



**GOVERNOR LAURA KELLY**

**MESSAGE FROM THE GOVERNOR**

**REGARDING VETO OF SENATE BILL 28**

I want to thank the Legislature and the budget committees for their bipartisan work to pass Senate Bill 28. This budget makes important investments in economic development, infrastructure, and essential services that will positively impact the citizens of Kansas for years to come.

Kansas is a national leader in economic development, and this budget makes investments across the state to provide our communities with the infrastructure and workforce necessary to continue that leadership. By investing in our higher education system, this budget also ensures that our universities, community colleges, and technical schools can continue to engage in cutting-edge education, research, and workforce training.

This budget infuses significant funding into programs and facilities that serve the most vulnerable Kansans and keep our communities safe. It also continues the progress we've made in improving the government services Kansans depend on by providing state employees with a pay increase and investing in state facilities.

Despite these successes, this budget falls short in several areas. Instead of using our existing surplus to cover the costs of capital projects immediately, this budget requires the state to take on debt and pass the costs of these projects on to taxpayers. It also fails to use this surplus to balance the state's checkbook by paying off existing debts.

School funding, one of the core responsibilities of the state, is also not addressed in this budget. Kansas families and teachers rely on the Legislature to ensure they have the resources they need to provide our kids a world-class education. Failing to fully fund public schools in this budget creates unnecessary uncertainty that we may backtrack on rebuilding our education system. I encourage the Legislature to maintain the full funding of schools when it returns so that we can continue the progress we've made by fully funding education over the past five years.

Additionally, this budget does not adequately address access to affordable healthcare. Expanding Medicaid is the fiscally prudent thing to do. It will infuse a billion dollars into the state and our communities annually. I will continue to urge the Legislature to do the right thing and expand Medicaid as soon as possible so that hard-working Kansans can get the healthcare they deserve and desperately need.

Therefore, pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return Senate Bill 28 with my signature approving the bill, except for the items enumerated below.

**Legislature—Impeding Local Control of School Districts**

Sec. 26(e) has been line-item vetoed in its entirety.

It is not the State’s role to condition or control how local school districts should use local funds generated from the sale of property. If the Legislature is interested in developing innovative approaches to recruiting and retaining talented teachers and paraprofessionals, it should work collaboratively with school districts and educators to improve the experience of classroom teachers rather than interfering with their authority to set policies and budgets to address the needs of their students and teachers. I am concerned that provisions like Sec. 26(e) set a dangerous precedent and erode the core constitutional principle of local control.

**Governor’s Department and Adjutant General’s Department—Southwest Border Mission**

Sec. 29(b) has been line-item vetoed in its entirety.

The portion of Sec. 120(a) that reads as follows has been line-item vetoed:

Southwest border mission.....\$15,716,000

Provided, That all expenditures from the southwest border mission account shall be for expenses to respond to the request for assistance from the state of Texas pursuant to the emergency management assistance compact, K.S.A. 48-9a01, and amendments thereto, or a memorandum of understanding between the governor and the governor of Texas: Provided, That the above agency shall collaborate with the governor and the response and recovery bureau director to activate, mobilize and deploy state resources and implement the appropriate mutual aid plans and procedures: Provided further, That such assistance is being provided to assist in the prevention of crime drug trafficking, human trafficking, transactional criminal organizations and other related crimes contributing to an emergency.

The portion of Sec. 121(a) that reads as follows has been line-item vetoed:

Any unencumbered balance in the southwest border mission account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

As the Kansas National Guard’s Commander-in-Chief, it is my constitutional authority to direct the National Guard while on state duty. It is not the Legislature’s role to direct the operations or call out the National Guard. Border security is a federal issue. Lawmakers in Washington must act to solve this issue and work in a bipartisan manner to fix our nation’s broken immigration system. Despite this being a federal issue, I have repeatedly deployed members of the Kansas National Guard to support the federal government’s efforts to strengthen border protections, including an active deployment today. When a Governor deploys soldiers as part of a federal mission, it is done intentionally and in a manner that ensures we are able to protect our communities and that we do not threaten Guard readiness or limit our ability to respond to natural disasters at home.

**Office of the Attorney General and Kansas Department for Aging and Disability Services—  
Kansas Fights Addiction Fund**

Sec. 31(d), Sec. 83(bb), and Sec. 83(cc) and have been line-item vetoed in their entirety.

The portion of Sec. 32(b) that reads as follows has been line-item vetoed:

Provided further, That, notwithstanding the provisions of the Kansas fights addiction act, K.S.A. 2023 Supp. 75-775 through 75-781, and amendments thereto, or any other statute, expenditures shall be made from the Kansas fights addiction fund in an amount of \$185,000 for fiscal year 2025 for drug abuse and addiction prevention services for youth at the Kansas City full circle program, inc.: Provided, however, That prior to making such expenditures, the above agency shall present to the Kansas fights addiction grant review board the above expenditure for the board's review.

The portions of Sec. 83(b) that reads as follows have been line-item vetoed:

Valley hope substance use disorder fund.....\$2,500,000

Provided, That, notwithstanding the provisions of the Kansas fights addiction act, K.S.A. 2023 Supp. 75-775 through 75-781, and amendments thereto, expenditures shall be made from the valley hope substance use disorder fund for infrastructure to expand valley hope located in Atchison, Kansas: Provided, however, That prior to making such expenditures, the above agency shall present to the Kansas fights addiction grant review board the above expenditure for the board's review.

Indigent support fund.....\$5,000,000

Provided, That expenditures shall be made from the indigent support fund for providing support to the substance use disorder providers who provide services to individuals who have no insurance or other medical coverage: Provided further, That the above agency shall develop guidelines for providers to apply for the funds and establish a review team for the application for funds to determine that such funds are being appropriately used to provide services to such indigent individuals: Provided, however, That prior to making such expenditures, the above agency shall present to the Kansas fights addiction grant review board the above expenditure for the board's review.

The Legislature created the Kansas Fights Addiction Board to review and approve applications for funding through the State’s opioid settlement, the Kansas Fights Addiction Fund. While these initiatives may be good proposals worthy of funding, the direct allocation of these funds circumvents the established process and gives an unfair advantage to the organizations receiving these funds. It also makes it difficult for the Board to administer its established strategy and strategic plan for the settlement. If the Legislature wants to change the process through which these funds are allocated, it should pass standalone legislation to do so.

**Office of the State Treasurer—Pregnancy Compassion Awareness Program**

Sec. 35(a) has been line-item vetoed in its entirety.

I continue to believe that overseeing a state pregnancy crisis center and maternity home program is not an appropriate role for the Office of State Treasurer. This proviso continues a program to provide taxpayer funding for largely unregulated pregnancy resource centers. These entities are not medical centers and do not promote evidence-based methods to prevent unplanned pregnancies. The Legislature should listen to Kansans, who, on August 2, 2022, told politicians they should stop inserting themselves in private medical decisions between women and their doctors.

### **Office of the State Treasurer—BUILD Kansas Changes**

Sec. 35(d), Sec. 35(e), Sec. 36, Sec. 37, and Sec. 38 have been line-item vetoed in their entirety.

The BUILD Kansas program provides local governments and other eligible entities with State funding to pursue grant opportunities under the federal Bipartisan Infrastructure Law (BIL). As the program stands today, both the Executive and Legislative branches have a role in reviewing and approving applications for matching funds. The changes proposed in this budget would remove the Kansas Infrastructure Hub from this process and give the Legislature the authority to approve funding for infrastructure projects without the Hub's input, effectively creating a separate legislative appropriations process for infrastructure projects.

The provisions in this budget would also require that certain Kansas communities provide local dollars to secure BUILD Kansas funds while others would be exempted from having to provide local funds, creating an uneven playing field for communities to access the BUILD Kansas program. While I commend the Legislature's efforts to increase the impact of these matching dollars by making them eligible to be used for additional federal funding opportunities, we must maintain the program's current parameters to ensure matching funding is used to support the infrastructure needs of all Kansas communities effectively and efficiently.

### **Kansas Corporation Commission—Demolition of Two Habitable Structures in Augusta, Kansas**

The portion of Sec. 53(a) that reads as follows has been line-item vetoed:

Provided, That notwithstanding the provisions of K.S.A. 55-192, and amendments thereto, or any other statute, expenditures shall be made by the above agency from such fund to address ground water well contamination from abandoned wells located in Butler County, Kansas: Provided further, That the above agency shall work with landowners at 13726 SW Thunder Road and 14937 SW Thunder Road in Augusta, Kansas, to assist in the costs of demolition of the habitable structures located on such land: Provided, however, That expenditures for such purposes shall not exceed \$250,000 on each such property.

This line-item uses a state fund established for the remediation of abandoned oil well sites to demolish two private homes in Augusta, Kansas. This action is squarely outside the statutory

scope of this program and risks setting an untenable financial precedent where the state could be required to pay for the demolition of property in all areas where historic oil contamination exists, regardless of source, culprit, or disclosure to the home buyer. Policy of this nature, however well-intentioned, should be carefully considered and debated to avoid unintended and unsustainable financial or legal obligations for the state – not included as a last-minute budget proviso.

**Kansas Department of Commerce—Youth Career Exploration**

The portion of Sec. 68(a) that reads as follows has been line-item vetoed:

Youth career exploration.....\$500,000

I fully support efforts to raise awareness and connect students to in-demand careers in Kansas. To develop a highly skilled and prepared workforce, students should be incentivized to explore their interests and identify pathways into various career fields. I have line-item vetoed this section because these efforts can be funded through existing Kansas State Department of Education resources. The State Board of Education has previously funded these efforts using federal Elementary and Secondary School Emergency Relief (ESSER) funds and is currently considering an additional allocation of \$1 million in ESSER funds over the next two years for this purpose. This funding opportunity provides more support for youth career exploration than is included in this bill. Once these federal funds are expended, the State should then consider providing State General Funds for this purpose.

**Kansas Department of Commerce—University STAR Bonds**

Sec. 68(n) and Sec. 69(d) have been line-item vetoed in their entirety.

STAR Bonds are a financing tool that allows Kansas communities, both rural and urban, to strategically attract economic development to their area. The program has helped secure millions in economic development growth and brought thousands of jobs to the State through state and local partnerships.

The language proposed in this budget would fundamentally alter the STAR Bonds program by allowing universities to create STAR Bond districts without the consent of the impacted local government and without a minimum capital investment or revenue requirement. While I support innovative proposals to bring new economic development opportunities to the state, the changes to the program proposed in this budget do not adequately protect local governments’ authority or ensure the long-term solvency of the projects.

**Kansas Department of Commerce—Child Care Pilot Program**

The portion of Sec. 68(a) that reads as follows has been line-item vetoed:

Provided, That expenditures shall be made by the above agency from such account to implement a pilot program for the recruitment and retention of home-based child care providers to increase the number of child care slots in Kansas: Provided further, That the above agency shall issue a request for proposal to solicit potential private entities to

implement such pilot program: And provided further, That any such private entity making a proposal shall agree to: (1) Partner with the above agency, families in need of child care and home-based child care providers to increase the number of child care slots in Kansas by: (A) Recruiting and coaching prospective home-based child care providers through the initial business plan and implementation process; and (B) assisting existing home-based child care providers with business planning and implementation to retain and expand child care slots; (2) develop and execute a mentorship program for such home-based child care providers; (3) plan, staff and execute in-person and virtual recruitment events for new home-based child care providers in locations in the state in need of child care slots; (4) develop informational materials that assist home-based child care providers with marketing, advertising and parental outreach; (5) provide a software platform, including customizable dashboards, to assist home-based child care providers with marketing, enrollment, family communication, billing and expense reporting; and (6) make available to home-based child care providers coaching and training, including in-person group training sessions, on-site coaching visits, community forums and events: And provided further, That the above agency shall require any private entity making a proposal to provide evidence that such entity is providing a similar service in at least three other states: And provided further, That as used in this section, "home-based child care provider" means an individual who has control or custody of one or more children under 16 years of age, unattended by a parent or guardian, for the purpose of providing food or lodging, or both.

Increasing access to child care is one of my biggest priorities as Governor. To truly address this issue, we need everyone's expertise at the table. This proviso limits the pool of organizations that could apply to operate this pilot program. An open, competitive bidding process should be used to ensure that these funds are effective in supporting aspiring child care providers.

### **Kansas Department of Commerce—Air Development Fund**

The portion of Sec. 68(c) that reads as follows has been line-item vetoed:

Kansas air service development incentive program fund.....No limit

Provided, That all expenditures from the Kansas air service development incentive program fund shall be to support commercial service airports in Kansas: Provided further, That the department of commerce shall establish requirements for the program, taking into consideration: (1) Recent or imminent regional economic development opportunities, including, but not limited to, new business entering the market area or business growth in the market area; (2) viable air service opportunities, including, but not limited to, airline support service or market data support service; (3) air service routes serving a market area that meets the needs of such economic development opportunities, including, but not limited to, routes establishing a pipeline to areas with workforce talent or serving a customer base or main business function; and (4) local match requirements, including, but not limited to, opportunities to use state or local moneys to leverage federal air service development grant funds: And provided further, That local entities representing

commercial service airports may apply for grants from such fund: And provided further, That the department of commerce shall form a selection committee to evaluate such applications: And provided further, That not more than \$1,000,000 shall be awarded for a single commercial service airport: And provided further, That all grant moneys awarded to a local entity shall be deposited in an interest-bearing escrow account: And provided further, That, when awarded a grant, such local entity shall execute a minimum revenue guarantee (MRG) agreement with an airline: And provided further, That such MRG agreement shall describe the thresholds that trigger drawdowns of grant moneys: And provided further, That the department of commerce shall verify all expenses before authorizing any drawdown of grant moneys from such escrow account.

Sec. 68(m) has been line-item vetoed in its entirety.

This program was not requested by the Department of Commerce or vetted by the agency. Given the ongoing debate in the Legislature regarding tax relief and the potential long-term fiscal impact of proposed tax policy, it is difficult to justify another expenditure from the State Highway Fund. We've closed the Bank of KDOT, and I do not want to risk backtracking on that progress.

#### **Kansas Department of Aging and Disability Services—Mental Health Intervention Team Pilot**

The portion of Sec. 83(a) that reads as follows has been line-item vetoed:

Provided, That expenditures shall be made by the above agency from such account during fiscal year 2025 to establish the mental health intervention team program: Provided further, That such program shall be a continuation of the mental health intervention team pilot program first established pursuant to section 1 of chapter 57 of the 2018 Session Laws of Kansas and K.S.A. 72-9943, and amendments thereto, and continued and expanded through subsequent appropriation acts of the legislature: And provided further, That the purposes of the mental health intervention team program are to: Provide greater access to behavioral health services for students enrolled in kindergarten or any of the grades one through 12 and establish a coherent structure between school districts and mental health intervention team providers to optimize scarce behavioral health resources and workforce; identify students, communicate with families and link students and their families to the statewide behavioral health systems and resources within the network of mental health intervention team providers; alleviate the shortage of staff with specialized degrees or training such as school counselors, psychologists and social workers and reduce the competition for such staff between school districts and other private and governmental service providers to provide broader-based and collaborative services to students, especially in rural districts that do not have enough students to justify a full-time staff position; provide and coordinate mental health services to students throughout the calendar year, not only during school hours over nine months of the school year; and reduce barriers that families experience to access mental health services and maintain consistency for a child to attend recurring sessions and coordination between the child's

classroom schedule and the provision of such services: And provided further, That the program shall focus on the following students: Any student who has been adjudicated as a child in need of care and is in the custody of the secretary for children and families or has been referred for a families first program or family preservation program; and any other student who is in need of mental health support services: And provided further, That the secretary for aging and disability services shall appoint a mental health intervention team program manager and, within the limits of appropriations therefor, such additional staff as necessary to support such manager: And provided further, That the above agency shall oversee and implement the mental health intervention team program in accordance with the requirements of this proviso and the policies and procedures established by the above agency pursuant to this proviso: And provided further, That during fiscal year 2025, the board of education of a school district may apply to the above agency to establish or maintain a mental health intervention team program within such school district: And provided further, That the application shall be in such form and manner as the above agency requires and submitted at a time determined and specified by such agency: And provided further, That each application submitted by a school district shall specify the mental health intervention team provider that the school intends to coordinate with to provide school-based services to students who need assistance during the applicable school year: And provided further, That the school district shall provide notice to the mental health intervention team provider as soon as they are able of their intent to partner for the following school year: And provided further, That the above agency shall establish an application review committee that shall include representatives from mental health intervention team providers and the department of education: And provided further, That if a school district and mental health intervention team provider are approved to establish or maintain a mental health intervention team program, the school district shall enter into a memorandum of understanding with a partnering mental health intervention team provider: And provided further, That if the school district chooses to partner with more than one mental health intervention team provider, the school district shall enter into a separate memorandum of understanding with each such mental health intervention team provider: And provided further, That the above agency may establish requirements for a memorandum of understanding, including contractual provisions that are required to be included in each memorandum of understanding and that are optional and subject to agreement between the school district and the mental health intervention team provider: And provided further, That each memorandum of understanding shall be submitted to the above agency for final approval: And provided further, That the above agency may authorize another category of provider other than a mental health intervention team provider to serve as a partnering provider under the mental health intervention team program pursuant to this proviso: And provided further, That such category of provider shall provide the required services and otherwise meet the requirements of a partnering mental health intervention team provider under this proviso: And provided further, That if the above agency authorizes another category of provider other than a mental health intervention team provider, such agency shall provide notification of this decision to the mental health intervention team provider that provides services in that county: And



provided further, That, subject to appropriations therefor, a school district and mental health intervention team provider that have been approved by the above agency to establish or maintain a mental health intervention team program shall be eligible to receive a mental health intervention team program grant and a mental health intervention team provider pass-through grant: Provided, however, That the amount of a school district's mental health intervention team program grant shall be determined in each school year by calculating the total amount of the salary and fringe benefits paid by the school district to each school liaison: And provided further, That the amount of a school district's mental health intervention team provider pass-through grant shall be an amount equal to 50% of the amount of the school district's mental health intervention team grant: And provided further, That moneys provided to a school district for the mental health intervention team provider pass-through grant shall be paid to any mental health intervention team provider that partners with the school district: And provided further, That if the amount of appropriations are insufficient to pay in full the amount of all grants school districts are entitled to receive for the school year, the above agency shall prorate the amount appropriated among all districts: And provided further, That the above agency shall be responsible for the allocation and distribution of grants in accordance with appropriation acts: And provided further, That the above agency may make grant payments in installments and may provide for payments in advance or by way of reimbursement and may make any necessary adjustments for any overpayment to a school district: And provided further, That the above agency shall not award any grant to a school district unless such district has entered into a memorandum of understanding with a partnering mental health intervention team provider in accordance with this proviso: And provided further, That any remaining appropriations that were not allocated to the mental health intervention team program shall provide funding in the form of grants from the above agency to the association of mental health intervention team providers of Kansas to fund training for school districts participating in the mental health intervention team program pursuant to this proviso: And provided further, That the above agency shall seek advice from mental health intervention team providers prior to awarding any grant under this subsection: And provided further, That the above agency may waive the requirement that a school district employ a school liaison and may instead authorize a mental health intervention team provider that partners with the school district to employ a school liaison: And provided further, That such waiver shall only be granted by the above agency in limited circumstances: And provided further, That a school district that is granted a waiver pursuant to this proviso shall continue to be eligible to receive the mental health intervention team program grant and the mental health intervention team provider pass-through grant authorized pursuant to this proviso: And provided further, That the amount of the mental health intervention team program grant shall be determined in the same manner as provided under this proviso as though the school liaison was employed by such school district: And provided further, That upon receipt of any moneys awarded pursuant to the mental health intervention team program grant to any such school district, the school district shall direct payment of such amount to the mental health intervention team provider that employs the school liaison: And

provided further, That on or before January 13, 2025, the above agency shall prepare and submit a report on the mental health intervention team program for the preceding school year to the house of representatives standing committees on appropriations, social services budget and health and human services, or their successor committees, and the senate standing committees on ways and means, ways and means subcommittee on human services and public health and welfare, or their successor committees: And provided further, That such report shall provide a summary of the program, including, but not limited to, the school districts that applied to participate or continued participating under the program, the mental health intervention team providers, the grant amount each such school district received and the payments made by school districts from the mental health intervention team program fund of each school district: And provided further, That the staff required for the establishment and maintenance of a mental health intervention team program shall include a combination of one or more behavioral health liaisons employed by the school district and one or more case managers and therapists licensed by the behavioral sciences regulatory board who are employed by the partnering mental health intervention team provider: And provided further, That all staff working together under a school district's program shall be known as the mental health intervention team of the school district: And provided further, That the school district and the mental health intervention team provider shall cooperate and work together to identify needs specific to the students in the school district, and the families of such students and shall develop an action plan to implement a school-based program that is tailored to such needs: And provided further, That a school district that participates in the program shall employ one or more school liaisons who will help students in need and coordinate services between the school district, the student, the student's family and the mental health intervention team provider: And provided further, That a school liaison shall have a bachelor's degree in any field of study: And provided further, That a school liaison's roles and responsibilities include, but are not limited to: Identifying appropriate student referrals for the team to engage with; act as a liaison between the school district and the mental health intervention team provider and be the primary point of contact for communications between the school district and the mental health intervention team provider; assist with mental health intervention team provider staff understanding of the school district's system and procedures including the school calendar, professional development, drills and crisis plan protocols; triage prospective student referrals and help decide how to prioritize interventions; help the mental health intervention team provider and other school personnel understand the roles and responsibilities of the mental health intervention team; facilitate communications and connections between families of identified students and the mental health intervention team provider's staff; coordinate a student's treatment schedule with building administrators and classroom teachers, to optimize clinical therapist's productivity; troubleshoot problems that arise and work with the mental health intervention team provider to resolve such problems; track and compile outcomes to monitor the effectiveness of the program; maintain and update the department of education mental health intervention team database as directed by the above agency and required by this section; follow up with child welfare contacts if a

student has moved schools to get the child's educational history; be an active part of the school intervention team and relay information back to mental health intervention team provider staff, including student observations, intervention feedback from teachers, communications with family and other relevant information; work with school administration to identify and provide confidential space for a mental health intervention team provider therapist; assist in planning continuity of care through summer services; and submit an annual report to the above agency on how the liaison complied with the required roles and responsibilities: And provided further, That within the scope of employment by a school district, an individual employed as a school liaison shall primarily perform roles and responsibilities that are related to the school liaison position as described in this section: And provided further, That once the initial referral has been completed for a student, all relevant information shall be entered into the database within 14 calendar days: And provided further, That a mental health intervention team provider that partners with a school district shall employ one or more therapists licensed by the behavioral sciences regulatory board who will collaborate with the school district to assist students in need and provide services to such students under the program: And provided further, That a therapist's roles and responsibilities under the program include, but are not limited to: Assist the school liaison with the identification of appropriate student referrals to the program; triage student referrals with the school liaison to prioritize treatment interventions for identified students; work with the school liaison to connect with families or child welfare contacts to obtain consent to commence treatment; conduct a clinical assessment of the identified student and make appropriate treatment recommendations; engage with the student, family or child welfare contacts in clinical interventions as identified on the treatment plan and provide individual and family therapy; administer scales or tests to detect areas of concern with depression, anxiety, self-harm or other areas as identified; make referrals to other treatment modalities as appropriate; communicate educationally appropriate information to the school liaison, such as interventions and strategies for use by classroom and school staff; gather outcome data to monitor the effectiveness of the program; coordinate with the case manager to identify ways to support the student and family; provide therapy services as determined by the students' treatment plan; and maintain the treatment plan and necessary treatment protocols required by the mental health intervention team provider: And provided further, That a mental health intervention team provider that partners with a school district shall employ one or more case managers who will collaborate with the school district to assist students in need and to coordinate services under the program: And provided further, That a case manager's roles and responsibilities under the program include, but are not limited to: Work with the school liaison and clinical therapist to identify students and triage priorities for treatment; provide outreach to students, families and child welfare contacts to help engage in treatment; participate in the treatment planning process; communicate with the school liaison and other school district personnel about student needs, interventions and progress; help maintain communication between all entities, including the family, student, school, clinical therapist, child welfare contacts and the community; maintain the treatment plan and necessary treatment protocols required by the mental

health intervention team provider; make referrals to appropriate community resources; help reconnect students and families when they are not following through with the treatment process; help families negotiate barriers to treatment; and engage with the student in the classroom, the home or the community to help build skills wherever needed: And provided further, That each school district that receives moneys for the mental health intervention team program grant or the mental health intervention team provider pass-through grant awarded pursuant to this proviso shall credit the moneys to a mental health intervention team program fund created by such school district: And provided further, That moneys in such fund shall be used by a school district to: Pay for the expenditures that are attributable to the salary and fringe benefits of any school liaison employed by the school district pursuant to the mental health intervention team program; and provide payment to each partnering mental health intervention team provider in an amount equal to the mental health intervention team provider pass-through grant received by the school district: And provided further, That the school district shall keep separate accounting records for the school liaison expenditures and the pass-through grants to mental health intervention team providers: And provided further, That the above agency shall publish on its website an aggregated report of outcomes achieved, numbers served and associated information by the mental health intervention team program: And provided further, That the above agency shall establish a hotline that individuals receiving services from the mental health intervention team program may access outside of the hours that such individuals are receiving services: And provided further, That such hotline shall be established for the purposes of providing information sharing and communications regarding crisis coordination and emergency response services: And provided further, That as used in this proviso: (1) "Mental health intervention team provider" means a center organized pursuant to article 40 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, a mental health clinic organized pursuant to article 2 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, or a federally qualified health center as defined by section 1905(l)(2)(B) of the federal social security act: And provided further, That "mental health intervention team provider" includes other provider categories as authorized by the above agency to serve as a partnering provider under the mental health intervention team program pursuant to this proviso: And provided further, That a provider under this proviso shall provide services, including: Support for students available 24 hours a day, seven days a week; person-centered treatment planning; and outpatient mental health services; and (2) "school district" means a school district as defined in K.S.A. 72-5132, and amendments thereto, or "qualified school" as defined in K.S.A. 72-4352, and amendments thereto.

The Mental Health Intervention Team Pilot Program must be codified into statute. By continuing to administer this program through budget proviso, we limit the impact it can have on the health and well-being of Kansas students. While I appreciate the Legislature's work to allow various mental health providers to participate in the program, other changes to this program threaten the availability of services to students who currently have access to them in our public schools. This

proviso would change the contours of the program by requiring school districts to cover 50% of the costs. Under the current program, districts must provide a 25% match to the grant they receive from the state. School districts utilizing the pilot program have stated that the changes contained in this proviso will require them to scale back or end their participation, creating the possibility that students who are currently receiving services will lose access to this program. Additionally, this proviso opens the program to additional school districts and private schools without providing any additional funds to accommodate their entrance into the program. This will create an untenable situation where the Kansas Department of Aging and Disability Services will be forced to choose which districts can participate, given the limited funding. If we want to end this pilot program and open it up to all districts, we cannot do so without providing adequate funding to allow for universal participation. The Legislature should work next session to codify this program into statute and provide enough funding for all interested public school districts to participate.

**Kansas Department for Aging and Disability Services—Limiting Provider Input for Behavioral Health Services**

Sec. 83(w) has been line-item vetoed in its entirety.

The convening of workgroups may sometimes be imperative for decision-makers to fully understand the risks and benefits of any new program. However, opening Medicaid rehabilitation codes for other provider types does not require this step, as it will only lead to more provider options for Kansans in need—which is a positive. This proviso appears harmless, but it is another attempt at limiting the types of entities that can provide behavioral health services in Kansas.

**Kansas Department for Aging and Disability Services—Changes to Targeted Case Management**

Sec. 83(aa) has been line-item vetoed in its entirety.

The funding restriction in this proviso would hinder the Kansas Department for Aging and Disability Services from creating any improvements to targeted case management services for the Intellectual and Developmental Disabilities (I/DD) waiver. Further, it would invite unintended consequences such as impeding the approval of the Community Supports waiver by the federal government, which is a critical step in addressing the waitlist for services on the I/DD waiver.

**Kansas Department for Aging and Disability Services—Physical Disability and I/DD Waiver**

Sec. 83 (dd) and Sec. 83(ee) have been line-item vetoed in their entirety.

I agree that the growing waitlists for the Intellectual and Developmental Disability (I/DD) and Physical Disability (PD) waivers are alarming and require an immediate solution so that the most

vulnerable Kansans may access the services they need to live life to their full potential. However, the well-intentioned proposed statutory caps in these provisos would lead to unintended consequences for the very people it was meant to serve. By instituting a cap on the number on the waitlists, the agency will be unable to maintain reserve capacity intended for specialty populations such as children coming into DCF custody, Home and Community Based Service (HCBS) institutional transitions, and crisis emergency exemptions. I do not believe the Legislature intends to eliminate these avenues of entry for the PD or I/DD waivers.

In addition, continually adding slots to these waivers haphazardly or thoughtlessly capping the waitlist number will not be sufficient or sustainable unless provider capacity is also addressed. This is why I proposed an additional 500 slots for the I/DD and PD waivers in the budget because it is plausible, given our state's current provider capabilities. As decision-makers, it is imperative that we craft solutions that balance the needs of the waiver participants while considering the limitations of our current workforce.

### **Department for Children and Families—Competitive Grant Funding**

The portion of Sec. 86(a) that reads as follows has been line-item vetoed.

Provided further, That expenditures shall be made from the youth services aid and assistance account in an amount of not to exceed \$250,000 for funding for keys for networking, inc., to provide the iGRAD program for use among Kansas foster care children: And provided further, That the above agency and keys for networking, inc., shall submit a status report to the senate committee on ways and means human services subcommittee and the house of representatives social services budget committee prior to January 31, 2025, detailing the iGRAD program's use among Kansas foster care children.

While I support creating more resources available to children in foster care, the funding in this section of the proviso is allocated towards one specific entity. By doing so, the Legislature is creating an uneven playing field for those interested in providing services, supports, and capabilities for children in need of care. This funding opportunity should be available to all potential providers through a competitive bidding process.

### **Department for Children and Families—Impermissible Use of TANF funds**

The portion of Sec. 86(b) that reads as follows has been line-item vetoed:

Provided further, That expenditures shall be made by the above agency for fiscal year 2025 from the temporary assistance to needy families – federal fund for a matching funds grant with a charitable organization exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code to provide toiletry kits for public elementary or secondary schools in an amount not to exceed \$1,800,000.

While well-intentioned, the initiative outlined in this proviso is not a permissible use of federal funds from the Temporary Assistance for Needy Families (TANF) program. I encourage the

Legislature to work with the agency to identify a more appropriate avenue to fund this initiative through existing resources.

**Kansas State University—Jet**

The portion of Sec. 100(a) that reads as follows has been line-item vetoed:

Kansas state university college of aviation jet.....\$1,200,000

Provided further, That expenditures shall be made from this account for fiscal year 2025 for the shared lease or ownership, insurance, maintenance and operations of a jet-type aircraft for student training purposes.

This item was not requested by the Kansas Board of Regents and did not go through the normal vetting process. While the intent of this proposal is admirable, covering the student cost of a university purchase, it should've gone through the regular funding process to ensure that the purchase is appropriate and will serve the university's goals of providing its students additional educational opportunities.

**Kansas State University—Central Immersive Training Hub**

The portion of Sec. 100(a) that reads as follows has been line-item vetoed:

Central immersive training hub.....\$3,950,000

Provided, That all expenditures shall be made by the above agency from the central immersive training hub account for the central immersive training hub at the Kansas State University Salina campus

This item was requested by the Kansas Board of Regents at a funding level of \$2 million. It is unclear why the Legislature chose to double the funding for this initiative. I encourage the Legislature and the university to work together to determine the appropriate funding amount for this program and return with a new plan.

**Emporia State University—Emporia State Model Investment Account**

The portion of Sec. 106(a) that reads as follows has been line-item vetoed:

Emporia state model investment account (379-00-1000-0400).....\$9,000,000

The budget makes a historic investment in higher education and Emporia State University (ESU). In last year's budget, I approved initial funding for ESU's model investment. In this year's budget, I am approving regional stabilization funding that will increase support for all our regional universities. Funding for this line-item was not requested by Emporia State University and was not included in the budget request presented by the Kansas Board of Regents.

**University of Kansas Medical Center—Residency Funding**

The portion of Sec. 112(a) that reads as follows has been line-item vetoed:

KUMC Wichita residency program.....\$750,000

Provided, That expenditures shall be made by the above agency from such account to the department of family and community medicine of the university of Kansas school of medicine Wichita, for use in the Smoky Hill family medicine residency program, Wesley family medicine residency program and Ascension Via Christi family medicine residency program.

Programs like this one that create a workforce pipeline to keep physicians in Kansas are important. However, this proposal was not considered through the normal vetting process and was not requested by the Kansas Board of Regents, which are important considerations when evaluating funding that is likely to establish an expectation of ongoing support. Further study should be done to ensure this funding is appropriate and will have sufficient statewide impact.

**Kansas Board of Regents—Osteopathic Service Scholarship**

The portion of Sec. 116(a) that reads as follows has been line-item vetoed:

Osteopathic service scholarship.....\$2,200,000

This funding was not requested by the Kansas Board of Regents nor considered alongside their other budget requests. Further review should be done to ensure that scholarships are also provided for students pursuing careers that encompass other professions within the medical field.

**Kansas Board of Regents—Kansas Promise Scholarship and Kansas Comprehensive Grant**

Sec. 116(h) has been line-item vetoed in its entirety.

Changes to the eligibility and usage of these scholarship opportunities should be enacted through the normal legislative process, not through a last-minute budget proviso that never received a formal hearing by any legislative committee. I am also concerned about the precedent that would be set by providing state funding to for-profit private institutions that are not accountable to the state or taxpayers.

**Adjutant General’s Department—Shooting Team Grants**

The portion of Sec.121(a) that reads as follows has been line-item vetoed:

Shooting team grants.....\$50,000

Provided, That expenditures shall be made from the shooting team grants account for the adjutant general to provide grants to shooting teams from the Kansas air national guard or the Kansas army national guard for ammunition, equipment and travel expenses for marksmanship matches: Provided further, That an eligible team shall have participated in: (1) The 2024 adjutant general's combat marksmanship match; and (2) a national guard marksmanship regional or national competition: And provided further, That upon



application from eligible teams, at least one grant shall be awarded to a Kansas air national guard team and at least one grant shall be awarded to a Kansas army national guard team: Provided, however, That, if no team from one branch of the Kansas national guard meets the requirements of this proviso, the adjutant general may award all grants to teams from the other branch of Kansas national guard that meet such requirements: And provided, however, That the adjutant general shall not award a single team all moneys in the shooting team grants account.

This funding was not requested by the Adjutant General nor considered alongside the agency's other budget requests. While this funding request may represent a need for the agency, it should be considered through the regular process along with the agency's other requests rather than added to the budget without the Adjutant General's input.

**Kansas Highway Patrol—Salina Campus Reconfiguration**

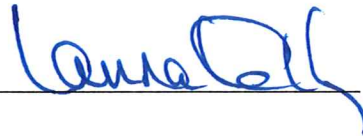
Sec. 124 has been line-item vetoed in its entirety.

This funding will divide the operations of the Kansas Highway Patrol (KHP) across two separate campuses in Salina. We need to invest in KHP's Salina operations to provide a better environment for law enforcement recruitment and training and to improve KHP's central dispatch facilities—vital elements of our state's public safety infrastructure. This proposal was not brought forward by the agency or considered through the normal agency budget process.

If it is the Legislature's intent to move elements of KHP's operation off its current campus, a more comprehensive study must be conducted to ensure that we are investing these funds in a responsible manner that is part of a larger strategic plan. I am concerned that moving some functions off the current KHP campus and retaining others will harm law enforcement readiness and incur a greater cost to the state down the line.

THE GOVERNOR'S OFFICE

BY THE GOVERNOR



DATED

