by the department of administration in form DA-146a, as amended, upon the affirmative recorded vote of a majority of the members of the board. The board shall not have the authority to waive or omit from the provisions of any contract the provisions of section 4 or 5, and amendments thereto.

Sec. 7. (a) It is the public policy of the state of Kansas that all contracts entered into by the governing body of a technical college, or any officers or employees thereof acting on behalf of the governing body, provide that the technical college and the governing body thereof shall be responsible solely for the technical college's or board's actions or failure to act under a contract.

(b) The governing body of a technical college and any officers or employees thereof acting on behalf of the governing body shall not have the authority to enter into a contract under which the technical college or the governing body agrees to, or is required to, indemnify or hold harmless against damages, injury or death resulting from the actions or failure to act on the part of any party to a contract other than the governing body or the technical college.

(c) The provisions of any contract entered into in violation of this section shall be contrary to the public policy of the state of Kansas and shall be void and unenforceable.

Sec. 8. (a) It is the public policy of the state of Kansas that all contracts entered into by the governing body of a technical college, or any officers or employees thereof acting on behalf of the governing body, shall be governed by and interpreted in accordance with the laws of the state of Kansas.

(b) The governing body of a technical college and any of its officers or employees acting on behalf of the governing body shall have no power to enter into a contract which provides that the contract shall be governed by or interpreted in accordance with the laws of a state other than the state of Kansas.

(c) The governing body of a technical college and any officers or employees thereof acting on behalf of the governing body shall have no power, pursuant to a contract, to submit to the jurisdiction of any court other than a court of the state of Kansas.

(d) The provisions of any contract entered into in violation of this section shall be contrary to the public policy of the state of Kansas and shall be void and unenforceable.

Sec. 9. (a) Except as provided by subsection (c), any contract entered into by the governing body of a technical college or any of its officers or employees acting on behalf of the governing body shall contain the mandatory contract provisions prescribed by the department of administration in form DA-146a, as amended.

(b) Except as provided by subsection (c), any contract entered into after the effective date of this act shall be deemed to have incorporated the mandatory contract provisions prescribed by the department of administration in form DA-146a, as amended, even if such provisions are not specifically contained in such contract.

(c) The governing body of a technical college may omit any of the mandatory contract provisions prescribed by the department of administration in form DA-146a, as amended,

upon the affirmative recorded vote of a majority of the members of the governing body. The governing body shall not have the authority to waive or omit from the provisions of any contract the provisions of section 7 or 8, and amendments thereto.”

By renumbering section 2 as section 10;

In the title, by striking all in line 9 and inserting:

“AN ACT concerning contracts entered into by school districts, technical colleges and community colleges.”; and the bill be passed as amended.

Committee on **Education** recommends **SB 154** be amended on page 1, in line 14, by striking all following “shall”; in line 15, by striking “standards” and inserting “develop nutrition guidelines”; in line 16, by striking “standards” and inserting “guidelines”; in line 18, by striking all following “In”; in line 19, by striking “standards” and inserting “developing such guidelines”; by striking all in lines 22 through 26 and inserting:

“(b) When establishing the wellness policy of the school district, the board of education of each district shall take into consideration the guidelines developed by the state board under subsection (a).”;

In the title, in line 11, by striking all following the semicolon and inserting “relating to nutrition guidelines”; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2300** be passed.

Committee on **Federal and State Affairs** recommends **HB 2309** be amended on page 1, in line 38, by striking all after the comma; in line 39, by striking all before “the”;

In the title, in line 10, by striking all before the semicolon and inserting “and resolutions”; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 153** be amended by substituting a new bill to be designated as “HOUSE Substitute for SENATE BILL No. 153,” as follows:

“HOUSE Substitute for SENATE BILL No. 153

By Committee on Federal and State Affairs

“AN ACT concerning state-tribal gaming compacts; amending K.S.A. 46-2302 and repealing the existing section.”; and the substitute bill be passed.

(**H. Sub. for SB 153** was thereupon introduced and read by title.)

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

#### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was thereupon introduced and read by title:

**HB 2523**, An act concerning the state payroll accounting system; authorizing certain adjustments in biweekly payroll periods and pay dates; amending K.S.A. 75-5515 and repealing the existing section, by Committee on Appropriations.

#### COMMITTEE ASSIGNMENTS

Speaker pro tem Merrick announced Rep. Weber will replace Rep. Merrick on Committee on Appropriations; also, Rep. Pottorff will replace Rep. Hayzlett on Committee on Appropriations.

#### REPORT ON ENROLLED BILLS

**HB 2034, HB 2042, HB 2086, HB 2147, HB 2178, HB 2187, HB 2206, HB 2297** reported correctly enrolled, properly signed and presented to the governor on March 14, 2005.

#### REPORT ON ENROLLED RESOLUTIONS

**HR 6015** reported correctly enrolled and properly signed on March 14, 2005.

On motion of Rep. Aurand, the House adjourned until 11:00 a.m., Tuesday, March 15, 2005.

CHARLENE SWANSON, *Journal Clerk.*

JANET E. JONES, *Chief Clerk.*

