

KANSAS REGISTER

State of Kansas

JACK H. BRIER
Secretary of State

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State of Kansas

KANSAS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF GRANT REVIEW COMMITTEE MEETING

The Kansas Planning Council on Developmental Disabilities will hold a Grant Review Committee Meeting on Thursday, June 3, 1982, Statehouse, Room 529, at 1:00 p.m.

JOHN CONWAY
Executive Secretary

Doc. No. 000341

State of Kansas

KANSAS DEPARTMENT OF HUMAN RESOURCES

MODIFICATION TO FY 82 ANNUAL PLAN OF KANSAS CETA BALANCE-OF-STATE PRIME SPONSOR

An application has been made for a modification to the FY 82 Annual Plan of the Kansas CETA Balance-of-State Prime Sponsor to include the Summer Youth Employment Program (SYEP). The SYEP will become activated on June 7, 1982, and will provide summer employment for 2,905 Kansas youth in the 14-21 year old age range.

TITLE IV

SUMMER YOUTH EMPLOYMENT PROGRAM Comprehensive Employment & Training Program

An administrative cost pool in the amount of \$335,921 has been established to cover SYEP costs.

Total Enrollments	2,905
Segments to be Served	
Male	1,526
Female	1,379
19 & Under	2,752

20-21	153
White (N.H.)	2,181
Black (N.H.)	491
Hispanic	141
AI & AN	51
A & PI	41

Program Expenditures

Wages	\$2,266,879
Benefits	\$ 219,924
Services	\$ 536,489
TOTAL	\$3,023,292

The Master and Annual Plan Narratives and Performance Comparisons through any recent quarter are available, for review and comment, between the hours of 8:00 AM and 5:00 PM, Monday through Friday, at the CETA Office, 401 Topeka Avenue, Topeka, Kansas 66603, (913) 296-3031.

Subsequent modifications of this plan will not be subject to notification. However, interest groups, organizations or individuals, may notify this Prime Sponsor of any desire to review any subsequent modifications during the Grant Year.

Any comments may be sent to Richard Miskimins, Regional Administrator, Room 800, Employment and Training Administration, 911 Walnut, Kansas City, MO 64106.

RICHARD F. HERNANDEZ
Director, CETA B-O-S

Doc. No. 000340

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JACK H. BRIER
Secretary of State
State Capitol
Topeka, Kansas 66612

PHONE: 913/296-2236

Carol A. Bell
Publications Director

State of Kansas**ATTORNEY GENERAL****OPINION NO. 82-102**

Cities and Municipalities—Cemeteries—Power of City to Acquire Cemetery and Adjoining Land. Tom Burgardt, City Attorney, Garden City, May 6, 1982.

Pursuant to K.S.A. 12-1401, a city is empowered to establish or acquire cemeteries for public use, either through purchase or eminent domain. K.S.A. 1981 Supp. 12-1406, which sets a consideration figure of one dollar for the purchase of unsold cemetery land by a city, is part of an act applicable to second and third class cities, and so is not applicable to Garden City, Kansas. Even in the absence of empowering statutes, a city possesses the authority (under the home rule amendment to the Kansas Constitution) to purchase land adjoining a cemetery which is not being used for cemetery purposes. Cited herein: K.S.A. 12-1401, 12-1402, K.S.A. 1981 Supp. 12-1405, 12-1406, 12-1407, 12-1441, K.S.A. 13-14c01, 17-1313, 17-1367, Kansas Constitution, Article 12, Section 5. JSS.

OPINION NO. 82-103

Counties and County Officers—Fire Protection—County Fire Districts; Inclusion of Township Fire District Territory. Calvin K. Williams, Osage County Attorney, Lyndon, May 12, 1982.

Territory which is presently included in a township fire district may be detached from said district and included in a fire district organized by the county. Such action must be taken using the procedures of K.S.A. 19-3611, which procedures include the submission of a petition, the sufficiency of which is determined by the township board. Such a change is effective on the following first day of January. Cited herein: K.S.A. 19-3611, 80-1540, 80-1545, 80-1546. JSS.

ROBERT T. STEPHAN
Attorney General

Doc. No. 000345

State of Kansas**DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES****OPEN MEETING NOTICE AND NOTICE TO ALL PERSONS HAVING AN INTEREST IN THE ADMINISTRATIVE REGULATIONS PROMULGATED BY THE SECRETARY OF SOCIAL AND REHABILITATION SERVICES**

Notice is hereby given to all interested parties that the Department of Social and Rehabilitation Services will hold an Open Meeting on June 8, 1982, at 9:00 a.m., in the Staff Development Training Center, Topeka State Hospital.

The scheduled agenda for the Open Meeting includes:

- Continued review of 1982 legislative changes.
- Public hearing on the following block grant programs: Social Services block grant, Energy Assist-

ance block grant and the Alcohol Abuse, Drug Abuse and Mental Health block grant.

—Notice of statewide SRS Public Education Forums on Youth Services Reorganization and Juvenile Code.

—Public hearing concerning the adoption on a temporary basis of certain proposed administrative regulations (to become effective July 1, 1982). A summary (including fiscal impact) of the proposed regulations is set forth below.

1. 30-4-97. **Eligibility factors specific to the TA program.** This regulation is being amended to restrict the transportation provision to assist transients to the closer of their place of residence or the nearest major city of the adjoining state in the direction of the individual's residence.

Fiscal Impact: Minimal cost savings.

2. 30-4-123. **Special allowances for recipients of transient assistance.** This regulation is being amended to limit the amount of the TA allowance for necessary transportation to the closer of the recipient's place of residence or the nearest major city of the adjoining state in the direction of the individual's residence.

Fiscal Impact: Minimal cost savings.

A copy of the proposed regulations may be obtained prior to the above mentioned hearing by contacting Mrs. Mary Slaybaugh, Legal Division, State Department of Social and Rehabilitation Services, 6th Floor, State Office Building, Topeka, Kansas 66612, (913) 296-3969. Written comments submitted prior to the hearing should be forwarded to Dr. Harder, Secretary of Social and Rehabilitation Services, 6th Floor, State Office Building, Topeka, Kansas 66612.

Interested persons will be given reasonable opportunity at the hearing to present their views and arguments on the adoption of the proposed regulations. Presentations should be in writing whenever possible. Depending on the number of persons wanting to speak, the department may require that each participant limit his or her oral presentation to no more than three (3) minutes.

—Adoption of proposed temporary administrative regulations.

The public is invited to this meeting. Telephone hook-ups are provided at the following locations of Social and Rehabilitation Services offices: Chanute, Emporia, Garden City, Hays, Hutchinson, Junction City, Kansas City, Lawrence, Olathe, Ottawa, Parsons, Pittsburg, Pratt, Salina, Topeka (Area Office and State Office Building), Wichita, and Winfield.

ROBERT C. HARDER
SECRETARY

SOCIAL AND REHABILITATION SERVICES

Doc. No. 000342

State of Kansas

KANSAS PUBLIC DISCLOSURE COMMISSION

Notice of Commission Meeting

The Kansas Public Disclosure Commission will hold its monthly meeting on Friday, May 21, 1982, 109 West 9th, Topeka, Kansas, Room 504, at 10:00 a.m. For a copy of the meeting agenda call 913-296-4219.

CAROL E. WILLIAMS
Commission's Administrative Assistant

Doc. No. 000349

State of Kansas

SECRETARY OF STATE

NOTICE

The following bills were signed into law by the Governor, as of May 13, and transmitted to this office:

FINAL LIST

Senate Bills

Table listing Senate Bills with columns for bill numbers and their corresponding session numbers (e.g., 2, 508, 562, 622, 718, 773, 853).

House Bills

Table listing House Bills with columns for bill numbers and their corresponding session numbers (e.g., 2139, 2654, 2724, 2810, 2930, 3026, 3106).

Large table listing bill numbers and session numbers in multiple columns (e.g., 2425, 2671, 2746, 2828, 2976, 3037, 3130).

* Signed with portions line-item vetoed.

The following bills have been vetoed by the Governor:

- Senate Bills: 205, 535, 561, 576, 615, 664, 784, 797.
House Bills: 2500, 2632, 2634, 2814, 2887, 2906, 3094, 3139.

The following resolutions have been adopted by the Legislature and transmitted to this office:

- Senate Concurrent Resolutions: 1633, 1644, 1647, 1649, 1650, 1651, 1657, 1659.
House Concurrent Resolutions: 5032, 5041, 5043, 5046, 5047, 5048, 5049, 5054, 5058, 5059, 5067.
House Resolutions: 6117, 6118, 6126, 6127, 6130, 6137, 6156, 6167.

Titles of the above bills and resolutions were listed in earlier editions of the Kansas Register, as they were introduced. Copies of enrolled (final) bills and resolutions are available from the Legislative Division of the Secretary of State's Office; State Capitol; Topeka 66612. Phone: 913/296-2236.

JACK H. BRIER
Secretary of State

State of Kansas**DEPARTMENT OF REVENUE****NOTICE TO ALL PERSONS HAVING AN INTEREST IN THE ADMINISTRATIVE REGULATIONS PROMULGATED BY THE SECRETARY OF REVENUE**

Notice is hereby given to all interested parties that on June 4, 1982, at 10:00 a.m., at the Department of Revenue Hearing Room, Second Floor, State Office Building, Topeka, Kansas, the Secretary of Revenue will hold a public hearing concerning the adoption on a temporary basis of a certain proposed administrative regulation to become effective on filing with the Revisor of Statutes. A summary, including fiscal impact, of the proposed regulation is set forth below.

92-11-4. Withholding and Estimated Tax Regulation. This regulation was established to implement K.S.A. 79-3297a by establishing the procedure and methodology for computing the Kansas rate of withholding. An analysis of the changes in federal withholding indicates the need to revise the regulation to better approximate the individual's estimated tax liability. Specifically, the only substantive change in the regulation is to modify each of the multipliers (of federal withholding) by 5%.

Fiscal Impact: None. The rate of withholding does not actually change the taxpayer's liability. It is believed these changes will better approximate the true tax liability, thereby reducing both the number and dollar amount of "refunds" as well as "balances dues". It will apply to salaries and wages paid July 1, 1982 and thereafter.

A copy of the proposed regulation may be obtained prior to the above mentioned hearing by contacting William Edds, Tax Policy Manager, Department of Revenue, Second Floor, State Office Building, Topeka, Kansas 66625, (913) 296-2893. Written comments submitted prior to the hearing should be forwarded to Michael Lennen, Secretary of Revenue, 2nd Floor, State Office Building, Topeka, Kansas 66625.

Interested persons will be given reasonable opportunity at the hearing to present their views and arguments on the adoption of the proposed regulation. Presentations should be in writing whenever possible.

MICHAEL LENNEN, Secretary of Revenue
Department of Revenue

Doc. No. 000348

State of Kansas**KANSAS STATE BOARD OF EDUCATION
NOTICE OF PUBLIC HEARING**

TO ALL TEACHERS, ADMINISTRATORS, BOARDS OF EDUCATION, TRUSTEES AND CONTROL, TEACHER TRAINING INSTITUTIONS, SCHOOL AND COMMUNITY COLLEGE DISTRICTS, AND ALL OTHER PERSONS WHOM IT MAY CONCERN:

You are hereby notified that the Kansas State Board of Education will hold a public hearing in the first

floor conference room of the Kansas State Board of Education, Kansas State Education Building, 120 East Tenth Street, Topeka, Kansas 66612, on the 8th day of June, 1982, beginning at 1:30 p.m. of said day to consider in substance the proposed changes in the Kansas State Plan for Special Education which is to become effective July 1, 1982, upon adoption by the state board and approval of the Governor and the proposed State Board Regulations (S.B.R.) of agency 91, numbered S.B.R. 91-1-65, 91-1-144 and 91-1-145 which said board proposes to adopt as soon thereafter as the same has been put in final order as temporary regulations to become effective July 9, 1982, and as permanent regulations to become regularly effective May 1, 1983.

1. The revised plan relates generally to the following: The Kansas State Plan for Special Education for fiscal year 1983 governs the development and continuation of special education programs in Kansas to assure that all exceptional children and youth in Kansas receive appropriate special education services. Major changes in the plan are: (a) revision of the State Approval of Special Education Programs section; (b) revision of the State Special Education Administration Evaluation Plan section; (c) revision of the Specific Learning Disabilities section; (d) revision of the Related Services section; and (e) revision of Physically and Other Health Impaired section, including the addition of a subsection on Autism. Minor revisions have been made in (a) the Cooperative Agreements section; (b) the Contractual Arrangements section; and (c) Federal Programs for Special Education.

2. The proposed rules and regulations relate generally to: certification of school personnel; and more particularly to: Amending S.B.R. 91-1-65, school nurse endorsement containing a substantive change allowing no differentiation between provisional and standard school nurse endorsement and making it possible to renew outside of a state board of education approved program. A 3-year school nurse endorsement shall be renewed for an additional 3 years if the applicant files with the State Board of Education verification by the district school administrator of the employing district that progress has been made on the educational plan based upon competencies identified in S.B.R. 91-1-111; revoking S.B.R. 91-1-66 that allowed for no differentiation between provisional and standard school nurse endorsement. Under S.B.R. 91-1-65, school nurse endorsement would be covered by one regulation. S.B.R. 91-1-144 is a new regulation proposed to provide standards for middle level teacher preparation programs at higher education institutions. The inclusion of these standards will allow students who complete an approved program to have their certificate coded at this level. This regulation provides an alternative to the provisions of S.B.R. 91-1-30. S.B.R. 91-1-145 is a new regulation that provides for the evaluating of credits from foreign institutions.

Fiscal Impact statement for the proposed amendment of S.B.R. 91-1-65, revocation of S.B.R. 91-1-66, the new 91-1-144 and 91-1-145 would not cause an increased financial impact on this agency, local school

(continued)

districts in Kansas, any other governmental agency, or units, or to private businesses.

Copies of this public hearing notice (along with the state board's public hearing procedures) are being mailed to all chief school administrators in the state and may be reviewed in their offices by interested persons. Copies of said notice are also being mailed to the clerks of local school boards for the attention of school board members. Copies of said plan, regulations and/or the respective fiscal statements may be obtained by contacting the secretary of the state board of education, Kansas State Education Building, 120 E. 10th Street, Topeka, Kansas 66612, prior to May 28, 1982.

On the date of said hearing all interested persons shall be given reasonable opportunity to be heard and to present their views or arguments, orally or in writing, on said plan and regulations. Individuals or organizations that cannot appear at the hearing may, prior to June 4, 1982, submit to the secretary of the state board of education their written reactions in favor of or in opposition to said plan and regulations, and any other matters, suggestions, or proposals that relate thereto, and such reactions will be read into the record and considered by the board. Said hearing shall be conducted in compliance with the public hearing procedures of the state board of education. Copies of the agency's proposed regulations summarized herein follow herewith.

91-1-65. School nurse provisional endorsement.

- (a) A school nurse provisional endorsement, valid for three (3) years, shall be issued to applicants who have:

- (1) A Kansas license as a registered professional nurse;
- (2) One (1) year of successful experience as a registered professional nurse, or a completed approved completion of a practicum in specialized school nursing; and
- (3) Filed, with the employing school district, an educational plan the completion of which will entitle the applicant to a full school nurse endorsement and based upon competencies identified in S.B.R. 91-1-111.

- (4) Submitted a copy of the educational plan to the state board.

- (b) Renewal requirements for the school nurse provisional endorsement.

- (1) A school nurse provisional endorsement shall be renewed for an additional three (3) years, if the applicant files with the state board of education:

- (A) An official transcript, from an accredited college or university, showing that the applicant has completed, during the past three (3) years, at least six (6) semester hours of credit in the field of school nursing and
Verification by the district school administrator of the employing

district that progress has been made on the educational plan, and

- (B) A recommendation for renewal from the district school administrator of the employing school district.

- (2) A school nurse provisional endorsement shall not be renewed more than two (2) times, except that persons who held a school nurse provision endorsement and who were employed by a school district during the 1977-78 school year, may renew their school nurse provisional endorsement a maximum of five (5) times.

The holder of a three (3) year school nurse endorsement shall be issued a five (5) year school nurse endorsement upon showing evidence of:

- (A) Completion of a program in school nursing approved by the state board of education, and

- (B) Recommendation for certification by the institution where the program was completed.

- (3) Subsequent renewal of a five (5) year endorsement shall require:

- (A) Completion of an educational plan, and

- (B) A recommendation for renewal from the district school administrator of the employing school district.

- (c) School nurse endorsement, provisional or standard, issued prior to May, 1982, shall be renewed under these amended provisions.

(Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; amended effective (temporary) July 9, 1982.)

91-1-66. School nurse endorsement.

(Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked July 9, 1982.)

91-1-144. Standards for middle level teacher preparation programs.

- (a) In addition to basic education requirements, middle level preparation shall include a systematic study of the social, psychological, and physical problems of early adolescents. The goal shall be to provide teachers with the necessary knowledge and skills to help students develop as confident, disciplined, emotionally healthy persons with healthy self-images. Attention to students' roles in living, working, and playing with others shall be included.
- (b) The program shall include a comprehensive study of the learner and the teaching-learning process, with special

(continued)

emphasis on the learning styles and patterns of early adolescents.

- (c) The program shall include a general study of the historical background and development of middle level education. This would include goals, functions, and objectives of schools serving early adolescents as well as a look at the various organizational arrangements, the reasons for these arrangements, and recent curriculum trends. There shall be emphasis on articulation with elementary and secondary curricula.
- (d) The program shall provide teachers with adequate understanding and techniques of the middle level teacher's role in guidance. Skills for developing constructive working relationships between the school and home shall be included.
- (e) The program shall prepare students in the methods of instructing early adolescents. The emphasis shall not be just on teaching field content, but also on the techniques of working with early adolescents. This shall include teaching basic methods of communications and intellectual skills, fostering student confidence, and encouraging self-sufficiency in students. Teacher preparation institutions shall provide faculty that are experienced and knowledgeable in middle level education.
- (f) The program shall provide preparation in the teaching of reading, attention being directed to the diagnosing of reading problems and initiating procedures which would improve reading efficiency in all areas of the curriculum.
- (g) The program shall include a planned sequence of early field experience including classroom observation, directed laboratory experiences, and teacher assistance. This planned sequence shall include a wide range of classroom settings.
- (h) A supervised practice teaching experience at the middle level shall be a requirement of the program. Care in the selection of the site and the cooperating teacher shall be taken to insure a quality middle level experience.

Experiences in a variety of classroom settings which may include self-contained, interdisciplinary, and departmentalized situations are recommended. The program shall be such that persons who have completed it shall have preparation to permit certification in two content areas. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) July 9, 1982.)

91-1-145. Evaluating credits from foreign institutions.

- (a) To receive a valid teaching certificate for

the State of Kansas all persons who have graduated from accredited institutions outside of the United States of America shall:

- (1) Complete the Kansas Application for Certification; including the total number of years teaching experience and the total number of college credits. The application shall be accomplished by the fee established by the state board, the amount of which is available from the Certification Section.
 - (2) Provide official copies of secondary (thirteenth year and/or A-level examination and higher) education transcripts (academic records), certificates, and diplomas. Material which is not written in English shall be translated into English by a translator, and the translator shall verify the accuracy of the translation.
 - (3) Provide evidence of holding an appropriate and legal document authorizing work in the United States of America.
- (b) All applicants shall meet the following requirements:
- (1) Possession of the equivalent of a four-year baccalaureate degree at an institution of higher education in the United States of America;
 - (2) Achievement of a mean grade average of 2.5 on a 4.0 grade scale or its equivalent;
 - (3) A passing score on an examination designated by the state board for all applicants whose primary language is not English. The examination shall have been taken within the past six years.
 - (4) Eligibility for teacher certification in the country in which higher education took place; and
 - (5) Possession of a parent institution recommendation.
- (c) If the applicant does not meet all of the above requirements he or she shall be given information regarding accredited teacher education programs at Kansas institutions of higher education. An applicant who meets substantially all the above requirements shall be notified of the appeal provision to the state board (S.B.R. 91-1-27h). (Authorized by Article 6, Section 2(a) of the Kansas Constitution, effective (temporary) July 9, 1982.)

KANSAS STATE BOARD OF EDUCATION

By: DR. FLOYD J. GRIMES
Chairman

Certified by: DR. MERLE R. BOLTON
Kansas Commissioner of Education

Doc. No. 000346

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES****NOTICE TO BIDDERS**

Sealed bids for items hereinafter listed will be received by James I. Tolbert, Director of Purchases, State Office Building, Topeka, Kansas, until 2:00 p.m., C.S.T., or D.S.T., whichever is in effect on the date indicated, and then will be publicly opened:

TUESDAY, JUNE 1, 1982

#25157

University of Kansas Medical Center, Kansas City—**CLINICAL ANALYZER REAGENTS**

#49112A

University of Kansas Medical Center, Kansas City—**WORD PROCESSING SYSTEM**

#49783

Kansas State University, Manhattan—**RECESSED TROFFERS**

#50197

University of Kansas, Lawrence—**CARPET, PAD AND INSTALLATION**

#50202

Department of Transportation, Hutchinson—**COMMERCIAL GRADE, BITUMINOUS MIXTURE**, for Oxford

#50203

Wichita State University, Wichita—**PERSONNEL CARRIER**

#50204

Kansas State Park and Resources Authority, Topeka—**USED ROAD PATROL**, for El Dorado State Park

#50205

Department of Revenue, Topeka—**TRAILER**, for East Tollgate of Turnpike I-70, Kansas City

#50206

Department of Transportation—**AIR HAMMER**, for Topeka and Salina

#50207

Department of Transportation—**BENCH GRINDER**, for Topeka and Garden City

#50208

Kansas State Penitentiary, Lansing—**5½ SACK READY MIX CONCRETE**

#50209

Department of Transportation—**CEMENT TYPE III**, for Kansas City and Topeka

#50210

Department of Transportation—**CONCRETE, MAGNESIUM PHOSPHATE "SET 45"**, for Topeka

#50216

Kansas School For The Visually Handicapped, Kansas City—**MICROCOMPUTER SYSTEM**

#50222

Kansas State University, Manhattan—**LABORATORY APPARATUS**

#50223

University of Kansas, Lawrence—**CRT TERMINALS**

#50224

Kansas State University, Manhattan—**FLOOR TILE**

#50233

Department of Transportation—**PRINTING OF KANSAS TRANSPORTATION MAP**, for Topeka

#50235

Kansas Correctional Industries, Lansing—**STEEL WIRE AND POSTS**

#50237

Kansas State University, Manhattan—**LABOR, MATERIAL FOR ROOF REPAIR**, Lafene Student Health

#50238

University of Kansas, Lawrence—**LABORATORY MINICOMPUTER**

#50258

Department of Transportation—**FIBERGLASS TANKS**, for Salina, Topeka, Hutchinson, Chanute, and Garden City

#A-4467 and #A-4471

Department of Human Resources—**FURNISH AND INSTALL NEW AIR CONDITIONING UNIT, CEILING, THERMAL INSULATION, LIGHT FIXTURES AND POWER POLES**, at the Job Service Center, Manhattan

WEDNESDAY, JUNE 2, 1982

#25154

University of Kansas Medical Center, Kansas City—**PUBLICATION OF MONTHLY NEWSLETTER—"TOPICS"**

#25160

University of Kansas, Lawrence—**IBM TYPEWRITER MAINTENANCE**

#49482A

University of Kansas Medical Center, Kansas City—**RECOVERY ROOM CARTS**

#49692

Department of Transportation, Hutchinson—**LOGGING TAPE RECORDER**, for Wichita

#50198

Kansas State University, Manhattan—**WORD PROCESSOR**

#50199

University of Kansas, Lawrence—**MAGNETIC MASS STORAGE**

#50212

Wichita State University, Wichita—**GENERATOR**

#50213

Department of Transportation—**CARBIDE BITS**, for Hutchinson

#50214

Kansas State University, Manhattan—**GRAIN BIN**

#50215

Kansas State University, Manhattan—**TRACTOR**

#50217

Kansas State University, Manhattan—**MOWER**

#50218

Department of Transportation—**MOWER**, for Hutchinson

#50225

Department of Revenue, Topeka—**LABOR, MATERIAL TO REMODEL MOTOR CARRIER INSURANCE STATIONS**, at I-70 McFarland Exit, Wabaunsee County

(continued)

#50226

Pittsburg State University, Pittsburg—OFFSET
PRINTER, COLLATOR AND STENCIL MAKER

#50227

Kansas State University, Manhattan—PLUMBING
MATERIALS

#50228

Wichita State University, Wichita—BROADCAST
RADIO EQUIPMENT

#50229

University of Kansas, Lawrence—DATA PROC-
ESSING EQUIPMENT

#50234

University of Kansas, Lawrence—RESEARCH MI-
CROSCOPE

#50236

Kansas State University, Manhattan—TERMINALS,
PRINTER, AND LOOP ADAPTERS

#50239

Kansas State Park and Resources Authority, To-
peka—TRAILER, for El Dorado State Park

#50251

University of Kansas, Lawrence—SELF-CON-
TAINED COOLING AND HEATING UNIT

#50252

Department of Transportation—BITUMINOUS
MATERIAL MIXER, for Norton, Chanute, Garden
City, Hutchinson, Salina, and Topeka

#50277

Kansas State University, Manhattan—PLANT
GROWTH CHAMBER

#50285

Wichita State University, Wichita—MATERIAL,
LABOR AND INSTALL CHAIN LINK FENCE

#50286

Kansas State Penitentiary, Lansing—WIRE FABRIC

#50287

Kansas State University, Manhattan—LABOR, MA-
TERIAL FOR ROOFING OF SEATON HALL AR-
CHITECTURAL LIBRARY

#50288

University of Kansas Medical Center, Kansas City—
MINICOMPUTER SYSTEM

#50289

Kansas State University, Manhattan—CONFER-
ENCE CHAIRS

#50290

University of Kansas, Lawrence—LOUNGE
CHAIRS

#50298

Kansas State University, Manhattan—SCHOOL
FURNITURE

#50299

University of Kansas, Lawrence—STEEL LIBRARY
SHELVING

#50300

Kansas State University, Manhattan—STEEL LI-
BRARY SHELVING

#A-4331

Kansas State Industrial Reformatory, Hutchinson—
NEW FLOOR TILE INSTALLATION, MIXING
AREA AND COOLER ROOMS

#A-4398

Department of Transportation—ROOF REPLACE-
MENT, DISTRICT OFFICE BUILDING, at Hutch-
inson

THURSDAY, JUNE 3, 1982

#50200

University of Kansas, Lawrence—DESK TOP
COMPUTER

#50201

Kansas State University, Manhattan—MINICOM-
PUTER AND ACCESSORIES

#50230

Wichita State University, Wichita—DISK DRIVE

#50240

Department of Transportation—ROLLER AND
TRAILER, for Topeka

#50241

Department of Transportation—MEDIUM DUTY
LINE STRIPING MACHINE, for Topeka

#50242

Department of Transportation—SELF-
PROPELLED ROLLER, for Topeka

#50243

Kansas State Penitentiary, Lansing—TWO-WAY
RADIO EQUIPMENT

#50244

Department of Transportation—FORK LIFT, for
Chanute

#50245

Department of Transportation—TRACTOR
MOWERS, for Topeka, Salina, Norton, and Hutchin-
son

#50246

Department of Transportation—POTHOLE
PATCHERS, for Garden City, Hutchinson and To-
peka

#50247

Department of Transportation—MOTOR GRADER
BLADE EXTENSIONS, for Norton

#50248

Kansas State University, Manhattan—WORD PROC-
ESSOR

#50249

Department of Transportation—PERSONNEL
CLASSIFICATION STUDY, Topeka

#50253

Department of Transportation—Oscilloscope, for
Chanute

#50254

Department of Social and Rehabilitation Services—
Ice Machines, for Topeka and Wichita

#50255

University of Kansas, Lawrence—LABOR, MATE-
RIAL FOR ROOFING OF STOUFFER BUILDINGS
12, 13, 14

#50259

University of Kansas, Lawrence—pH METERS

#50260

Department of Health and Environment, Topeka—
BREATH ALCOHOL INSTRUMENTATION

#50261

Kansas State University, Manhattan—SPRAYER, for
Hutchinson

(continued)

- #50269
Wichita State University, Wichita—MISCELLANEOUS PHYSICAL THERAPY EQUIPMENT
- #50270
Department of Social and Rehabilitation Services, Topeka—MICRO BRAILLER
- #50271
Kansas State University, Manhattan—STAINLESS STEEL FIXTURES
- #50272
Department of Transportation—COMMUNICATIONS SERVICE MONITORS, for Salina, and Hutchinson
- #50278
Department of Transportation—FERTILIZER, for Norton
- #50279
Department of Transportation—SEED, for Norton
- #50280
Wichita State University, Wichita—SATELLITE TELEVISION SYSTEM
- #50292
Department of Transportation—WOOD SIGN POSTS, for Topeka
- #50293
University of Kansas, Lawrence—MICROFILM READER PRINTER
- #50294
Department of Education, Topeka—MICROFILM READER PRINTER
- #50295
University of Kansas, Lawrence—MICROFILM AND MICROFICHE FILES
- #50296
Kansas State Penitentiary, Lansing—READY MIX CONCRETE
- #50301
University of Kansas, Lawrence—LIBRARY TABLES
- #50302
Kansas State University, Manhattan—PLAIN PAPER COPIER
- #50303
Department of Transportation—PLANT MIX BITUMINOUS MIXTURE, COMMERCIAL GRADE, for Anderson and Neosho Counties
- #50304
Department of Transportation—MRA-A AGGREGATE (District 6 only), Downs
- #50305
Department of Transportation—DOORS, FRAMES AND HARDWARE, for Chanute
- #50306
University of Kansas Medical Center, Kansas City—HPLC COMPONENTS
- #50307
Kansas State University, Manhattan—CENTRIFUGE ROTOR
- #50315
University of Kansas Medical Center, Kansas City—DENSITOMETER
- #50326
Department of Transportation—SHOP CRANES, for Chanute, Garden City, Hutchinson, and Norton
- #50343
Department of Economic Development, Topeka—INDUSTRIAL DEVELOPMENT MANUAL
#A-4336
University of Kansas, Lawrence—SMOKE DETECTOR, FIRE ALARM AND EMERGENCY LIGHTING SYSTEMS, at Bailey Hall
#A-4372, A-4373 and A-4384 thru A-4388
Department of Transportation—INSULATE CEILING AND INSTALL INSULATED PANELING AND STORM WINDOWS AND DOORS, at Various Locations, District 1
#A-4394
Department of Transportation—REROOFING AREA SHOP BUILDING, at Ellsworth, Kansas
#A-4468
Department of Human Resources—REPLACE AIR CONDITIONING UNIT, UPDATE CONTROLS AND BALANCE SYSTEM, at Job Service Center Facility, Salina
#A-4469
Department of Human Resources—REPLACE EXISTING AIR CONDITIONING UNIT, at Job Service Center, Coffeyville
- FRIDAY, JUNE 4, 1982
- #25158
Kansas State University, Manhattan—ELEVATOR MAINTENANCE (VETERINARY MEDICAL CENTER)
- #25159
Emporia State University, Emporia—REFUSE COLLECTION SERVICE
- #25170
Kansas State Highway Patrol, Topeka—JANITORIAL SERVICES
- #49731A
Department of Transportation—TRUCK MOUNTED DERRICK, for Topeka
- #50219
Kansas State University, Manhattan—MICROPROCESSOR SYSTEM
- #50220
Department of Social and Rehabilitation Services, Topeka—WETMOP YARN, for Jamestown
- #50231
Wichita State University, Wichita—COMPUTER UPGRADE
- #50232
Kansas State University, Manhattan—TERMINALS AND MODEMS
- #50250
Wichita State University, Wichita—DATA SWITCHES
- #50262
Department of Transportation—WEED SPRAYER, for Salina
- #50263
Kansas Technical Institute, Salina—AIRPLANE REPAIR PARTS
- #50264
Department of Transportation—SLURRY MACHINE, for Norton

(continued)

#50265

Department of Transportation—BENCH GRINDERS, for Chanute, Topeka, Hutchinson, Norton, and Garden City

#50266

Kansas State Penitentiary, Lansing—SHOP MACHINERY

#50267

Department of Transportation—TRACTOR-MOWER, for Topeka

#50268

Department of Transportation—TRACTOR-MOWER, for Salina, Hutchinson, Chanute, and Topeka

#50273

Department of Transportation—PIPE WRENCHES, for Hutchinson, Norton, Salina, Topeka, and Garden City

#50274

University of Kansas, Lawrence—ALUMINUM STORM DOORS

#50275

Kansas State Penitentiary, Lansing—BUILDING MATERIALS

#50276

Adjutant Generals Department, Topeka—APPLICATION OF HI VAR XL ON MAIN FIRE BREAKS, Salina

#50281

Kansas State Penitentiary, Lansing—BUILDING MATERIALS

#50282

Kansas State Penitentiary, Lansing—COLD METHOD APPLICATION TAR

#50283

Kansas State University, Manhattan—GERMANIUM DETECTOR

#50284

Kansas State University, Manhattan—LABORATORY APPARATUS

#50297

Department of Transportation—STEEL POSTS, for Topeka

#50308

Kansas State University, Manhattan—LABORATORY SHAKER

#50309

Kansas State University, Manhattan—LABORATORY APPARATUS, Hays Experiment Station

#50310

Department of Transportation—TYPE I OR TYPE II, READY MIX CONCRETE, Geary County

#50311

Kansas Bureau of Investigation, Topeka—PRINTER, TERMINAL AND SOFTWARE

#50312

Department of Transportation—CARBIDE BITS, for Topeka

#50314

Department of Transportation—GASOLINE PUMP, for Topeka, Salina, Chanute, Hutchinson, and Garden City

#50327

Kansas State University, Manhattan—REROOFING OF PRESIDENT'S RESIDENCE

#50335

Kansas Correctional Industries, Lansing—COBALT NAPHTHENATE DRIER

#50336

Department of Transportation—ASPHALT RUBBER SEALING COMPOUND, for Topeka

#A-4363

Wichita State University, Wichita—REPAIRS TO CAMPUS WALKS

#A-4393

Department of Transportation—REROOFING OF AREA SHOP BUILDING, at Topeka

MONDAY, JUNE 7, 1982

#25163

Youth Center at Beloit, Beloit—LAUNDRY SERVICE

#25164

University of Kansas Medical Center, Kansas City—FLOOR COVERING MATERIALS

#50221

Department of Administration (Division of Information Systems & Computing), Topeka—TERMINALS, PRINTERS, AND CONTROLLERS

#50256

Department of Transportation—WHEEL LOADERS, for Topeka, Norton, Hutchinson, Garden City

TUESDAY, JUNE 8, 1982

#50257

Wichita State University, Wichita—MICROCOMPUTER SYSTEM

#50313

Department of Administration (Division of Printing), Topeka—SALE OF: SCRAP PRINTING SUPPLIES

#A-4361 (Revised)

Wichita State University, Wichita—REPAIRS TO CAMPUS STREETS

#A-4397

Department of Transportation—ROOF REPLACEMENT, DISTRICT SHOP BUILDING, at Hutchinson

#A-4447

Pittsburg State University, Pittsburg—ROOF REPLACEMENT, STUDENT UNION BUILDING

FRIDAY, JULY 9, 1982

#25162

Department of Administration (Division of Printing), Topeka—PRINTING INK

JAMES I. TOLBERT
Director of Purchases

Doc. No. 000344

(Published in the KANSAS REGISTER, May 20, 1982.)

**NOTICE OF CALL
OF OUTSTANDING CITY OF
CHANUTE, KANSAS
MUNICIPAL INDUSTRIAL BUILDING
REVENUE BONDS
SERIES 1966 (SCREW CONVEYOR MID STATES
CORPORATION, INC.)
DATED DECEMBER 1, 1966**

Notice is hereby given that as provided by Section 2 of Ordinance No. 1688 of The City of Chanute, Kansas, the following outstanding City of Chanute, Kansas, Municipal Industrial Building Revenue Bonds, Series 1966 (Screw Conveyor Mid States Corporation, Inc.) dated December 1, 1966, are hereby called and will be redeemed, subject to funds therefor being made available to and deposited with Commerce Bank of Kansas City N.A., Trustee, as of June 1, 1982:

Bond Numbers	Amount of Each Bond	Interest	Premium Each Bond	Maturity
91- 96	\$1,000.00	4¾%	\$10.00	12-1-82
97-102	1,000.00	4¾%	10.00	12-1-83
103-108	1,000.00	4¾%	10.00	12-1-84
109-114	1,000.00	4¾%	10.00	12-1-85
115-120	1,000.00	4¾%	10.00	12-1-86

Bonds and coupons attached thereto should be sent to the Trustee, Commerce Bank of Kansas City N.A., P.O. Box 248, Kansas City, Missouri 64141.

This notice shall be published one time in the official state newspaper at least thirty (30) days before the call date.

This notice dated this 22nd day of December, 1981.

THE CITY OF CHANUTE, KANSAS

By VICKI J. LUCAS, Mayor

ATTEST: JAMES D. YOUNGBERG, City Clerk
SCREW CONVEYOR MID STATES
CORPORATION, INC. (Tenant)

By DONALD M. ABRAHAM, Pres.

COMMERCE BANK OF KANSAS CITY N.A.
(Trustee)

By ROBERT J. GLIDEWELL

Doc. No. 000323

(Published in the KANSAS REGISTER, May 20, 1982.)

**NOTICE OF BOND SALE
AND
CONDITIONS FOR BIDDERS
\$691,500.00
GENERAL OBLIGATION BONDS
of the
CITY OF MANHATTAN, KANSAS
(payable or guaranteed from
unlimited ad valorem taxes)**

Sealed bids will be received by the office of the City Clerk in the City Offices of the City of Manhattan, Kansas until 3:00 P.M. Central Daylight Savings Time on May 24, 1982, at which time said bids will be publicly opened for the above-named issue of bonds of Manhattan, Kansas. These bonds are to be dated July 1.

Each bid shall be for all of the bonds hereinafter

described in the denominations of \$5,000.00 with the exception of bond number one (1) of Series 167 which shall be in the denomination of \$3,500.00 and of bond number one (1) of Series 168 which shall be in the denomination of \$3,000.00.

\$413,500.00—Casement Sanitary Sewer Project, Series 167

These general obligation bonds are to pay a portion of the cost of constructing sanitary sewers. Resolutions and ordinances were adopted by the Governing Body as required by Kansas Statutes Annotated 13-1055a, authorizing the improvement and the issuance of general obligation bonds to pay for the same. The principal and interest on these bonds are payable from ad valorem taxes which may be levied without limitations as to rate or amount upon all taxable tangible property, real and personal, within the territorial limits of the City.

Bond Numbers	Amount	Maturity July 1
1	\$ 3,500.00	1983
2- 6 inclusive	25,000.00	1983
7-13 inclusive	35,000.00	1984
14-20 inclusive	35,000.00	1985
21-28 inclusive	40,000.00	1986
29-36 inclusive	40,000.00	1987
37-45 inclusive	45,000.00	1988
46-54 inclusive	45,000.00	1989
55-63 inclusive	45,000.00	1990
64-73 inclusive	50,000.00	1991
74-83 inclusive	50,000.00	1992
	\$413,500.00	

\$278,000.00—Internal Improvements Bonds, Series 168

These bonds are to pay the costs of improvements for which special assessments have been levied against the property benefited by the improvements. The bonds constitute legally binding general obligations of the City. The principal and interest of the bonds are payable from special assessments levied on property benefited and, if not paid, then from ad valorem taxes which may be levied without limitations as to rate or amount upon all taxable tangible property, real and personal, within the territorial limits of the City.

Bond Numbers	Amount	Maturity July 1
1	\$ 3,000.00	1983
2	5,000.00	1983
3- 4 inclusive	10,000.00	1984
5- 6 inclusive	10,000.00	1985
7- 8 inclusive	10,000.00	1986
9-11 inclusive	15,000.00	1987
12-14 inclusive	15,000.00	1988
15-17 inclusive	15,000.00	1989
18-20 inclusive	15,000.00	1990
21-22 inclusive	15,000.00	1991
24-26 inclusive	15,000.00	1992
27-29 inclusive	15,000.00	1993
30-32 inclusive	15,000.00	1994
33-35 inclusive	15,000.00	1995
36-38 inclusive	15,000.00	1996
39-41 inclusive	15,000.00	1997
42-44 inclusive	15,000.00	1998

(continued)

45-47 inclusive	15,000.00	1999
48-50 inclusive	15,000.00	2000
51-53 inclusive	15,000.00	2001
54-56 inclusive	<u>15,000.00</u>	2002
	\$278,000.00	

Interest on the above issue of bonds will be paid semi-annually on July 1 and January 1 of each year with the first interest payment to be made on July 1, 1983. Bond principal and interest on said bonds will be payable in lawful money of the United States of America at the Office of the State Treasurer at Topeka, Kansas.

One bid will be received for the issue of bonds hereinbefore described. Proposals will be received on bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: Not more than five different interest rates shall be specified and the same rate shall apply to all bonds of the same maturity. The repetition of an interest rate shall not constitute one of said five rates. Each interest rate specified shall be a multiple of 1/8 or 1/20 of 1%. No interest rate shall exceed the 20 bond index of tax exempt municipal bonds published by the weekly Bond Buyer, in New York, New York on the Monday next preceding the day on which the hereinbefore described bonds are sold, plus 2%. The difference between the highest rate specified and the lowest rate specified shall not exceed 2 1/2%. No bid of less than 100% of the principal amount of the bonds plus accrued interest thereon to date of delivery will be considered. No bid providing for supplemental interest coupons will be considered. The award will be made on the basis of the lowest net interest cost to the City.

The issue of bonds hereinbefore described has been duly authorized as provided by law for the general statutory purpose of providing money for various improvement projects within the City.

The bonds herein described, duly printed, executed and registered, will be furnished by the City and will be sold subject to the legal opinion of Gaar and Bell of Kansas City, Missouri, whose qualified approving opinion will be furnished and paid for by the City of Manhattan, Kansas.

The City will pay for the printing of the bonds, but the successful bidder shall select the printer and notify the City Clerk of the firm name and address of the printer by letter at the earliest possible date. The successful bidder shall also supervise the printing of the bonds.

The bonds will be delivered to the successful bidder at any bank in Topeka, Wichita, or Kansas City at the expense of the City, or the successful purchaser may designate another place for delivery, the expense of which will be paid by the purchaser. Such delivery will be made on or before July 7, 1982. Said bidder will be furnished with a certified transcript of the proceedings including the usual closing proofs which will include a non-litigation certificate.

Each bid shall be accompanied by a Cashier's or Certified Check payable to the order of the City of Manhattan, Kansas for two (2) percent of the total amount of such bid. The City of Manhattan reserves the right to reject any or all bids.

All bids must be made on forms enclosed with this Prospectus or procured from the Office of the City Clerk and should be mailed to the City Clerk at the City Offices in Manhattan, Kansas. No additions or alterations on said forms shall be made. Envelopes should be marked "Proposal for Purchase of Bonds."

The total assessed valuation of the taxable tangible property within the City for the year 1981 is \$82,033,595.00. The total general obligation bonded indebtedness of the City as of the date on which the bonds are dated, including the bonds submitted for bid, will be \$11,732,500.00 and \$4,750,000.00 in Utility Revenue Bonds. The City also has outstanding \$2,432,550.00 of temporary notes as of May 31, 1982 of which \$742,550.00 will be retired out of the proceeds of the Bonds herein offered for sale.

Dated at Manhattan, Kansas the 5th day of May, 1982.

GREGG W. GIBSON
City Clerk

Doc. No. 000339

(Published in the KANSAS REGISTER, May 20, 1982.)

**NOTICE OF BOND SALE
\$320,000.00
GENERAL OBLIGATION INTERNAL
IMPROVEMENT BONDS
OF THE
CITY OF MEDICINE LODGE, KANSAS**

The CITY OF MEDICINE LODGE, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, 114 WEST FOURTH, MEDICINE LODGE, KANSAS, until 7:30 o'clock P.M., C.D.T., on
MONDAY, JUNE 7, 1982

for \$320,000.00 par value GENERAL OBLIGATION INTERNAL IMPROVEMENT BONDS of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

All of the Bonds will be negotiable coupon bonds, will be in denominations of \$5,000.00 each, and the Bonds will be dated JULY 1, 1982. The Bonds will mature serially in accordance with the following schedule:

Principal Amount	Maturity Date
\$15,000.00	December 1, 1983
15,000.00	December 1, 1984
15,000.00	December 1, 1985
20,000.00	December 1, 1986
20,000.00	December 1, 1987
20,000.00	December 1, 1988
20,000.00	December 1, 1989
20,000.00	December 1, 1990
20,000.00	December 1, 1991
20,000.00	December 1, 1992
10,000.00	December 1, 1993
10,000.00	December 1, 1994
10,000.00	December 1, 1995
15,000.00	December 1, 1996
15,000.00	December 1, 1997

(continued)

15,000.00	December 1, 1998
15,000.00	December 1, 1999
15,000.00	December 1, 2000
15,000.00	December 1, 2001
15,000.00	December 1, 2002

Interest on the Bonds will first be payable on JUNE 1, 1983, and thereafter semiannually on the first days of DECEMBER 1 and JUNE 1 in each year until the Bonds are fully paid. Both the principal of and interest on the Bonds will be payable to bearer at the Office of the State Treasurer in the City of Topeka, Kansas.

Proposals will be received on the Bonds bearing such rate or rates of interest, not exceeding seven (7) different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth ($\frac{1}{8}$ th) or one-twentieth ($\frac{1}{20}$ th) of One percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed two and one-half percent ($2\frac{1}{2}$ %). No interest rate shall exceed the maximum rate therefor as prescribed by the laws of the State of Kansas, and no bid of less than par and accrued interest will be considered. Bids involving the use of extra or supplemental coupons will not be considered. Bids for less than the entire issue of Bonds will not be considered.

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at 114 WEST FOURTH, MEDICINE LODGE, KANSAS 67104, ATTENTION: BARBARA H. MACGREGOR, CITY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the City will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to Two percent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF MEDICINE LODGE, KANSAS. In the event a bidder whose bid is accepted shall fail to carry out his Contract of Purchase, said deposit shall be retained by the City as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

The Bonds, duly printed, executed and registered, will be furnished and paid for by the City; and the Bonds will be sold subject to the unqualified approving opinion of GAAR & BELL, Bond Counsel, of Wichita, Kansas, whose opinion will be paid for by the City. The purchaser will be furnished with a complete Transcript of Proceedings evidencing the authorization and issuance of the Bonds; and the usual closing proofs, which will include a Certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity. Delivery of the Bonds will be made to the successful bidder on or before JULY 22, 1982, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser.

The Bonds will constitute general obligations of the City, payable as to both principal and interest in part from the collection of special assessments which have been levied on benefited property; but any portion of said specially assessed part not so paid, and the remainder of said principal and interest will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City. The Bonds are being issued for the purpose of paying the cost of various street, sewer and water improvements in the City.

The sealed bids for the Bonds shall be opened publicly and only at the time and place specified in this Notice; and the Bonds will be sold to the best bidder. The City reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless all bids are rejected, the Bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the City; and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the Bonds from their date until their respective maturities.

Assessed valuation figures for the City of Medicine Lodge, Kansas, for the year 1981, are as follows:

Equalized Assessed Valuation of Taxable Tangible Property	\$3,410,669.00
Tangible Valuation of Motor Vehicles	\$ 798,025.00
Tangible Valuation of Motor Vehicle Dealers Inventory	\$ 37,320.00
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations .	\$4,246,014.00

The total bonded indebtedness of the City of Medicine Lodge, Kansas, at the date hereof, including this \$320,000.00 proposed issue of Bonds, is in the amount of \$429,440.00. The City will retire \$359,611.43 of outstanding Temporary Notes from the proceeds of the Bonds and special assessments which have been collected in cash.

DATED May 3, 1982.

BARBARA H. MACGREGOR, City Clerk
City of Medicine Lodge, Kansas

Doc. No. 000324

(Published in the KANSAS REGISTER, May 20, 1982.)

NOTICE OF BOND SALE
\$226,500.00
GENERAL OBLIGATION BONDS
OF THE
CITY OF ENTERPRISE, KANSAS

The CITY OF ENTERPRISE, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, 108 WEST FIRST STREET, ENTERPRISE, KANSAS, until 7:30 o'clock P.M., C.D.T. on THURSDAY, MAY 27, 1982

for \$226,500.00 par value GENERAL OBLIGATION BONDS of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

All of the Bonds will be negotiable coupon bonds, will be in denominations of \$5,000.00 each, except No. 1 in denomination of \$1,500.00, and the Bonds will be dated July 1, 1982. The Bonds will mature serially in accordance with the following schedule:

Principal Amount	Maturity Date
\$11,500.00	June 1, 1983
15,000.00	June 1, 1984
15,000.00	June 1, 1985
20,000.00	June 1, 1986
20,000.00	June 1, 1987
20,000.00	June 1, 1988
25,000.00	June 1, 1989
30,000.00	June 1, 1990
30,000.00	June 1, 1991
40,000.00	June 1, 1992

Interest on the Bonds will first be payable on June 1, 1983, and thereafter semiannually on the first days of June and December in each year until the Bonds are fully paid. Both the principal of and interest on the Bonds will be payable to bearer at the Office of the State Treasurer in the City of Topeka, Kansas.

Proposals will be received on the Bonds bearing such rate or rates of interest, not exceeding Five (5) different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth ($\frac{1}{8}$ th) or one-twentieth ($\frac{1}{20}$ th) of One percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed Four percent (4%). No interest rate shall exceed the maximum rate therefor as prescribed by the laws of the State of Kansas, and no bid of less than par and accrued interest will be considered. Bids involving the use of extra or supplemental coupons will not be considered. Bids for less than the entire issue of Bonds will not be considered.

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at CITY HALL, 108 WEST FIRST STREET, ENTERPRISE, KANSAS 67441, ATTENTION: JOYCE L. CHARTIER, CITY CLERK, and shall be plainly marked BOND BID. All bids must

state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the City will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to Two percent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF ENTERPRISE, KANSAS. In the event a bidder whose bid is accepted shall fail to carry out his Contract of Purchase, said deposit shall be retained by the City as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

The Bonds, duly printed, executed and registered, will be furnished and paid for by the City; and the Bonds will be sold subject to the unqualified approving opinion of GAAR & BELL, Bond Counsel, of Wichita, Kansas, whose opinion will be paid for by the City. The purchaser will be furnished with a complete Transcript of Proceedings evidencing the authorization and issuance of the Bonds; and the usual closing proofs, which will include a Certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity. Delivery of the Bonds will be made to the successful bidder on or before July 5, 1982, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser.

It is anticipated that CUSIP identification numbers will be printed on the Bonds; but neither the failure to print such numbers on any Bond or any error with respect thereto shall constitute cause for a failure by the successful bidder to accept delivery of and pay for the Bonds in accordance with the terms of its Contract and this Notice of Bond Sale. All expenses in connection with the printing of CUSIP numbers on the Bonds shall be paid for by the City.

The Bonds will constitute general obligations of the City, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City. The Bonds are being issued for the purpose of canceling and redeeming certain Temporary Notes previously issued by the City for the purpose of temporarily financing the costs of constructing multiple street paving and sewer system improvements in the City.

The sealed bids for the Bonds shall be opened publicly and only at the time and place specified in this Notice; and the Bonds will be sold to the highest bidder. The City reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless all bids are rejected, the Bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the City; and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the Bonds from their date until their respective maturities.

Assessed valuation figures for the City of Enterprise, Kansas, for the year 1981, are as follows:

(continued)

Equalized Assessed Valuation of Taxable Tangible Property \$1,760,806.00
Tangible Valuation of Motor Vehicles \$ 178,467.00
Tangible Valuation of Motor Vehicle Dealers Inventory \$ -0-
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations \$1,939,273.00

The total bonded indebtedness of the City of Enterprise, Kansas, at the date hereof, including this \$226,500.00 proposed issue of Bonds, is in the amount of \$316,500.00. The City will retire \$299,282.00 of outstanding Temporary Notes from the proceeds of the Bonds.

DATED May 10, 1982.

JOYCE L. CHARTIER, City Clerk
City of Enterprise, Kansas

Doc. No. 000343

(Published in the KANSAS REGISTER, May 20, 1982.)

NOTICE OF BOND SALE
\$131,000.00
CITY OF ST. JOHN
STAFFORD COUNTY, KANSAS
GENERAL OBLIGATION SEWER IMPROVEMENT BONDS
SERIES A, 1982

Pursuant to K.S.A. 10-106, as amended, written **SEALED BIDS** will be received by the Governing Body of the City of St. John, Stafford County, Kansas, at the office of the City Clerk, City Hall, 115 East 4th Street, St. John, Kansas 67576 on:

JUNE 1, 1982

at 7:30 o'clock P.M., local time, for the sale of 26 General Obligation Sewer Improvement Bonds, Series A, 1982, of said City in the aggregate amount of \$131,000.00, at which time said bids will be publicly opened. All of the said bonds will be negotiable coupon bonds; be in the denomination of \$5,000.00 each, except Bond No. 1 in the amount of \$6,000.00; be dated May 1, 1982, and mature serially as follows:

MATURITY DATE	AMOUNT MATURING
October 1, 1983	\$ 6,000.00
October 1, 1984	10,000.00
October 1, 1985	10,000.00
October 1, 1986	15,000.00
October 1, 1987	15,000.00
October 1, 1988	15,000.00
October 1, 1989	15,000.00
October 1, 1990	15,000.00
October 1, 1991	15,000.00
October 1, 1992	15,000.00

No bond shall be callable prior to its stated maturity.

This issue of \$131,000.00, Series A, 1982, Bonds is issued pursuant to K.S.A. 12-6a01 *et seq.*, and 10-101 *et seq.*, to finance the City's share of the costs of various sewer improvements in said City.

Proposals will be received on bonds bearing such rate or rates of interest as may be specified by the bidders, provided, however, that not more than five

different rates shall be specified in any bid and the same rate shall apply to all bonds of the same maturity. The repetition of a rate will not constitute one of said maximum number of rates. Each interest rate specified shall be a multiple of one-eighth or one-twentieth of one percent and no interest rate shall exceed the maximum permitted by law. No bid of less than par and accrued interest will be considered. Any bid specifying the use of supplemental coupons or more than one interest rate within a single maturity will not be considered.

Each bid shall specify the total interest cost to the City during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, and the total net interest costs and the average annual net interest rate to the City on the basis of such bid. It shall be understood that the City may rely upon the representation as to the total net interest cost in awarding the said bonds to the bidder submitting the best bid.

Interest on said bonds will be payable on April 1, 1983, and thereafter semi-annually on October 1, and April 1 in each year. Both principal and interest on said bonds will be payable at the office of the State Treasurer, in the City of Topeka, Kansas.

The cost of printing said bonds will be paid by the City. Said bonds, duly executed and registered, will be delivered by the City and said bonds will be sold subject to the unqualified legal opinion of Fred W. Rausch, Jr., municipal bond counsel, Topeka, Kansas, whose unqualified approving opinion will be printed on each bond. Other legal services in connection with the issuance of said bonds will be paid for by the City.

All of said bonds will constitute general obligations of said City payable under present law both as to principal and interest from special assessments levied against property especially benefited by said sewer improvements and from ad valorem taxes which may be levied without limitation as to rate or amount upon all tangible, taxable property, real and personal, within the territorial limits of said City.

Said City has an assessed taxable, tangible valuation of \$2,264,450.00 including motor vehicle valuation of \$20,329.00, and a bonded indebtedness of \$261,000.00, including this issue of \$131,000.00. Said bonds are being issued for the purpose of paying costs of various sewer improvements in said City.

Said bonds will be delivered to the purchaser on or before July 30, 1982, at any bank in Wichita or Topeka, Kansas, or Kansas City, Missouri, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser.

The successful bidder will be furnished, without cost, with the approving opinion of Fred W. Rausch, Jr., municipal bond counsel, Topeka, Kansas, to the effect that the bonds are valid and legally binding general obligations of said City and, unless paid from other sources, are payable from ad valorem taxes levied upon all the taxable, tangible property within the City without limitation as to rate or amount. The obligation hereunder to deliver or accept the bonds pursuant hereto shall be conditioned on the availability and delivery at the time of delivery of the bonds of the said

(continued)

approving opinion, and a certificate, in form and tenor, satisfactory to said bond counsel and dated as of the date of such delivery, to the effect that there is no litigation pending or (to the knowledge of the signor or signors thereof), threatened relating to the bonds.

Each bid shall be accompanied by a certified or cashier's check made payable to the City in an amount equal to two percent of the total amount of such bid. The City reserves the right to reject any and all bids. Bids will be submitted in writing, sealed and marked "Bond Bid". In the event any purchaser whose bid is accepted shall fail to carry out his contract, said deposit shall be paid to the City as liquidated damages. The checks of unsuccessful bidders will be returned.

Bids will be submitted on official bid forms (or their equivalent) which may be obtained from the City Clerk, City Hall, 115 East 4th Street, St. John, Kansas 67576.

GOVERNING BODY OF THE CITY OF ST. JOHN,
STAFFORD COUNTY, KANSAS

KENNETH N. PARTON

Mayor

(Seal)

Attest: GOLDIE K. GREEN
City Clerk

Doc. No. 000338

(Published in the KANSAS REGISTER May 20, 1982.)

SENATE BILL No. 454

AN ACT concerning certain institutions of postsecondary education; increasing the rate of out-district tuition charged to counties by community colleges; providing for increases in state aid to community colleges and municipal universities; authorizing the charging of out-district tuition by municipal universities and requiring the levy of taxes for payment thereof by taxing subdivisions; relating to the provision of instruction by community colleges and municipal universities under agreements with state agencies; amending K.S.A. 71-602, 71-607 and 72-6503 and K.S.A. 1981 Supp. 71-301, and repealing the existing sections; also repealing K.S.A. 71-207, 71-208, 71-209, 71-303 and 71-307.

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

Section 1. K.S.A. 1981 Supp. 71-301 is hereby amended to read as follows: 71-301. (a) (1) Subject to provision (2), the board of trustees shall charge to and collect from each student tuition at rates per credit hour enrolled which shall be established at an amount not less than \$10 per credit hour and not more than \$15 per credit hour.

(2) The board of trustees may charge to and collect from each student who resides within a federal military reservation tuition at rates per credit hour enrolled which shall be established at an amount not less than \$31 per credit hour and not more than \$36 per credit hour.

(b) The board of trustees, in accordance with rules and regulations of the state board, shall determine and collect an amount of out-district tuition to be charged for each student attending the community college whose residence is outside of the community college district. The board of county commissioners of any county charged with payment of out-district tuition shall levy a tax on all of the taxable property of the county sufficient to pay all out-district tuition charges authorized by this act. The proceeds from the tax levied under authority of this section shall be deposited in a special fund for payment of out-district tuition. Upon receiving a statement of charges for out-district tuition the board of county commissioners shall allow and pay the same promptly from the special fund. In the event there is insufficient or no money in the special fund, out-district tuition shall be paid from the county general fund or from the proceeds of the sale of no-fund warrants issued for the purpose of the payment of out-district tuition. The total out-district tuition charged by a community college shall be an amount equal to the number of duly enrolled out-district students times \$21 for each credit hour of each duly enrolled out-district student if, as determined by the state board, the student has not more than sixty-four (64) credit

hours from any institution of postsecondary education or the student has not more than seventy-two (72) credit hours and is enrolled in terminal type nursing courses or freshman-sophomore level preengineering courses.

(c) The total out-district tuition charged by a community college shall be an amount equal to the number of duly enrolled out-district students times the amount specified in this subsection for each credit hour of each such student:

(1) Twenty-one dollars and fifty cents in the 1983 fiscal year.

(2) Twenty-two dollars in the 1984 fiscal year and in fiscal years thereafter.

(d) Out-district tuition shall only be charged for credit hours of students if such students, as determined by the state board, have not more than 64 credit hours from any institution of postsecondary education or the students have not more than 72 credit hours and are enrolled in terminal type nursing courses or freshman-sophomore level preengineering courses.

(e) In May of each fiscal year, the board of trustees shall notify the board of county commissioners of the approximate amount of out-district tuition which will be charged to the county in the succeeding fiscal year.

(e) (f) Expenditures for out-district tuition shall be exempt from the budget law of this state to the extent of such payments not anticipated in the budget of the county. Taxes levied by counties under the authority of this section shall not be subject to or within the limitations upon the levy of taxes imposed under the provisions of K.S.A. 79-5001 to 79-5016, inclusive, and any amendments of such sections.

Sec. 2. K.S.A. 71-602 is hereby amended to read as follows: 71-602. (a) The basis for distribution of credit hour state aid for community colleges for each credit hour of each duly enrolled student who was a bona fide resident of the state of Kansas during the current school session shall be: (1) ~~Twenty-two dollars and fifty cents (\$22.50)~~ For each credit hour in any subject or course which is not part of a vocational education program approved by the state board under the provisions of article 44 of chapter 72 of Kansas Statutes Annotated (A) ~~twenty-three dollars in the 1983 fiscal year, and (B) twenty-three dollars and fifty cents in the 1984 fiscal year and in fiscal years thereafter;~~ and (2) an amount which shall be determined by the state board by multiplying by one and one-half $1\frac{1}{2}$ the amount provided in provision (1) above for each credit hour in any subject or course which is part of a vocational education program approved by the state board under article 44, except that the amount provided for in provision (1) above for each credit hour of each student shall be multiplied by two if the credit hour is in any subject or course which is part of an approved vocational educational program which is offered in a community college which is also officially designated as an area vocational school by the state board.

(b) The determination of credit hours of duly enrolled students shall be made at times prescribed by the state board of education.

Sec. 3. K.S.A. 71-607 is hereby amended to read as follows: 71-607. (a) In addition to credit hour state aid entitlement under K.S.A. 71-602, and amendments thereto, and related sections, each community college shall be entitled to receive out-district state aid payments in amounts determined as provided in this section. From reports and information provided by each community college, and from such additional audits and investigations as are conducted by the state department of education, the state board shall determine the amount of out-district tuition each community college is entitled to bill to counties each year, and the entitlement to out-district state aid of each community college shall be an amount equal thereto plus (1) an amount equal to the amount of out-district tuition disallowed under the provisions of K.S.A. 71-304 and 71-307, and (2) an amount equal to the number of duly enrolled out-of-state and foreign students considered bona fide residents of the state under the provisions of K.S.A. 71-618 times ~~twenty-one dollars (\$21)~~ the amounts specified in subsection (c) of K.S.A. 1981 Supp. 71-301, and amendments thereto, for each credit hour of each such duly enrolled student if such student, as determined by the state board, qualifies as an out-district student for the purpose of determination of the

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amount of out-district state aid entitlement; and has not more than sixty-four (64) credit hours from any institution of postsecondary education; or has not more than seventy-two (72) such credit hours and is enrolled in terminal type nursing courses or freshman-sophomore level preengineering courses.

(b) *Out-district state aid payments shall be made only for credit hours of students specified in provision (2) of subsection (a) if such students, as determined by the state board, have not more than 64 credit hours from any institution of postsecondary education or the students have not more than 72 credit hours and are enrolled in terminal type nursing courses or freshman-sophomore level preengineering courses.*

Sec. 4. K.S.A. 72-6503 is hereby amended to read as follows: 72-6503. (a) The basis for payments from the municipal university funds fund shall be twenty-two dollars and fifty cents (\$22.50) for each credit hour of each duly enrolled undergraduate student and each duly enrolled graduate student who is a bona fide resident, except for graduate students who are enrolled in the school of law, shall be the amounts specified in this subsection:

(1) Twenty-three dollars in the 1983 fiscal year.

(2) Twenty-three dollars and fifty cents in the 1984 fiscal year and in fiscal years thereafter.

(b) *The basis for payments from the municipal university fund shall be \$26 for each credit hour of each graduate student who is duly enrolled in the school of law.*

(c) *Payment from the municipal university fund shall be based only upon credit hours of duly enrolled students who are bona fide residents of the state of Kansas during the current school term. The determination of credit hours of duly enrolled students shall be made at the end of the fifth week of the regular spring and fall semesters and at the end of the equivalent period for summer sessions. The determination of credit hours of duly enrolled students for payments for short term courses shall be made at such times as are prescribed by the state board of education.*

New Sec. 5. As used in sections 5 through 14 of this act:

(a) "Board of levy" means the board of county commissioners of every county in which there is not located a municipal university and the township trustee, township clerk and township treasurer, acting as a board, of every township within every county in which there is located a municipal university.

(b) "Municipal university" means a municipal university established under the provisions of article 13a of chapter 13 of Kansas Statutes Annotated.

(c) "Municipal university district" means the taxing district of a municipal university.

(d) "Taxing subdivision" means every county in which there is not located a municipal university and every township within every county in which there is located a municipal university.

(e) "State board" means the state board of education.

New Sec. 6. (a) Commencing with the spring semester in 1983, the board of regents of a municipal university, in accordance with rules and regulations of the state board, shall determine and collect an amount of out-district tuition to be charged for each student attending the municipal university whose residence is outside of the municipal university district.

(b) (1) Subject to provision (2), the board of levy of any taxing subdivision charged with payment of out-district tuition shall levy a tax on all of the taxable property of the taxing subdivision sufficient to pay all out-district tuition charges authorized by this act.

(2) On or before May 1, 1982, the board of regents of a municipal university shall notify each board of levy of the approximate amount of out-district tuition which would have been charged to the taxing subdivision for the 1982 spring semester and the 1982 summer sessions if the board of regents had been entitled to charge out-district tuition therefor. In and for the 1982 tax year, each board of levy so notified is hereby authorized to, and shall levy a tax on, all of the taxable property of the taxing subdivision sufficient to raise the amount specified in the notification in order to pay, in total or in part, out-district tuition charges for the 1983 spring semester and the 1983 summer sessions.

(c) The proceeds from the tax levied under authority of this

section shall be deposited in a special fund for payment of out-district tuition. Upon receiving a statement of charges for out-district tuition the board of levy shall allow and pay the same promptly from the special fund. In the event there is insufficient or no money in the special fund, out-district tuition shall be paid from the general fund of the taxing subdivision or from the proceeds of the sale of no-fund warrants issued for the purpose of the payment of out-district tuition. The total out-district tuition charged by a municipal university shall be an amount equal to the number of duly enrolled out-district students times the amount for each credit hour of each duly enrolled out-district student authorized to be charged to and collected from counties for out-district tuition under the provisions of K.S.A. 1981 Supp. 71-301, and amendments thereof. The limitations relating to maximum credit hours from institutions of postsecondary education which apply to students for the purpose of determination of the rate of out-district tuition to be charged to and collected from counties under the provisions of K.S.A. 1981 Supp. 71-301, and amendments thereof, shall apply to students for such purpose under the provisions of this section.

(d) Expenditures for out-district tuition shall be exempt from the budget law of this state to the extent of such payments not anticipated in the budget of the taxing subdivision.

(e) Taxes levied by counties under the authority of this section shall not be subject to or within the limitations upon the levy of taxes imposed under the provisions of K.S.A. 79-5001 to 79-5016, inclusive, and any amendments thereto. The levy of taxes by counties required under the provisions of this section shall not be subject to the exercise of home rule by counties under the provisions of article 1 of chapter 19 of Kansas Statutes Annotated. Counties shall have no power to exempt from, or effect changes in, the provisions of this section.

(f) Taxes levied by townships under the authority of this section shall be in addition to all other tax levies authorized or limited by law and shall not be subject to or within the aggregate tax levy limit prescribed by K.S.A. 79-1962.

(g) In May of each fiscal year, commencing with the 1983 fiscal year, the board of regents shall notify each board of levy of the approximate amount of out-district tuition which will be charged to the taxing subdivision in the succeeding fiscal year.

New Sec. 7. (a) For the purpose of determination of out-district tuition and out-district state aid entitlement: (1) Persons enrolling in a municipal university who, if adults, have not been, or if minors, whose parents have not been, residents of the state of Kansas for six months prior to enrollment for any term or session are nonresidents of the state of Kansas; and (2) persons enrolling in a municipal university who, if adults, have not been, or if minors, whose parents have not been, residents of the municipal university district for six months prior to enrollment for any term or session are nonresidents of the municipal university district.

(b) For the purpose of determining residence of persons, the residence of minors shall be determined as provided in K.S.A. 72-1046, and amendments thereof, and of adults as provided in subpart twenty-third of K.S.A. 77-201 and amendments thereof.

(c) The state board of education may adopt rules and regulations prescribing criteria or guidelines for determination of residence of students and shall make conclusive determination of any residence matter for the purpose of determination of liability of taxing subdivisions for out-district tuition and for the purpose of determination of out-district state aid entitlement.

New Sec. 8. (a) (1) Subject to the other provisions of this section, a municipal university shall be entitled to receive out-district state aid payments in amounts determined as provided in this section. From reports and information provided by the municipal university, and from such additional audits and investigations as are conducted by the state department of education, the state board shall determine the amount of out-district tuition a municipal university is entitled to bill to taxing subdivisions each year, and the entitlement to out-district state aid of the municipal university shall be an amount equal thereto plus an amount equal to the amount of out-district tuition disallowed under the provisions of sections 11 and 14.

(b) In addition to the amount of out-district state aid to which

(continued)

a municipal university is entitled under this section for the 1983 fiscal year, a municipal university shall be entitled to receive out-district state aid payments as provided in this subsection. From reports and information provided by the municipal university, and from such additional audits and investigations as are conducted by the state department of education, the state board shall determine the amount of out-district tuition a municipal university would have been entitled to charge to, and collect from, taxing subdivisions for the 1982 fall semester if the municipal university had been authorized by law to charge out-district tuition for the 1982 fall semester, and the additional entitlement to out-district state aid of the municipal university for the 1983 fiscal year shall be an amount equal thereto plus an amount equal to the amount of out-district tuition which would have been disallowed under the provisions of sections 11 and 14 even if the municipal university had been authorized to charge out-district tuition for the 1982 fall semester.

(c) No out-district state aid entitlement shall be based upon credit hours in any subject, course or program the principal part of which is instruction at a location outside of the municipal university district, unless the location of such subject, course or program is specifically authorized by the state board.

(d) Out-district tuition and out-district state aid shall be based only upon enrollments within the credit hour limitations specified in K.S.A. 1981 Supp. 71-301, and amendments thereof, and only upon enrollments of students who are residents of the state of Kansas.

New Sec. 9. (a) The determination of credit hours of duly enrolled out-district students shall be made at the end of the fifth week of the regular spring and fall semesters and at the end of the equivalent period for summer sessions. The determination of credit hours of duly enrolled out-district students for payments for short-term courses shall be made at such times as are prescribed by the state board of education.

(b) On or before November 1 and on or before April 1 of each year, the president and treasurer of a municipal university shall certify under oath to the state board the total number of duly enrolled credit hours of out-district students of the municipal university during the current school term. The state board may require a municipal university to furnish any additional information deemed necessary by it to carry out the provisions of this act and shall prescribe such forms, to be approved by the attorney general, as may be necessary for making such reports.

(c) The state board and the post auditor may audit the records of a municipal university to verify the accuracy of the reports submitted by the municipal university. The state board may promulgate rules and regulations for the administration of this act.

New Sec. 10. (a) The distribution of the appropriation for out-district state aid shall be made on December 1 and May 1 of each year, commencing December 1, 1982, or as soon thereafter as is possible. The state board shall, on or before November 25 and April 25 of each year, certify to the director of accounts and reports the amount due a municipal university from such appropriation on the first day of December or May, as the case may be, and the director shall draw a warrant upon the state treasurer in favor of the municipal university for such amount. Upon receipt of such warrant, the treasurer of the municipal university shall credit the same to the general fund of the municipal university.

(b) If a municipal university is paid more than it is entitled to receive under any distribution made under this act, the state board shall notify the municipal university of the amount of such overpayment, and the municipal university shall remit the same to the state board, and it shall deposit the same in the state treasury to the credit of the general fund. If the municipal university fails so to remit, the state board shall deduct the excess amount so paid from future payments becoming due to the municipal university. If a municipal university is paid less than the amount to which it is entitled under any distribution made under this act, the state board shall pay the additional amount due at any time within the fiscal year in which the underpayment was made or within 60 days after the end of such fiscal year.

New Sec. 11. (a) Subject to the provisions of subsection (b), no out-district tuition shall be charged or paid for any student

attending a municipal university whose residence outside the municipal university district is in a taxing subdivision in which there is located a community college.

(b) The provisions of subsection (a) shall not apply to any such out-district student when the course of study or program which the student selects, or a course of study or program which is substantially equivalent thereto, is not offered in the community college which is located in the taxing subdivision in which such student resides.

New Sec. 12. (a) Subject to the provisions of subsection (b), no out-district tuition shall be charged to or paid by any county in which there is located a municipal university for any student attending a community college whose residence outside the community college district is in a county in which there is located a municipal university.

(b) The provisions of subsection (a) shall not apply to any such out-district student when the course of study or program which the student selects, or a course of study or program which is substantially equivalent thereto, is not offered in the municipal university which is located in the county in which such student resides.

(c) In addition to out-district state aid to which a community college is entitled under the provisions of K.S.A. 71-607, and amendments thereof, the community college shall be entitled to an amount of out-district state aid equal to the amount of out-district tuition disallowed under the provisions of this section.

New Sec. 13. The state board of education shall adopt rules and regulations prescribing criteria or guidelines for the purpose of determining which courses of study and programs offered in the community colleges are substantially equivalent to the courses of study and programs offered in municipal universities. A current, complete list of such courses of study and programs shall be maintained on file in the state department of education, and shall be open for public inspection at any reasonable time.

New Sec. 14. No out-district state aid entitlement of a municipal university shall be based upon any course or program if such course or program is taught in an area vocational-technical school under an agreement with a municipal university and for which payments of state or federal moneys are made to the area vocational-technical school under the provisions of article 44 of chapter 72 of Kansas Statutes Annotated, and no such course or program shall be counted in determining the number of credit hours of out-district students for the purpose of computing the amount of out-district tuition to be charged by a municipal university.

New Sec. 15. (a) The governing board of any educational institution may enter into agreements with any state agency for the provision of instruction at the educational institution or off the campus thereof. Credit for such instruction shall be awarded in accordance with the provisions of the agreement.

(b) Any state agency may enter into agreements with the governing board of any educational institution for the provision of instruction at the educational institution or off the campus thereof. The amount to be paid by the state agency for the provision of instruction under any such agreement shall be determined as provided in the agreement, in accordance with the provisions of this section and in any case within limitations of the appropriations of the state agency therefor. The amount to be paid under any such agreement shall be determined on the basis of a fixed dollar amount for each enrolled credit hour of instruction in lieu of tuition, except that (1) an additional dollar amount shall be paid for each credit hour value of a course which is not taught by personnel of the state agency, (2) the payment to be made under an agreement with a social welfare institution shall be on the basis of four credit hours for an entry level course of instruction for direct care staff, and (3) payments may be made to an educational institution for special training materials and mileage expenses where appropriate under the circumstances.

(c) (1) No credit hour state aid entitlement and no out-district state aid entitlement of an educational institution shall be based upon any subject, course, or program which is taught under an agreement with a state agency, and no such subject, course or program shall be counted in determining the number of credit

(continued)

hours of out-district students for the purpose of determining the amount of out-district tuition to be charged by an educational institution.

(2) No tuition shall be charged to or collected from any person who enrolls in any subject, course or program which is taught under an agreement with a state agency.

(d) For the purpose of this section, (1) "educational institution" means community college or municipal university; (2) "social welfare institution" means Topeka state hospital, Osawatomie state hospital, Rainbow mental health facility, Larned state hospital, Parsons state hospital and training center, Norton state hospital, Winfield state hospital and training center and Kansas neurological institute; and (3) "state agency" means any state office or officer, department, board, commission, institution, bureau, or any agency, division or unit within any office, department, board, commission or other authority of this state.

Sec. 16. K.S.A. 71-207, 71-208, 71-209, 71-303, 71-307, 71-602, 71-607 and 72-6503 and K.S.A. 1981 Supp. 71-301 are hereby repealed.

Sec. 17. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body April 7, 1981.

Senate adopted Conference Committee report April 29, 1982.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 6, 1982.
House adopted Conference Committee report April 28, 1982.

WENDELL LADY
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED May 12, 1982.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 12th day of May, 1982.

(SEAL)

JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER May 20, 1982.)

HOUSE BILL No. 3151

AN ACT concerning the special education for exceptional children act; relating to administration thereof by the state board of education; amending K.S.A. 72-963 and repealing the existing section.

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

Section 1. K.S.A. 72-963 is hereby amended to read as follows: 72-963. The state board may adopt rules and regulations for the administration of this act and shall adopt, from time to time amend, and administer the state plan. The state plan shall be prepared in consultation with the state advisory council for special education provided for in this act. The state plan shall include the following:

(a) A statement of the objectives of state supervision of special education services in school districts and state institutions.

The state board may adopt rules and regulations for the administration of the special education for exceptional children act and shall adopt rules and regulations necessary to implement and give effect to the state plan. Rules and regulations adopted by the state board to implement and give effect to the state plan shall include the following:

(b) (a) Provisions for the establishment, maintenance and supervision of special education services in school districts and state institutions.

(c) (b) Prescribed courses of study and curricula necessary to meet requirements for approval of special education services.

(d) (c) Criteria for screening, diagnosis and certification of exceptional children including physical, educational and psychological examinations. No child from a home in which English is not the principal language may be assigned to special education services for exceptional children until such time that the child has been given, in the principal language used in his or her the home of the child, examinations reasonably related to his or her the child's cultural environment.

(e) (d) Definitions of the various categories of exceptionality.
(f) (e) Implementation dates of special education services for the various categories of exceptionality.

(g) (f) Standards for special education services to be received by each of the several categories of exceptional children.

Rules and regulations adopted by the state board to implement and give effect to the state plan shall be incorporated by reference in the state plan.

Sec. 2. K.S.A. 72-963 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the HOUSE, and passed that body April 9, 1982.

HOUSE concurred in SENATE amendments April 29, 1982.

WENDELL LADY
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

Passed the SENATE as amended April 29, 1982.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

APPROVED May 13, 1982.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 14th day of May, 1982.

(SEAL)

JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER May 20, 1982.)

SENATE BILL No. 896

AN ACT relating to the secretary of administration; concerning certain powers, duties and functions thereof; concerning the acquisition and disposition of certain property in Topeka, Kansas, and the financing thereof.

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

Section 1. (a) The secretary of administration is hereby authorized to acquire by negotiation the fee simple title to the following described tracts of land and improvements thereon, and personal property located therein, in the city of Topeka in the 900 block of Jackson street, commonly known as the Santa Fe office building, all more particularly described as follows: Lots 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310 and 312 along with the north half of the vacated alley lying south of and adjacent to said lot 312, all on the east side of Jackson street, all in the city of Topeka, Shawnee county, Kansas. Prior to payment for the purchase of any property so acquired, the attorney general shall approve the abstract of title or title insurance policies as showing merchantable fee simple title and shall approve the warranty deeds to such property. If, in the judgment of the secretary of administration a satisfactory agreement for the purchase of the lots and tracts hereinbefore authorized for acquisition cannot be negotiated, the secretary may proceed to acquire the fee simple title to such lots and tracts of land by exercising the power of eminent domain. Upon request of the secretary of administration, the attorney general shall prosecute condemnation proceedings in the name of the state to acquire such property.

(b) The provisions of subsection (a) shall include authorization to acquire either the real or personal property, or both, pursuant to a lease purchase agreement. Any such lease purchase agreement shall be subject to 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.

Sec. 2. (a) To provide for the payment of the costs of acquisition of the property described in section 1 and expenses related to such acquisition, the pooled money investment board is authorized and directed to loan to the department of administration sufficient funds therefor, except that no such loan shall be made unless the terms thereof have been approved 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. The pooled money investment board is authorized and directed to use any moneys in the active accounts, inactive accounts or time deposits, open accounts, of the state of Kansas to provide the funds for such loan. 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. The loan principal and interest thereon shall be payable solely from revenues derived from charges imposed for the use of the property, or as otherwise provided by law. 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.

(b) There is hereby created in the state treasury the 900 Jackson street acquisition fund. Upon certification to the pooled money investment board by the secretary of administration of the amount of the loan approved pursuant to subsection (a), the pooled money investment board shall transfer the amount so certified from the state bank accounts described in subsection (a) to the 900 Jackson street acquisition fund.

Sec. 3. There is hereby created in the state treasury the 900 Jackson street operating fund. Revenues derived from the lease of the property described in section 1 shall be deposited in such fund. Except as otherwise authorized by law, expenditures from such fund shall be used to pay interest and principal on the loan authorized by section 2 or the principal and interest on bonds issued pursuant to section 6 and to pay the costs of operating and maintaining the property described in section 1.

Sec. 4. Within the limits of appropriations and other funds available therefor, the secretary of administration shall have: (1) The power to modify and equip the property described in section 1; (2) the power to make contracts of every nature necessary or convenient for the orderly accomplishment of the acquisition,

development and management of the property; (3) the power to permit the use of the property by any state agency or others, enter into agreements therefor and to fix and alter charges for use of the property in such amounts as the secretary may determine as beneficial or necessary; (4) the power to assume leases entered into by executive branch state agencies, or enter into leases on behalf of executive branch state agencies; (5) the power to sublet any premises leased by executive branch state agencies to any executive branch state agency or others and to establish accounting procedures and accounts deemed necessary for the efficient exercise of such power; (6) the power to direct any executive branch state agency or agencies presently housed in publicly or privately owned office space in Shawnee county, other than buildings or property specifically exempted under K.S.A. 1981 Supp. 75-3765 from the provisions of K.S.A. 1981 Supp. 75-3765, to occupy space in the building acquired under this act, or other space in Shawnee county made available by the secretary of administration, and to assess a charge therefor subject to funding being available in appropriations or other funds; (7) the power to accept grants or gifts from any person, firm, association or corporation, the federal government or any of its agencies and to enter into contracts or other transactions with any federal agency in connection therewith; (8) the power to do all things and acts necessary or convenient to carry out the powers granted to the secretary of administration by this act or any other acts, except that the secretary of administration shall have no power at any time, or in any manner, to pledge the taxing power or credit of the state except as authorized by section 2 or 6.

Sec. 5. (a) Subject to the provisions of subsection (c), the secretary of administration is hereby authorized to sell all or any portions of lots 145 to 169, inclusive, 173, 175, 177 and 179, all in the original town of Topeka, Shawnee county, Kansas.

(b) There is hereby created in the state treasury the property contingency fund. The proceeds from any sale authorized by subsection (a) shall be deposited in the state treasury and credited to the property contingency fund. Moneys credited to such fund shall first be used to retire any indebtedness on property described in subsection (a) and the remainder may be expended for supplemental rents, moving costs, equipment, space modification and remodeling costs, and other costs associated with moving state agencies from publicly owned or privately leased space to other quarters.

(c) The provisions of K.S.A. 1981 Supp. 75-3739 shall not be applicable to the sale of property described in subsection (a), but no sale of such property shall be made unless such property has been appraised by at least three disinterested appraisers. Such appraisements shall be in writing and filed with the secretary of administration. No agreement for the sale of such property shall be made unless the terms thereof have been approved 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. Upon approval of the agreement by the state finance council, a deed conveying such real estate, in a form approved by the attorney general, shall be executed by the secretary of administration, and duly acknowledged by the secretary of administration before any officer authorized by law to take acknowledgments. Such deed shall contain a recital of all proceedings in compliance with this act, and such recital shall be prima facie evidence that the proceedings were carried out in the manner and form recited.

Sec. 6. (a) As an alternative to financing under section 2 and subject to the approval of the state finance council acting on the 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, the secretary of administration may issue revenue bonds for acquisition of the property described in section 1.

(b) There is hereby created in the state treasury the 900 Jackson street bond proceeds fund. The state treasurer shall deposit the proceeds received from the sale of revenue bonds authorized by this section in the 900 Jackson street bond proceeds fund. Subject to the approval of the attorney general required by section 1, the director of accounts and reports shall issue warrants to the seller or sellers of such property for the purchase price

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thereof, such warrants to be paid from moneys in the 900 Jackson street bond proceeds fund. On order of the secretary of administration, the director of accounts and reports shall transfer any moneys in the 900 Jackson street bond proceeds fund which are not and will not be required for acquisition of the property described in section 1 to the 900 Jackson street operating fund.

(c) Subject to the limitations of this act, the provisions of K.S.A. 75-3611, 75-3612, 75-3613, 75-3615 and 75-3616 shall be applicable to revenue bonds authorized by this section and the secretary of administration may exercise the powers and authority authorized by such sections in the acquisition, development and management of the property described in section 1. Notwithstanding any provision of this subsection (c), the amount of bonds issued pursuant to this section shall be subject to the approval of the state finance council as provided in subsection (a) but shall not otherwise be limited as to amount.

(d) There is hereby created in the state treasury the 900 Jackson street bond and interest sinking fund. On order of the secretary of administration, the director of accounts and reports, in accordance with the covenants contained in the bonds issued pursuant to this section, shall transfer from the 900 Jackson street operating fund to the 900 Jackson street bond and interest sinking fund, an amount necessary to pay the principal and interest then due and unpaid upon such bonds. There is hereby created in the state treasury the 900 Jackson street depreciation reserve fund, to which shall be credited at least annually amounts as deemed necessary for installation, repair and replacement of equipment and facilities of the buildings and grounds described in section 1 and acquired and maintained under this act. The amounts to be so transferred from the 900 Jackson street operating fund to the 900 Jackson street bond and interest sinking fund and to the 900 Jackson street depreciation reserve fund shall be determined at least annually by the secretary of administration.

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

I hereby certify that the above BILL originated in the SENATE, and passed that body April 28, 1982.

SENATE concurred in HOUSE amendments April 28, 1982.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 28, 1982.

WENDELL LADY
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED May 13, 1982.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 13th day of May, 1982.

(SEAL) JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER May 20, 1982.)

SENATE BILL No. 652

AN ACT relating to the making of improvements upon streets and avenues in the city of West Plains, Kansas, commonly called Plains; authorizing the issuance of bonds therefor; amending K.S.A. 1981 Supp. 15-736 and repealing the existing section.

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

Section 1. K.S.A. 1981 Supp. 15-736 is hereby amended to read as follows: 15-736. The city of West Plains, Kansas, *may commonly called Plains, is hereby authorized to issue general obligation bonds in an amount not exceeding \$500,000 for the purpose of constructing, surfacing, resurfacing or paving any street or avenue if such issuance is approved by a majority of the electors voting on the question at an election called and held in the manner prescribed for the calling and holding of elections under the general bond law within the city. Such improvements shall be made in accordance with procedures and subject to limitations prescribed by K.S.A. 12-601 et seq., and amendments thereto, and all costs shall be assessed against the property in the manner prescribed in such act.* Such bonds are exempt from and shall not be included in computing the bonded debt limit of West Plains, Kansas, *commonly called Plains.*

Sec. 2. K.S.A. 1981 Supp. 15-736 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body February 24, 1982.

Senate adopted Conference Committee report April 28, 1982.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended March 30, 1982.

House adopted Conference Committee report April 28, 1982.

WENDELL LADY
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED May 12, 1982.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 13th day of May, 1982.

(SEAL) JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER May 20, 1982.)

SENATE BILL No. 541

AN ACT relating to property taxation; exempting certain property therefrom; amending K.S.A. 1981 Supp. 79-201a and repealing the existing section.

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

Section 1. K.S.A. 1981 Supp. 79-201a is hereby amended to read as follows: 79-201a. The following described property, to the extent herein specified, shall be exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

First. All property belonging exclusively to the United States, except property which congress has expressly declared to be subject to state and local taxation.

Second. All property used exclusively by the state or any municipality or political subdivision of the state. All property owned or operated by the state or any municipality or political subdivision of the state which is used or is to be used for any governmental or proprietary function and for which bonds may be issued or taxes levied to finance the same, shall be considered

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to be "used exclusively" by the state, municipality or political subdivision for the purposes of this act. Any property constructed or purchased with the proceeds of industrial revenue bonds issued prior to July 1, 1963, as authorized by K.S.A. 12-1740 to 12-1749, or purchased with proceeds of improvement district bonds issued prior to July 1, 1963, as authorized by K.S.A. 19-2776, or with proceeds of bonds issued prior to July 1, 1963, as authorized by K.S.A. 19-3815a and 19-3815b, or any property improved, purchased, constructed, reconstructed or repaired with the proceeds of revenue bonds issued prior to July 1, 1963, as authorized by K.S.A. 13-1238 to 13-1245, inclusive, or any property improved, reimproved, reconstructed or repaired with the proceeds of revenue bonds issued after July 1, 1963, under the authority of K.S.A. 13-1238 to 13-1245, inclusive, which had previously been improved, reconstructed or repaired with the proceeds of revenue bonds issued under such act on or before July 1, 1963, shall be exempt from taxation for so long as any of the revenue bonds issued to finance such construction, reconstruction, improvement, repair or purchase shall be outstanding and unpaid. Any property constructed or purchased with the proceeds of any revenue bonds authorized by K.S.A. 13-1238 to 13-1245, inclusive, 19-2776, 19-3815a and 19-3815b, and amendments thereto, issued on or after July 1, 1963, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the said bonds were issued. Any property, all or any portion of which is constructed or purchased with the proceeds of revenue bonds authorized by K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, issued on or after July 1, 1963 and prior to July 1, 1981, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Any property constructed or purchased wholly with the proceeds of revenue bonds issued on or after July 1, 1981, under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Any property constructed or purchased in part with the proceeds of revenue bonds issued on or after July 1, 1981, under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, shall be exempt from taxation to the extent of the value of that portion of the property financed by the revenue bonds and only for a period of 10 calendar years after the calendar year in which the bonds were issued. The exemption of that portion of the property constructed or purchased with the proceeds of revenue bonds shall terminate upon the failure to pay all taxes levied on that portion of the property which is not exempt and the entire property shall be subject to sale in the manner prescribed by K.S.A. 79-2301 *et seq.*, and amendments thereto. Property purchased, constructed, reconstructed, equipped, maintained or repaired with the proceeds of industrial revenue bonds issued under the authority of K.S.A. 12-1740 *et seq.*, and amendments thereto, which is located in a redevelopment project area established under the authority of K.S.A. 1990 1981 Supp. 12-1770 *et seq.* shall not be exempt from taxation.

Third. All works, machinery and fixtures used exclusively by any rural water district or township water district for conveying or production of potable water in such rural water district or township water district.

Fourth. All fire engines and other implements used for the extinguishment of fires, with the buildings used exclusively for the safekeeping thereof, and for the meeting of fire companies, whether belonging to any rural fire district, township fire district, town, city or village, or to any fire company organized therein or therefor.

Fifth. All property, real and personal, owned by county fair associations organized and operating under the provisions of K.S.A. 2-125 *et seq.* and amendments thereto.

Sixth. Property acquired and held by any municipality under the municipal housing law (K.S.A. 17-2337 *et seq.*) and amendments thereto, except that such exemption shall not apply to any portion of the project used by a non-dwelling facility for profit making enterprise.

Seventh. All property of a municipality, acquired or held under and for the purposes of the urban renewal law (K.S.A. 17-4742 *et*

seq.) and amendments thereto except that such tax exemption shall terminate when the municipality sells, leases or otherwise disposes of such property in an urban renewal area to a purchaser or lessee which is not a public body entitled to tax exemption with respect to such property.

Eighth. All property acquired and held by the Kansas armory board for armory purposes under the provisions of K.S.A. 48-317, and amendments thereto.

Ninth. All property acquired and used by the Kansas turnpike authority under the authority of K.S.A. 68-2001 *et seq.*, and amendments thereto, K.S.A. 68-2030 *et seq.*, and amendments thereto, K.S.A. 68-2051 *et seq.*, and amendments thereto, and K.S.A. 68-2070 *et seq.*, and amendments thereto.

Tenth. All property acquired and used for park purposes by the state park and resources authority under the authority of K.S.A. 74-4501 *et seq.*, and amendments thereto.

Eleventh. The state office building constructed under authority of K.S.A. 75-3607 *et seq.*, and amendments thereto, and the site upon which such building is located.

Twelfth. All buildings erected under the authority of K.S.A. 76-6a01 *et seq.*, and amendments thereto, and all other student union buildings and student dormitories erected upon the campus of any institution mentioned in K.S.A. 76-6a01, and amendments thereto, by any other nonprofit corporation.

Thirteenth. All buildings, as the same is defined in subsection (c) of K.S.A. 76-6a13, and amendments thereto, which are erected, constructed or acquired under the authority of K.S.A. 76-6a13 *et seq.*, and amendments thereto, and building sites acquired therefor.

Fourteenth. All that portion of the waterworks plant and system of the city of Kansas City, Missouri, now or hereafter located within the territory of the state of Kansas pursuant to the compact and agreement adopted by chapter 304 of the 1921 Session Laws of the state of Kansas [See K.S.A. 79-205].

Fifteenth. All property, real and personal, owned by a ground-water management district organized and operating pursuant to K.S.A. 82a-1020, and amendments thereto.

The provisions of this section shall apply to all taxable years commencing after December 31, 1980.

Sec. 2. K.S.A. 1981 Supp. 79-201a is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body February 16, 1982.

Senate adopted Conference Committee report April 29, 1982.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended March 25, 1982.

House adopted Conference Committee report April 29, 1982.

WENDELL LADY
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED May 12, 1982.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 13th day of May, 1982.

(SEAL) JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER May 20, 1982.)

SENATE BILL No. 761

AN ACT relating to the pharmacy act of the state of Kansas; concerning certain fees; relating to location of the state board of pharmacy; amending K.S.A. 65-1632, 65-1633, 65-1635, as amended by section 6 of 1982 Senate Bill No. 783, 65-1643 and 65-1645 and K.S.A. 1981 Supp. 65-1631 and 74-1603 and repealing the existing sections.

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

Section 1. K.S.A. 1981 Supp. 65-1631 is hereby amended to read as follows: 65-1631. (a) It shall be unlawful for any person to practice as a pharmacist in this state, unless such person is registered by the board as a pharmacist. Every applicant for examination and registration as a pharmacist shall be of good moral character and temperate habits, a graduate of a school or college of pharmacy or department of a university recognized and approved by the board, and shall file proof satisfactory to the board, substantiated by proper affidavits, of a minimum of one year of pharmaceutical experience, acceptable to the board, under the supervision of a registered pharmacist and shall pass an examination by the board. Pharmaceutical experience as required in this section shall be under the supervision of a registered pharmacist and shall be predominantly related to the dispensing of prescription medication, compounding prescriptions, preparing pharmaceutical preparations, and keeping records and making reports required under the state and federal statutes.

(b) All applications for examinations shall be made on a form to be prescribed and furnished by the board and shall be filed with the board at least 10 days before any meeting of the board at which examinations are to be held. Each application must be accompanied by an examination fee of \$100 fixed by the board as provided in K.S.A. 65-1645, and any amendments thereto. The examination fee established by this section immediately prior to the effective date of this act shall continue in effect until a different examination fee is fixed by the board by rules and regulations as provided in K.S.A. 65-1645, and any amendments thereto.

(c) The board is authorized to adopt rules and regulations relating to the grades which an applicant must receive in order to pass the examination.

(d) Notwithstanding the preceding provisions of this section, the board may in its discretion register as a pharmacist, without examination, any person who is duly registered by examination in some other state, provided that such person shall produce evidence satisfactory to the board of having had the required education and training and is possessed of good character and morals, as required of applicants for registration under the provisions of the pharmacy act of this state. Persons of good character and morals who have become registered as pharmacists by examination in other states shall be required to satisfy only the requirements which existed in this state at the time they become registered in such other states. The provisions of this subsection shall apply only if the state in which said the person is registered grants, under like conditions, reciprocal registrations as pharmacists, without examination, to pharmacists duly registered by examination in this state.

(e) In the event that the applicant desiring reciprocal registration has not been subject to laws requiring continuing education as a condition of renewal, such applicant shall be required to satisfy the board through a competency examination of the applicant's knowledge and ability to meet Kansas standards for registration as a pharmacist.

(f) No applicant who has taken the examination for registration given by the board and has failed to complete it successfully shall be considered for registration by reciprocity within one year of the date such applicant sat for the examination.

(g) All applicants for reciprocal registration shall file their applications on a form to be prescribed and furnished by the board and such application shall be accompanied by a fee of \$125 \$250.

(h) In determining moral character under this section, the board shall take into consideration any felony conviction of such person, but such conviction shall not automatically operate as a bar to registration.

(i) All applicants for reciprocal registration or for examination who graduate from a school or college of pharmacy outside the

United States shall submit information to the board, as specified by rules and regulations, and this information shall be accompanied by an evaluation fee of not to exceed \$250 as fixed by the board by rules and regulations, which evaluation fee shall be in addition to any other fee paid by the applicant under the pharmacy act of the state of Kansas.

Sec. 2. K.S.A. 65-1632 is hereby amended to read as follows: 65-1632. (a) Each registration as a pharmacist issued by the board shall expire on June 30 following the date of issuance of the same. Each application for renewal of a registration as a pharmacist shall be made on a form prescribed and furnished by the board. When accompanied by the renewal fee and received by the executive secretary of the board on or before the date of expiration of the certificate of registration, such Except as otherwise provided in this subsection (a), the application, when accompanied by the renewal fee and received by the executive secretary of the board on or before the date of expiration of the certificate of registration, shall have the effect of temporarily renewing the applicant's registration until actual issuance or denial of the renewal registration unless. If at the time of filing a proceeding is pending before the board which may result in the suspension, probation, revocation or denial of the applicant's registration in which event, the board may by preliminary order in such proceeding declare that such the application for renewal shall not have the effect of temporarily renewing such applicant's registration. Every registered pharmacist shall pay to the secretary of the board annually between July 1 and August 1 a renewal fee of not less than twenty dollars (\$20) \$40 nor more than thirty dollars (\$30) \$60, as fixed by the board as herein provided for. On or before October 1, each year, the board shall determine the amount necessary to carry out and enforce the provisions of this act for the next ensuing year, and shall fix the renewal fee for such year at the sum deemed necessary for such purposes by rules and regulations. The renewal fee fixed by the board under this section immediately prior to the effective date of this act shall continue in effect until a different renewal fee is fixed by the board by rules and regulations as provided under this section.

(b) The board may deny renewal of any registration of a pharmacist on any ground which would authorize the board to deny an initial application for registration or on any ground which would authorize the board to suspend, revoke or place on probation a registration previously granted.

(c) The payment of the renewal fee by a person who is a holder of a registration as a pharmacist shall entitle such the person to renewal of registration if no grounds exist for denying the renewal of the registration and if such the person has furnished satisfactory evidence to the board that such the person has successfully complied with the rules and regulations of the board relating to continuing professional education. Such These educational requirements shall be fixed by the board at not less than ten (10) 10 clock hours or more than twenty (20) 20 clock hours of annual educational program approved by the board. No pharmacist holding a certificate of registration prior to July 1, 1975, shall be required to obtain more continuing education than was required immediately prior to July 1, 1975, by the section of which this section is amendatory until the second registration period in which this amendment is effective. The maximum number of continuing education hours required by the board to meet the requirements for cancellation of inactive status registration and renewal of registration under subsection (d) or reinstatement of registration because of nonpayment of fees under subsection (e) shall not exceed 30.

(d) The renewal privilege as prescribed by subsection (c) of this section shall be applicable to persons who are holders of certificates of registration issued prior to July 1, 1975, and such persons shall not be required to file an original application for a registration. The payment of the renewal fee by the person, who is a holder of a registration as a pharmacist but who has not complied with the continuing education requirements fixed by the board, if no grounds exist for denying the renewal of the registration other than that the person has not complied with the continuing education requirements fixed by the board, shall entitle the person to inactive status registration by the board. No person holding an inactive status registration from the board shall engage

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in the practice of pharmacy in this state. Upon furnishing satisfactory evidence to the board of compliance with the continuing education requirements fixed by the board and upon the payment to the board of all applicable fees, a person holding an inactive status registration from the board shall be entitled to cancellation of the inactive status registration and to renewal of registration as a pharmacist.

(e) If the renewal fee for any pharmacist's registration has not been paid by August 1 of any year, such the registration is hereby declared null and void, and the holder thereof may be reinstated as a registered pharmacist only upon payment of a penalty of five dollars (\$5); all unpaid fees and proof satisfactory to the board of compliance with subsection (e) of this section. no registration shall be reinstated except upon payment of the required renewal fee plus a penalty equal to the renewal fee and proof satisfactory to the board of compliance with the continuing education requirements fixed by the board. Payment of the renewal fee plus a penalty equal to the renewal fee and the submission of proof satisfactory to the board of compliance with the continuing education requirements fixed by the board shall entitle the registration to be reinstated. The mere nonpayment of renewal fees by such a registered pharmacist for a period not exceeding five (5) three years shall not deprive such the pharmacist of the right to renew the registration upon the payment of any unpaid fees and the penalty hereinbefore provided penalties.

Sec. 3. K.S.A. 65-1633 is hereby amended to read as follows: 65-1633. Every registered pharmacist who shall change changes his or her residential address shall within thirty (30) 30 days thereof by letter notify the executive secretary of the board of such change and enclose a fee of five dollars (\$5), and upon receipt of said the notice and fee the executive secretary shall make the proper alterations in the register kept for that purpose.

Sec. 4. K.S.A. 65-1645 is hereby amended to read as follows: 65-1645. Application for registrations or permits under K.S.A. 65-1643, and any amendments thereto, shall be made on a form to be prescribed and furnished by the board and shall be accompanied by the fee prescribed by the board under the provisions of this section. When such application and fees are received by the executive secretary of the board on or before the due date, such application shall have the effect of temporarily renewing the applicant's registration or permit until actual issuance or denial of the renewal, unless at the time of filing a proceeding is pending before the board which may result in the suspension, probation, revocation or denial of the applicant's registration or permit, in which event the board may declare, by preliminary order in such proceeding, that such application for renewal shall not have the effect of temporarily renewing such applicant's registration or permit. Separate applications shall be made and separate registrations or permits issued for each separate place at which is carried on any of the operations for which a registration or permit is required by K.S.A. 65-1643, and any amendments thereto. The fees required for the issuing of the registrations or permits required by K.S.A. 65-1643 and amendments thereto shall be fixed by the board as herein provided, subject to the following:

Pharmacy, new registration not less than fifty dollars (\$50) \$125 nor more than eighty-five dollars (\$85) \$150, renewal not less than twenty-five dollars (\$25) \$100 nor more than sixty dollars (\$60) \$125; pharmacist, examination fee not less than \$125 nor more than \$200; manufacturer, new registration not less than fifty dollars (\$50) \$250 nor more than one hundred fifty dollars (\$150) \$500, renewal not less than twenty-five dollars (\$25) \$200 nor more than one hundred twenty-five dollars (\$125) \$400; wholesaler, new registration not less than fifty dollars (\$50) \$250 nor more than one hundred fifty dollars (\$150) \$500, renewal not less than twenty-five dollars (\$25) \$200 nor more than one hundred twenty-five dollars (\$125) \$400, except that a wholesaler dealing exclusively in nonprescription drugs, the manufacturing, distributing or dispensing of which does not require registration under the uniform controlled substances act, shall be assessed a fee for registration and reregistration not to exceed fifty dollars (\$50) \$50; special auction not less than fifteen dollars (\$15) \$35 nor more than twenty dollars (\$20) \$50; samples distribution not less than thirty dollars (\$30) \$30 nor more than thirty-five dollars (\$35) \$50; institutional drug room, new registration not less than fifteen dollars (\$15) \$25 nor more than twenty-five dollars (\$25) \$40,

renewal not less than ten dollars (\$10) \$20 nor more than twenty dollars (\$20) \$35; retail dealer selling more than six 12 different nonprescription drug products, new permit not more than twelve dollars (\$12) \$12, renewal not more than twelve dollars (\$12) \$12; retail dealer selling six or fewer nonprescription drug products, new permit not more than three dollars (\$3), renewal not more than three dollars (\$3).

For the purpose of fixing fees, the board may establish classes of retail dealers' permits for retail dealers selling more than six 12 different nonprescription drug products, and the board may fix a different fee for each such class of permit.

On or before October 1, each year, The board shall determine annually the amount necessary to carry out and enforce the provisions of this act for the next ensuing fiscal year and shall fix by rules and regulations the fees hereinbefore authorized for such year at the sum deemed necessary for such purposes. The fees fixed by the board under this section immediately prior to the effective date of this act shall continue in effect until different fees are fixed by the board by rules and regulations as provided under this section.

The board may deny renewal of any registration or permit required by K.S.A. 65-1643 and any amendments thereto on any ground which would authorize the board to suspend, revoke or place on probation a registration or permit previously granted pursuant to the provisions of K.S.A. 65-1643 and any amendments thereto. Registrations and permits issued under the provisions of K.S.A. 65-1643 and 65-1644, and any amendments thereto, shall be conspicuously displayed in the place for which the registration or permit was granted. Such registrations and permits shall not be transferable. All such registrations and permits except retail dealer permits shall expire on the last day of June 30 following date of issuance. Retail dealers' permits shall expire on the last day of February. All registrations and permits shall be renewed annually. Application blanks for renewal of registrations and permits shall be mailed by the board to each registrant or permittee at least thirty (30) 30 days prior to expiration of the registration or permit, and if application for renewal is not made before thirty (30) 30 days after the expiration of the existing registration or permit shall lapse and become null and void on the date of its expiration, and no new registration or permit shall be granted except upon payment of the required renewal fee plus a penalty equal to the renewal fee. Failure of any registrant or permittee to receive such application blank shall not relieve said registrant or permittee from the penalty hereby imposed if the renewal is not made as prescribed.

Sec. 5. K.S.A. 1981 Supp. 74-1603 is hereby amended to read as follows: 74-1603. (a) There is hereby created a state board of pharmacy which shall consist of six members, five of whom shall be registered pharmacists, and one of whom shall be a representative of the general public.

(b) Vacancies occurring on the board other than by expiration of term shall be filled for the unexpired term in the same manner as the original appointment was made. No person who has been appointed to and qualified for two terms of three years as a member of the board of pharmacy shall be eligible to be appointed as a member of the board. Members of the state board of pharmacy serving on the board on the effective date of this act shall remain members of the board and shall hold their respective offices until their terms expire and their respective successors are appointed and qualified. Members of the state board of pharmacy immediately prior to the effective date of this act shall continue as members of the board and shall hold their respective offices until their terms expire and their respective successors are appointed and qualified.

(c) On and after July 1, 1984, the office of the state board of pharmacy shall be located in the city of Topeka, Kansas.

Sec. 6. On July 1, 1982, K.S.A. 65-1635, as amended by section 6 of 1982 Senate Bill No. 783, is hereby amended to read as follows: 65-1635. (a) Nothing contained in the pharmacy act of the state of Kansas shall prohibit any duly licensed practitioner from purchasing and keeping drugs, from compounding prescriptions or from administering, supplying or dispensing to such practitioner's patients such drugs as may be fit, proper and necessary. Except as provided in subsection (b) or (c), such drugs

(continued)

shall be dispensed by such practitioner and shall comply with the Kansas food, drug and cosmetic act and be subject to inspection as provided by law.

(b) Nothing contained in the pharmacy act of the state of Kansas shall be construed to prohibit any nurse or other person, acting under the direction of a duly licensed practitioner, from administering drugs to a patient.

(c) Nothing contained in the pharmacy act of the state of Kansas shall be construed to prohibit any registered nurse, acting under the direction of a person licensed to practice medicine and surgery, from dispensing drugs to a patient of the person licensed to practice medicine and surgery so long as the principal office of the person licensed to practice medicine and surgery is located within the boundaries of a city which does not have located within its boundaries a registered pharmacy. The provisions of this subsection (c) shall expire on July 1, 1983.

Sec. 7. K.S.A. 65-1643 is hereby amended to read as follows: 65-1643. On and after the effective date of this act, it shall be unlawful:

(a) For any person to operate, maintain, open or establish any pharmacy within this state without first having obtained a registration from the board. Each application for registration of a pharmacy shall indicate the person or persons desiring the registration, including the pharmacist in charge, as well as the location, including the street name and number, and such other information as may be required by the board to establish the identity and exact location of the pharmacy. The issuance of a registration for any pharmacy shall also have the effect of permitting such pharmacy to operate as a retail dealer without requiring such pharmacy to obtain a retail dealer's permit. On evidence satisfactory to the board: (1) That the pharmacy for which the registration is sought will be conducted in full compliance with the law and the rules and regulations of the board; (2) that the location and appointments of said the pharmacy are such that it can be operated and maintained without endangering the public health or safety; (3) that said the pharmacy will be under the supervision of a registered pharmacist, a registration shall be issued to such persons as the board shall deem qualified to conduct such a pharmacy.

(b) For any person to manufacture within this state any drugs except under the personal and immediate supervision of a registered pharmacist or such other person or persons as may be approved by the board after an investigation and a determination by the board that such person or persons is qualified by scientific or technical training or experience to perform such duties of supervision as may be necessary to protect the public health and safety; and no person shall manufacture any such drugs without first obtaining a registration so to do from the board. Such registration shall be subject to such rules and regulations with respect to requirements, sanitation and equipment, as the board may from time to time adopt for the protection of public health and safety.

(c) For any person to distribute at wholesale any drugs without first obtaining a registration so to do from the board.

(d) For any person to sell or offer for sale at public auction or private sale in a place where public auctions are conducted, any drugs without first having obtained a registration from the board so to do, and it shall be necessary to obtain the permission of the board in every instance where any of the products covered by this section are to be sold or offered for sale.

(e) For any person to in any manner distribute or dispense samples of any drugs without first having obtained a permit from the board so to do, and it shall be necessary to obtain permission from the board in every instance where the samples are to be distributed or dispensed. Nothing in this subsection shall be held to regulate or in any manner interfere with the furnishing of samples of drugs to duly licensed practitioners, to pharmacists or to medical care facilities.

(f) Except as otherwise provided in this subsection(f), for any person operating a store or place of business to sell, offer for sale or distribute any drugs to the public without first having obtained a registration or permit from the board authorizing such person so to do. No retail dealer who sells 12 or fewer different nonprescription drug products shall be required to obtain a retail dealer's permit under the pharmacy act of the state of Kansas or to

pay a retail dealer new permit or permit renewal fee under such act. It shall be lawful for a retail dealer who is the holder of a valid retail dealer's permit issued by the board or for a retail dealer who sells 12 or fewer different nonprescription drug products to sell and distribute non-prescription nonprescription drugs which are prepackaged, fully prepared by the manufacturer or distributor for use by the consumer and labeled in accordance with the requirements of the state and federal food, drug and cosmetic acts. Such non-prescription nonprescription drugs shall not include: (1) A controlled substance; (2) a drug product the label of which is required to bear substantially the statement: "Caution: Federal law prohibits dispensing without prescription"; or (3) a drug product intended for human use by hypodermic injection; but such a retail dealer shall not be authorized to display any of the words listed in subsection (s) of K.S.A. 65-1626 and amendments thereto, for the designation of a pharmacy or drugstore.

(g) For any person to sell any drugs manufactured and sold only in the state of Kansas, unless the label and directions on such drugs shall first have been approved by the board.

(h) For any person to operate an institutional drug room without first having obtained a registration to do so from the board. Such registration shall be subject to the provisions of K.S.A. 65-1637a and any rules and regulations adopted pursuant thereto.

Sec. 8. K.S.A. 65-1632, 65-1633, 65-1643 and 65-1645 and K.S.A. 1981 Supp. 65-1631 and 74-1603 are hereby repealed.

Sec. 9. On July 1, 1982, K.S.A. 65-1635, as amended by section 6 of 1982 Senate Bill No. 783, is hereby repealed.

Sec. 10. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body March 10, 1982.

Senate adopted Conference Committee report April 28, 1982.

ROSS O. DOYEN

President of the Senate.

LU KENNEY

Secretary of the Senate.

Passed the HOUSE as amended April 1, 1982.

House adopted Conference Committee report April 27, 1982.

WENDELL LADY

Speaker of the House.

GENEVA SEWARD

Chief Clerk of the House.

APPROVED May 12, 1982.

JOHN CARLIN

Governor.

STATE OF KANSAS

Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 13th day of May, 1982.

JACK H. BRIER

Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER May 20, 1982.)

HOUSE BILL No. 2425

AN ACT concerning the taxation of property; exempting certain property therefrom; amending K.S.A. 1981 Supp. 79-201d and repealing the existing section.

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

Section 1. K.S.A. 1981 Supp. 79-201d is hereby amended to read as follows: 79-201d. The following described property, to the extent herein specified, shall be and is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

First. Horses less than ~~twelve (12)~~ 12 months old; cattle less than ~~twelve (12)~~ 12 months old; mules and asses less than ~~twelve (12)~~ 12 months old; sheep less than six (6) months old; hogs less than six (6) months old; and goats less than six (6) months old.

Second. All hay and silage. The term "hay" shall include alfalfa, brome, clover, and prairie hays and all other grasses and plants which are harvested for forage. The term "silage" shall include corn, milo, sorghum and all other plants, cut, compressed and preserved by its own fermentation for fodder.

Third. All farm storage and drying equipment meeting eligibility requirements, as provided in Title 7, Chapter XIV, Subchapter B, Part 1474 of the Code of Federal Regulations and as in effect on December 31, 1977, for loans under the federal farm storage and drying equipment loan program, whether financed or not, which equipment is used exclusively for the storage or drying of corn, oats, barley, grain sorghum, wheat, rye, soybeans, flaxseed, rice, dry edible beans or sunflower seed, for a period of any eight (8) of the 10 calendar years from and after next following the calendar year in which such equipment is acquired or construction thereof is completed. ~~Claims for the exemptions granted under the provisions of this subsection may be filed in the year 1978 or before June 1 of such year.~~ The provisions of this subsection shall apply to equipment acquired or the construction of which was completed during the calendar years year 1977, ~~1978 and 1979 or any year thereafter.~~

The provisions of this section shall apply to all taxable years commencing after December 31, ~~1977~~ 1981.

New Sec. 2. It is the purpose of section 3 of this act to promote, stimulate and develop the general welfare, economic development and prosperity of the state of Kansas by fostering the growth and development of agricultural endeavors within the state. Agriculture, as conducted in farming and ranching operations throughout the state, is the primary basis of the Kansas economy. Communities, regions, and the state as a whole are materially dependent upon agricultural endeavors and derive substantial financial benefit from the success of Kansas agriculture. Farming and ranching operations require the investment of large sums of capital for the purpose of providing the land on which the operations are conducted, and the farm machinery and equipment necessary to satisfactorily carry out such endeavors. Because of agriculture's unique requirements of substantial capital investment, the property tax burden becomes a deterrent to such investment and, in some instances, an encouragement to farm and ranch abandonment. Kansas, and all its citizens, will benefit from any improvement in the economic environment of Kansas agriculture. The exemption from the ad valorem property tax of farm machinery and equipment actually and regularly used in farming and ranching operations will constitute an incentive to agriculture and will improve the general economy of the state. Considering this state's heavy reliance on agriculture, the enhancement of agricultural endeavors is deemed to be a public purpose which will promote the general welfare of the state and be for the benefit of the people of the state.

New Sec. 3. The following described property, to the extent specified by this section, shall be exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

All farm machinery and equipment. The term "farm machinery and equipment" means that personal property actually and regularly used exclusively in farming or ranching operations. The term "farm machinery and equipment" shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as the terms are defined by K.S.A. 1981 Supp. 8-126 and amendments thereto.

The provisions of this section shall apply to all taxable years commencing after December 31, 1982.

New Sec. 4. (a) It is the purpose of this section to promote, stimulate and develop the general welfare, economic development and prosperity of the state of Kansas by fostering the growth of commerce within the state; to encourage the location of new business and industry in this state and the expansion, relocation or retention of existing business and industry when so doing will help maintain or increase the level of commerce within the state; and to promote the economic stability of the state by maintaining and providing employment opportunities, thus promoting the general welfare of the citizens of this state, by exempting aircraft used in business and industry, from imposition of the property tax or other ad valorem tax imposed by this state or its taxing subdivisions. Kansas has long been a leader in the manufacture and use of aircraft and the use of aircraft in business and industry is vital to the continued economic growth of the state.

(b) The following described property, to the extent herein specified, is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

First. For all taxable years commencing after December 31, 1982, all aircraft actually and regularly used exclusively in the conduct of a business or industry.

New Sec. 5. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 6. K.S.A. 1981 Supp. 79-201d is hereby repealed.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body March 11, 1982.

House adopted Conference Committee report April 29, 1982.

WENDELL LADY
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

Passed the SENATE as amended April 9, 1982.

Senate adopted Conference Committee report April 29, 1982.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

APPROVED May 13, 1982.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 13th day of May, 1982.

JACK H. BRIER
Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER May 20, 1982.)

SENATE BILL No. 893

AN ACT relating to salaries and compensation of certain state officers and employees; authorizing and providing for certain increases; making appropriations for the fiscal year ending June 30, 1983, and authorizing certain transfers and adjustments in expenditure limitations therefor; amending K.S.A. 40-102 and K.S.A. 1981 Supp. 75-3101, 75-3103, as amended by section 2 of 1982 House Bill No. 2903, 75-3104, 75-3108 and 75-3110 and repealing the existing sections.

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

New Section 1. (a) The governor is hereby authorized and directed to modify the pay plan adopted pursuant to section 1 of chapter 30 of the 1981 Session Laws of Kansas in accordance with this section and to adopt such pay plan as so modified. The existing pay plan shall be modified to provide for an increase of 6.5% adjusted to the nearest dollar in each step of the schedule of salary and wage ranges and steps of such pay plan. The pay plan adopted by the governor under this subsection shall be the pay plan for the classified service under the Kansas civil service act, shall be effective on the first day of the first payroll period chargeable to the fiscal year ending on June 30, 1983, and shall be subject to modification and approval as provided under K.S.A. 1981 Supp. 75-2938, and amendments thereto, and to any enactments of the legislature applicable thereto.

(b) The governor is hereby authorized to modify the salary of each state officer and employee in the unclassified service under the Kansas civil service act whose salary is subject to approval by the governor under K.S.A. 1981 Supp. 75-2935b or 75-2935c to provide for an increase of 6.5% adjusted to the nearest dollar for each payroll period. Each such salary increase shall be effective on the first day of the first payroll period chargeable to the fiscal year ending on June 30, 1983.

New Sec. 2. (a) Upon recommendation of the director of the budget, 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, except paragraph (3) of such subsection (c), is hereby authorized to increase expenditure limitations on special revenue funds and accounts established for the fiscal year ending on June 30, 1983, for the purpose of paying from such funds or accounts the proportionate share of the salary increases provided for by adoption of the pay plan under subsection (a) of section 1 and from adoption of the salary increases for unclassified state officers and employees under subsection (b) of section 1 and for the purpose of paying for merit increases funded from an amount equal to 50% of the amount which would be required to provide eligible state officers and employees the equivalent of a one step merit increase above the salary increases provided under section 1.

(b) There is hereby appropriated from the state general fund for the state finance council, for the fiscal year ending on June 30, 1983, the sum of \$20,605,000 to be used for the purpose of paying the proportionate share of the cost to the state general fund of the salary increases resulting from adoption of the pay plan under subsection (a) of section 1 and from adoption of the salary increases for unclassified state officers and employees under subsection (b) of section 1 and for the purpose of paying for merit increases funded from an amount equal to 50% of the amount which would be required to provide eligible state officers and employees the equivalent of a one step merit increase above the salary increases provided under section 1. To pay the proportionate share of the cost to the state general fund of each state agency of the executive branch of state government for such salary increases, upon recommendation of the director of the budget, 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, except paragraph (3) of such subsection (c), is hereby authorized and directed to transfer moneys from the appropriation made by this section to proper accounts created by state general fund appropriations for the fiscal year ending on June 30, 1983.

(c) Each state agency, which employs officers and employees receiving salary increases provided for by adoption of the pay plan under subsection (a) of section 1 or from adoption of the

salary increases for unclassified state officers and employees under subsection (b) of section 1, shall prepare and submit to the division of the budget a budget estimate for such salary increases, and all amendments and revisions of such estimates. At the same time as each state agency submits such estimate, and all amendments and revisions thereof, each such state agency shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the legislative research department.

New Sec. 3.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1983, the following:

Salaries and wages \$89,457

New Sec. 4.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1983, the following:

Salaries and wages \$5,466

New Sec. 5.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1983, the following:

Administration \$595

New Sec. 6.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the state fund fund for the fiscal year ending June 30, 1983, the following:

Salaries and wages \$133,839

(b) On July 1, 1982, the expenditure limitation established by section 10(b) of 1982 Senate Bill No. 627 on the salaries and wages account of the health care stabilization fund is hereby increased from \$28,976 to \$31,176.

New Sec. 7.

LIEUTENANT GOVERNOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1983, the following:

Operations \$4,252

New Sec. 8.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1983, the following:

Salaries and wages \$59,958

New Sec. 9.

STATE TREASURER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1983, the following:

Salaries and wages \$19,549

New Sec. 10.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1983, the following:

Salaries and wages \$47,275

(b) On July 1, 1982, the expenditure limitation established by section 6(b) of 1982 Senate Bill No. 604 on the certificate fee fund is hereby increased from \$244,104 to \$246,401.

(c) On July 1, 1982, the expenditure limitation established by section 6(b) of 1982 Senate Bill No. 604 on the food assistance—

(continued)

federal fund is hereby increased from \$23,462,174 to \$23,464,254.

(d) On July 1, 1982, the expenditure limitation established by section 6(b) of 1982 Senate Bill No. 604 on the state operations account of the food assistance—federal fund is hereby increased from \$352,174 to \$354,254.

(e) On July 1, 1982, the expenditure limitation established by section 6(b) of 1982 Senate Bill No. 604 on the education of handicapped children fund — federal is hereby increased from \$10,519,532 to \$10,522,217.

(f) On July 1, 1982, the expenditure limitation established by section 6(b) of 1982 Senate Bill No. 604 on the state operations account of the education of handicapped children fund—federal is hereby increased from \$359,532 to \$362,217.

(g) On July 1, 1982, the expenditure limitation established by section 6(b) of 1982 Senate Bill No. 604 on the state operations fund—federal is hereby increased from \$1,262,246 to \$1,273,336.

(h) On July 1, 1982, the expenditure limitation established by section 6(b) of 1982 Senate Bill No. 604 on the vocational education amendments of 1968—federal fund is hereby increased from \$7,355,117 to \$7,357,642.

(i) On July 1, 1982, the expenditure limitation established by section 6(b) of 1982 Senate Bill No. 604 on the state operations account of the vocational education amendments of 1968—federal fund is hereby increased from \$573,117 to \$575,642.

New Sec. 11.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1983, the following:

Legislative coordinating council—for other expenses	\$14,019
For the legislative research department	77,974
For the office of revisor of statutes	50,638
For the office of revisor of statutes for comprehensive legislative information system by computer	5,435
Total	\$148,066

New Sec. 12.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1983, the following:

Legislative expense (including official hospitality)	\$138,929
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New Sec. 13.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1983, the following:

Operating expenditures (including legislative post audit committee)	\$85,192
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New Sec. 14.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1983, the following:

Salaries and wages	\$6,670
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New Sec. 15.

SUPREME COURT—AID TO INDIGENT CRIMINAL DEFENDANTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1983, the following:

Aid to indigent defendants fund	\$16,354
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New Sec. 16.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1983, the following:

Appellate courts — salaries and wages	\$185,182
Non-judicial personnel of the district courts — salaries and wages	1,427,146
Judges of the district courts — salaries and wages	546,784
Total	\$2,159,112

(b) On July 1, 1982, the expenditure limitation established by section 4(b) of 1982 Senate Bill No. 590 on the bar admission fee fund is hereby increased from \$34,600 to \$35,052.

New Sec. 17.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1983, the following:

Salaries and wages	\$14,745
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New Sec. 18.

STATE CORPORATION COMMISSION

(a) On July 1, 1982, the expenditure limitation established by section 8(a) of 1982 Senate Bill No. 898 on the public service regulation fund is hereby increased from \$2,935,378 to \$2,944,576.

Sec. 19. On July 1, 1982, K.S.A. 40-102 is hereby amended to read as follows: 40-102. (a) There is hereby established and continued a separate and distinct department to be known as the insurance department, which shall have a chief officer whose style of office shall be commissioner of insurance and who shall receive, *except as otherwise provided in section 26*, an annual salary of ~~thirty-five thousand dollars (\$35,000)~~ \$38,500, and such officer shall be charged with the administration of all laws relating to insurance, insurance companies and fraternal benefit societies doing business in this state, and all other duties which are or may be imposed upon such officer by law.

(b) The provisions of the Kansas sunset law apply to the office of commissioner of insurance and the insurance department established by this section and said office and department are subject to abolition thereunder.

Sec. 20. On July 1, 1982, K.S.A. 1981 Supp. 75-3101 is hereby amended to read as follows: 75-3101. *Except as otherwise provided in section 26*, the governor of the state shall receive for services an annual salary of ~~forty-five thousand dollars (\$45,000)~~ \$49,500.

Sec. 21. On July 1, 1982, K.S.A. 1981 Supp. 75-3103, as amended by section 2 of 1982 House Bill No. 2903, is hereby amended to read as follows: 75-3103. (a) The lieutenant governor shall receive, as reimbursement for expenses the following: (a) (1) Annually the sum of \$1,875, and (b) (2) when attending the duties of office or attending any authorized meeting, in addition to other provisions of this section, travel expenses and subsistence expenses and allowances in amounts equal to those provided for by K.S.A. 1981 Supp. 75-3212, and amendments thereto.

In addition to any other compensation provided by law and *except as otherwise provided in section 26*, the lieutenant governor shall also receive for services in the performance of duties imposed by law compensation in the sum of ~~\$13,500~~ \$14,850 per annum. While acting as governor, the lieutenant governor shall receive the same salary as the governor. The lieutenant governor may appoint an administrative assistant and office and stenographic employees, all of whom shall be in the unclassified service of the Kansas civil service act. Such administrative assistant shall receive travel expenses and subsistence expenses or allowances as provided by K.S.A. 1981 Supp. 75-3212, and amendments thereto, when traveling as authorized by the lieutenant governor.

(b) If the lieutenant governor is appointed by the governor under the provision of section 1 of 1982 House Bill No. 2903, the lieutenant governor shall receive an annual salary to be fixed by the governor or an annual salary as provided for in subsection (a) of this section, whichever is greater.

Sec. 22. On July 1, 1982, K.S.A. 1981 Supp. 75-3104 is hereby amended to read as follows: 75-3104. *Except as otherwise provided in section 26*, the secretary of state shall receive for his or

(continued)

her services an annual salary of twenty-seven thousand five hundred dollars (\$27,500) \$30,250.

Sec. 23. On July 1, 1982, K.S.A. 1981 Supp. 75-3108 is hereby amended to read as follows: 75-3108. Except as otherwise provided in section 26, the treasurer of state treasurer shall receive for his or her services an annual salary of twenty-seven thousand five hundred dollars (\$27,500) \$30,250.

Sec. 24. On July 1, 1982, K.S.A. 1981 Supp. 75-3110 is hereby amended to read as follows: 75-3110. Except as otherwise provided in section 26, the attorney general shall receive for his or her services an annual salary of forty thousand dollars (\$40,000) \$44,000.

Sec. 25. On July 1, 1982, K.S.A. 40-102 and K.S.A. 1981 Supp. 75-3101, 75-3103, as amended by section 2 of 1982 House Bill No. 2903, 75-3104, 75-3108 and 75-3110 are hereby repealed.

New Sec. 26. Whenever the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for payroll periods chargeable to fiscal years commencing after June 30, 1982, the annual salary of the governor, the lieutenant governor, the attorney general, the secretary of state, the state treasurer and the commissioner of insurance shall be increased by an amount, adjusted to the nearest dollar, computed by multiplying the average of the percentage increases in all monthly steps of such pay plan by the annual salary of the elected state officer which is being received as provided by law and which is in effect prior to the effective date of such increase in the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act.

New Sec. 27. Appeals to exceed limitations. Upon written application to the governor and 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, expenditures from special revenue funds may exceed the amounts specified in this act.

Sec. 28. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body April 9, 1982.

Senate adopted Conference Committee report April 29, 1982.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 28, 1982.

House adopted Conference Committee report April 29, 1982.

WENDELL LADY
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED May 13, 1982.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 13th day of May, 1982.

JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER May 20, 1982.)
SENATE BILL No. 886

AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing.

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

Section 1. For the fiscal year ending June 30, 1982, appro-

priations are hereby made, restrictions and limitations are hereby imposed, and transfers, disbursements, procedures and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

Sec. 2. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund, for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458, to the following claimants:

Table listing claimants and amounts: Abilene Country Club, Route 4, Abilene, Kansas 67410 \$20.23; Almquist, Kenneth, Box 6, Assaria, Kansas 67416 55.73; Amthauer, Alvin, Route 4, Box 58, Junction City, Kansas 66441 22.60; Anderson, John, Jr., Route 1, DeSoto, Kansas 66018 431.78; Antenen, Alan, Bazine, Kansas 67516 492.84; Antenen, Terry, Route 1, Bazine, Kansas 67516 168.98; Arensman, Ben, 306 Atwood Avenue, Kinsley, Kansas 67547 32.98; Bagby, Leon R., Route 2, Overbrook, Kansas 66524 27.22; Baker, Joseph, Route 1, Haddam, Kansas 66944 160.20; Ballard, Dale W., Route 2, Ellinwood, Kansas 67526 17.86; Bamberry, Dale, Route 1, Mound Valley, Kansas 67354 617.76; Baumgartner, Elsie C., Route 1, Box 118, Newton, Kansas 67114 20.52; Baxter, Russell E., Box 139, Route 1, Mayetta, Kansas 66509 15.05; Bearness, George A., Route 1, Culver, Kansas 67535 31.68; Beltz, Michael, Route 1, Ramona, Kansas 67475 144.80; Bembeck, Jeff, R.F.D., Box 86, Quinter, Kansas 67752 48.22; Berg Brothers, Blaine, Kansas 66410 176.04; Beying, Eugene F., Route 1, Box 128, Easton, Kansas 66020 36.58; Bird, Ralph Wm., Route 1, Box 30, Elk Falls, Kansas 67345 21.53; Biecka, Rudolph A., Munden, Kansas 66959 16.92; Bokelman, Jerald, Route 2, Washington, Kansas 66968 432.00; Bontrager, Merle, Route 2, Haven, Kansas 67543 20.16; Borth, Ben, Box 411, Canton, Kansas 67428 26.86; Boucek, Lloyd and Roger, Glasco, Kansas 67445 19.87; Bremerman, Jack, Route 1, Minneapolis, Kansas 67467 22.18; Brining, Richard C., Route 1, Great Bend, Kansas 67530 230.40; Brookridge Management Corp., 8223 West 103rd, Overland Park, Kansas 66212 76.03; Brooks, Jim, Beattie, Kansas 66406 21.02; Broom, Vernon L., Route 1, Box 231, Tecumseh, Kansas 66542 92.45; Bruch, Manuel L., 1407 Plaza Way, Hutchinson, Kansas 67501 102.67; Brucken, Lawrence, Route 2, Soldier, Kansas 66540 21.60; Buchanan, James A., Route 1, Independence, Kansas 67301 21.17; Buckner, Dean, 345 H Street, Phillipsburg, Kansas 67661 55.08; Burger, Raymond, Route 2, Clay Center, Kansas 67432 53.28; Burkett, Jim, Route 2, Box 324, Osage City, Kansas 66523 24.40; Burkhart, Elred, Route 2, Kinsley, Kansas 67547 114.56; Busch, W. H. and Jim, Route 1, Milan, Kansas 67105 61.56; Carlson, Ronald L., Route 3, Box 28, Clay Center, Kansas 67432 44.86; Carra, Herbert, R.F.D., Havana, Kansas 67347 60.48; Carrothers Construction Co., Inc., J. E. McIntire, P.O. Box 269, Paola, Kansas 66071 635.50; Chaffin, J. H., Jr., Sublette, Kansas 67877 205.92; Clark, Nellie C., Route 1, LaHarpe, Kansas 66751 40.00; Clemence, Jon, Route 2, Lindsborg, Kansas 67456 289.22; Cline, John A., Havensville, Kansas 66432 51.62; Collins, Clyde, Route 2, Box 226, Coffeyville, Kansas 67337 15.48; Compton, Dwain, Mahaska, Kansas 66955 42.48; Conrad, Ollie, Route 1, Box 20, Harlan, Kansas 67641 36.00; Coop Service, Inc., Box 108, Kingsdown, Kansas 67858 42.91; Corbin, James R., Route 1, El Dorado, Kansas 67042 54.65; Corwin, Merlin E., Quinter, Kansas 67752 203.62; Crist, Harold H., 1302 Church, Scott City, Kansas 67871 54.72; Crouch, Phillip, Route 1, Yates Center, Kansas 66783 52.85; Curtis, L. S., Route 2, Box 203A, Dodge City, Kansas 67801 41.76; D & D Construction, c/o Lloyd Dennison, Jr., 718 West 8th, Garnett, Kansas 66032 63.79; Davidson, Lowell, Route 2, Box 106, Hope, Kansas 67451 630.36; Davies, John M., Route 2, Lebo, Kansas 66856 43.49; Davis, Ernest, Mullinville, Kansas 67109 79.20; Davis, Raymond, Portis, Kansas 67474 34.20; Deay, Harold, Route 3, Waverly, Kansas 66871 18.00; Decker, James & Son, 103 West Jay, Mankato, Kansas 66956 (Two claims: \$153.22 and \$41.40) 194.62; Delaney, Dean, Route 1, Alamota, Kansas 67830 213.34; Dettmer, Elmer L., Route 1, Box 54, Randolph, Kansas 66554 30.53; Diepenbrock, Gary, R.F.D., Lincolnville, Kansas 66858 32.40; Diliwyn Grain & Supply Co., Route 1, Macksville, Kansas 67575 538.92; Dinkel, Loren, 1737 N. Elm, Russell, Kansas 67665 36.08; Dinning, Robert A., Route 1, Box 169, Wathena, Kansas 66090 21.60; Dohrman, Leo, 903 North 8th, St. Marys, Kansas 66536 71.78; Dold, W. M., Route 1, Goddard, Kansas 67052 81.14; Donahy, Gerald J., Frankfort, Kansas 66427 37.01; Donnelly, Earl, Route 2, Hope, Kansas 67451 199.30; Egidy, Jon, Route 1, Greeley, Kansas 66033 39.96; Eisenhauer, Dale A., Box 253, Stockton, Kansas 67669 140.90; Elliott, J. J., Route 2, Coffeyville, Kansas 67337 36.00; Ellis, Wayne, Route 1, Pleasanton, Kansas 66075 223.78; Ellison, William D., Route 1, Humboldt, Kansas 66748 31.97

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End Wrench Cattle Co., Inc., by E. M. Pyle IV, President, 106 Plaza Terrace, Dodge City, Kansas 67801	527.98	Koch, Mark F., Route 3, Marysville, Kansas 66508	55.15
Engelbrecht, M. B., Andale, Kansas 67001	60.77	Kolman, Don, Route 1, Cuba, Kansas 66940	23.04
Engels, John E., Route 2 Box 373, Rose Hill, Kansas 67133	110.95	Kramer, Eugene F., Route 2, Box 3, Easton, Kansas 66020	26.21
Evans Aerial Spraying, Box 53, Morland, Kansas 67650	109.08	Kruse, Joe, Selden, Kansas 67757	41.62
Farmers Grain & Supply Co., 110 West Ohio, Greensburg, Kansas 67054	58.46	Kurtz, Ray G., Route 6, Wichita, Kansas 67216	20.88
Fechter, A. Dean, Belvue, Kansas 66407	109.80	Kusel, Tony, Route 1, Box 175, Erie, Kansas 66733	18.00
Fellers, Justin, Route 2, Lebo, Kansas 66856	38.16	Kyle, Clarence, Rago, Kansas 67128	60.41
Ferguson, Charles H., Route 2, Box 136, Douglass, Kansas 67039	22.96	Labarge, Alphonse, Route 2, Box 120, Clyde, Kansas 66968	14.40
Finger Farms, Inc., Leonard A. Finger, President, Route 3, Larned, Kansas 67550	125.21	Latta, Edwin, Route 1, Box 83, Harper, Kansas 67058	19.38
Finlayson, Ernest, Barnes, Kansas 66933	160.63	Ledford, Martin, Route 1, McCune, Kansas 66753	21.74
Finlayson, Glen A., Route 1, Box 31, Hanover, Kansas 66945	47.52	Lewis, Keith R., Route 2, Osage City, Kansas 66523	43.70
Fisher, Clarence C., P.O. Box 142, Oberlin, Kansas 67749	14.40	Lewis, William, 710 Page, Atwood, Kansas 67730	119.95
Folkerts, Lilah, Route 1, Rozel, Kansas 67574	31.11	Libby, Randall, Route 2, Box 71, Smith Center, Kansas 66967	67.46
Foltz, Joe, Route 3, Abilene, Kansas 67410	170.14	Lindhorst, Arlo, Box 182, Marysville, Kansas 66508	15.70
France, Leon, Box 29, Modoc, Kansas 67866	213.48	Lolley, Loran, Route 1, Wamego, Kansas 66547	20.16
Fredrickson, Phyllis, Route 1, Selden, Kansas 67757	178.27	Lukens, D. J., 307 S. State, Yates Center, Kansas 66783	215.64
Freeman, Paul F., Box 152, Courtland, Kansas 66949	66.96	Lundberg, Lenos, Frankfort, Kansas 66427	63.50
Fuhrman Farms, Inc., W. A. Fuhrman, Severance, Kansas 66081	30.02	Luthi, Harold, Route 1, Madison, Kansas 66860 (Two claims: \$40.90 and \$43.20)	84.10
Garrison, Myron, Ash Avenue, Miltonvale, Kansas 67466	140.11	McBurney Corporation, The, Michael, J. Kasson, Assistant Controller, P.O. Box 47848, Atlanta, Georgia 30362	43.20
Gebhart, Michael A., Box 21A, Barnard, Kansas 67414	324.00	McCullick, R. R., McCullick Cattle Farms, 509 Argyle, Minneapolis, Kansas 67467	487.92
Germann, Fred, Dwight, Kansas 66849	116.64	McCarthy, Bob, Meriden, Kansas 66512	41.76
Gilbert, Gary, 3428 S. E. Pueblo Pl., Topeka, Kansas 66605	20.88	Machin, James (Mrs.), Route 2, Walnut, Kansas 66780	118.44
Glover, Robert K., Route 1, Alma, Kansas 66401	19.44	Madl, Arthur, Route 1, Wellsville, Kansas 66092	192.82
Goetz, Vern, Route 2, Dodge City, Kansas 67801	405.72	Mai, William, Route 1, Garden City, Kansas 67846	77.11
Goodin, Paul, Route 2, Box 143, Derby, Kansas 67037	82.15	Malone, John I., Blaine, Kansas 66410	155.52
Gragg, Jimmie W., Route 2, El Dorado, Kansas 67042	28.80	Marr, Earl, Route 1, Fredonia, Kansas 66736	24.19
Graham, Cordelia Jespersen, R.F.D., Box 17, Gem, Kansas 67734	18.65	Meier, Michael G., Route 2, Hanover, Kansas 66945	26.28
Graham, Stanley S., 404 East 11th, Winfield, Kansas 67156	48.31	Meyer, Arnold H., Route 2, Box 178, Hollenberg, Kansas 66946	60.91
Green Acres Ranch, Anton R. Wagner, 705 Kansas Avenue, Topeka, Kansas 66603	134.64	Mikesell, Ernest J., Route 1, Republic, Kansas 66964	63.36
Greensburg, City of, Street Department, 239 South Main, Greensburg, Kansas 67054	16.92	Miles, Frank, Box 246, Oneida, Kansas 66522	40.90
Grunert, Fred, Long Island, Kansas 67647	41.55	Miller, Duane H., Route 2, Cimarron, Kansas 67835	21.53
Hagenmaier, Arthur W., Route 1, Box 99, Randolph, Kansas 66554	25.78	Miller, James G., Route 1, Iola, Kansas 66749	18.50
Hall, Dale, Route 1, Box 129, Baxter Springs, Kansas 66713	40.32	Miller, Jim, Route 1, Webber, Kansas 66970	86.11
Hamilton, Lowell D., Route 1, Box 56, Marysville, Kansas 66508	43.20	Miller, Keith, Route 2, Kincaid, Kansas 66039	135.65
Hardman Lumber Company, Box 249, West Hwy. 18, Manhattan, Kansas 66502	18.72	Miller, Marion R., Route 1, St. John, Kansas 67576	124.56
Haslouer, Ralph C., Route 1, Hope, Kansas 67451	59.62	Miller, Vernon P., Route 1, Box 71, Assaria, Kansas 67416	21.24
Hays, Lloyd, Route 3, Oakley, Kansas 67748	20.88	Minson, Rex, Route 1, Udall, Kansas 67146	140.33
Haywood, Louis S., Route 2, Box 151B, Emporia, Kansas 66801	25.92	Moeller, John, Route 1, Box 144, Carbondale, Kansas 66414	25.20
Headings, John, Route 1, Box 159, Hutchinson, Kansas 67501	84.24	Moore, Dale, Route 4, Box 85, Columbus, Kansas 66725	89.28
Heinen Acres, Inc., c/o Melvin Heinen, Seneca, Kansas 66538	263.30	Morgan, Lavern, Atwood, Kansas 67730	60.84
Henrickson, Jackie, Route 3, Ellis, Kansas 67637	22.68	Mounkes, Duane, Route 1, Bushong, Kansas 66741	21.60
Hermesch, Fred J., Route 3, Box 55, Seneca, Kansas 66538	164.52	Mueller, Eugene, Route 2, Paola, Kansas 66071	20.16
Herrman, Wilbert A., Box 13, Liebenthal, Kansas 67553	41.47	Murdock, W. H. (Bill), West Park Street, Dodge City, Kansas 67801	24.55
Herrmann, Norman, Route 2, Kinsley, Kansas 67547	67.03	Murrow, V. E., R.F.D., Blue Mound, Kansas 66010	17.28
Hesston Corporation, Donald L. Schmidt, Controller, P.O. Box 788, Hesston, Kansas 67062	236.95	Musil, Leonard, Edson, Kansas 67733	108.00
Hieger, John R., Route 1, Wamego, Kansas 66547	19.51	Myers, Larry C., Box 24, Windom, Kansas 67491	126.72
Hildebrand, E. C., Route 1, Fowler, Kansas 67844	15.26	Navrat, Robert J., Marion, Kansas 66861	65.81
Hindman, Reed, Route 1, Box 9, Minneola, Kansas 67865	52.20	Neuschaefer, John, Jr., Route 1, Box 123-A, Lecompton, Kansas 66050	149.04
Hiner, LaVerne M., Glasco, Kansas 67445	58.32	Neville, Cletus, Neosho Falls, Kansas 66758	42.34
Hoch, Willis, Route 1, Dwight, Kansas 66849	248.04	Niemann, Elvin, Nortonville, Kansas 66060	79.56
Hoffman, George H., Route 21, Box 4, Haddam, Kansas 66944	20.88	Novak, Robert L., Route 1, Concordia, Kansas 66901	148.18
Hoffman, Wm., Coldwater, Kansas 67029	46.51	Novak, Ernest, Route 1, Box 216, Derby, Kansas 67037	58.68
Holt, Tom, Route 2, Gypsum, Kansas 67448	55.44	O'Bryan Ranch, Inc., Route 1, Hepler, Kansas 66746	44.28
Hoover, Lowell D., Route 1, Abilene, Kansas 67410	21.24	O'Bryan Ranch, Inc., Joseph C. O'Bryan, President, Route 1, Box 6, Hiattville, Kansas 66747	19.37
Howard, David, Russell Springs, Kansas 67755	325.66	Ohm, Harold, Ramona, Kansas 67475	14.40
Huber, Drew, Route 1, Madison, Kansas 66860	36.00	Olsen, Harold, Route 2, Wakefield, Kansas 67487	21.31
Huck, Bob, R.F.D., Coldwater, Kansas 67029	38.02	Olson, Carroll, Route 1, Box 84, Mapleton, Kansas 66754	124.20
Humble, Willis and Roy, Route 1, Cherokee, Kansas 66724	103.68	Olson, Verlan, #37 West 16th, Russell, Kansas 67665	44.35
Irons, Roy A., Minneola, Kansas 67865	965.74	One O One Trailer Rental, Inc., 101 South 18th, Kansas City, Kansas 66102	73.80
Jackson, N. L., Route 1, Yates Center, Kansas 66783	63.36	Oplinger, Roger, Route 2, Jewell, Kansas 66949	135.51
Jacobson, Howard R., Hope, Kansas 67451	32.40	Otrott, Roger, R.F.D., Washington, Kansas 66968	742.82
J. D. J. Farms, Jerry W. Schmidt, Route 2, Box 71A, Haven, Kansas 67543	107.21	Parrack, Marvin, Mahaska, Kansas 66955	29.52
Jeffers, Gene, Route 1, Highland, Kansas 66035	17.28	Pasley, Albert or Esther J., Lecompton, Kansas 66050	127.15
Jeffers, Harold, Highland, Kansas 66035	19.73	Paulsen, Jack, Route 1, Concordia, Kansas 66901	28.44
Jensen, E. Don or Robert K., Route 1, Courtland, Kansas 66939	32.72	Peeks, Robert J., Route 1, Marysville, Kansas 66508	315.72
Jewell, Colene, Route 1, Box 29, Mayetta, Kansas 66509	30.96	Pemco, Inc., John V. Forslund, Sec.-Treas., P.O. Box 269, Paola, Kansas 66071	157.10
Johnson, Don A., Route 1, Box 21, Salina, Kansas 67401	21.60	Peterson, Arthur, Route 1, Box 141, Marquette, Kansas 67464	66.38
Johnson, Lloyd O., 202 Oregon, Sabetha, Kansas 66534	39.74	Peuker, Loris E., Denton, Kansas 66017	53.71
Jones, Roy, Route 4, Girard, Kansas 66743	47.16	Pfizenmaier, Michael, Route 4, Clay Center, Kansas 67432	126.08
Joyner, Arthur, Box 174, Freeport, Kansas 67049	120.10	Plinsky, Oscar, Route 2, Lincoln, Kansas 67455	37.94
Kacirek, Laddie, Route 2, McDonald, Kansas 67745	100.80	Prawl Farm, Wallace Prawl, Route 1, Wathena, Kansas 66090	23.83
Kadel, Noel V., 221 North Poplar, Beloit, Kansas 67420	117.79	Pringle Ranch, J. Richard Pringle, Route 1, Yates Center, Kansas 66783	201.24
Kan-Arm Recreation Center, Robert L. Bennett, 1600 West 40th North, Wichita, Kansas 67204	135.08	Raine, Bill and Linda, Route 8, Topeka, Kansas 66604	20.88
Kansas 4-H Foundation, Inc., 116 Umberger Hall, Kansas State University, Manhattan, Kansas 66506	29.30	Ralls, Floyd, Uniontown, Kansas 66779 (\$16.99 and \$27.08)	44.07
Karr, Ivan, Route 2, Paola, Kansas 66071	32.40	Ramsey, Wayne, Route 2, Winfield, Kansas 67156	49.54
Kasitz, Allwin J., Route 1, Box 100 Hesston, Kansas 67062	27.00	Ranny Farms, Inc., Route 1, Box 64, Delphos, Kansas 67436	132.50
Kipfer, Emerald, Box 705, Madison, Kansas 66860	52.49	Reese, Robert C. or Patricia A., Route 2, Phillipsburg, Kansas 67661	19.44
Kit Manufacturing Company, Louie Frazier, General Manager, Box 738, McPherson, Kansas 67460	42.62	Reinert, Francis, Route 1, Box 25, Atwood, Kansas 67730	51.26
Klenke Partnership, by Mike Klenke, Route 2, Kinsley, Kansas 67547	27.14	Reis, Hallie, Summerfield, Kansas 66541	40.68
		Renken, Floyd, Route 1, Downs, Kansas 67437	360.00
		Reves Bros., Bruce A. Reves, Box 57, Fostoria, Kansas 66426	62.71

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Rezac, Thomas G., Route 1, Emmett, Kansas 66422	142.35	Yenne, Donald E., Route 2, Box 147, Smith Center, Kansas 66967	172.66
Rhea, Harold L., Route 2, Box 139, Oakley, Kansas 67748	20.66	Yoder, John A., Jr., Route 2, Garnett, Kansas 66032	58.25
Rice, Raymond, Melvern, Kansas 66510	46.22	Zeller, John M., Route 1, Box 103, Manhattan, Kansas 66502	145.15
Richardson, Glenn, Brownell, Kansas 67521	24.84	Zenger, Willard, Route 1, Haddam, Kansas 66944	73.44
Rickel, Charles B., Route 1, Box 18, Mayetta, Kansas 66509	35.64	Bellerive, Richard O., Collyer, Kansas 67631	42.41
Riffel, Clayton, Route 1, Hope, Kansas 67451	57.74	Blunk, Dale, Hardtner, Kansas 67057	20.23
Riffel, Leon D., Enterprise, Kansas 67441	116.78	Central Feeders, Inc., Route 1, Lyons, Kansas 67554	322.32
Ritchie, LeRoy A., Centralia, Kansas 66415	23.76	Cochren, Bill, Route 1, Whiting, Kansas 66552	32.76
River Creek Farms, Inc. by Harold D. Mertz, Route 3, Manhattan, Kansas 66502	18.00	Dikeman, Howard J., Route 1, Fort Scott, Kansas 66701	20.88
Roberts, Steven J., Route 1, Plevna, Kansas 67568	136.22	Dunn, George H., Route 2, Effingham, Kansas 66023	41.04
Rosebrook, Lawrence, Route 1, Culver, Kansas 67435	16.56	Germann, Fred C., Dwight, Kansas 66849	38.20
Saathoff, Harold, Route 2, Box 46, Marysville, Kansas 66508	41.76	Goddard, William A., Penokee, Kansas 67659	60.98
St. Clair, Stephen, Route 1, Harlan, Kansas 67641	206.93	Hansen, Curtis, Route 2, Belleville, Kansas 66935	687.82
Saint, Gerald L., Route 2, Box 120, Mankato, Kansas 66956	20.16	Hill, Larry E., Route 1, Eskridge, Kansas 66423	17.28
Sargent, Laurel, Route 1, Ransom, Kansas 67572	60.77	Horchem & Sons, Inc., 402 E. Chestnut, Ness City, Kansas 67560	18.72
Sawyer, Lowell, Route 2, McPherson, Kansas 67460	1,489.03	Jarboe, Jack, Route 2, Walnut, Kansas 66780	37.15
Schamberger, Mike, Route 1, Box 21, Hoxie, Kansas 67740	39.38	Kelly, Paul B., Route 1, Sylvan Grove, Kansas 67481	17.79
Scheufler, Edward E., R.F.D., Belpre, Kansas 67519	633.02	Kregar, Lawrence E., Box 63, Offerle, Kansas 67563	223.99
Schlaefli, Richard, Route 2, Box 72, Mankato, Kansas 66956	155.59	McCune, Lloyd & Sons, Inc., 2006 Frederick Dr., Dodge City, Kansas 67801	97.92
Schlesener, Gustav L., Route 1, Box 65, Hope, Kansas 67451	24.05	McEwen, Duane R., Route 3, Norton, Kansas 67654	147.82
Schlichting, Karl, Box 222, Minneola, Kansas 67865	38.38	Merz, Dale, Route 2, Downs, Kansas 67437	174.89
Schlickau, Harry, Route 2, Argonia, Kansas 67004	90.65	Overdick, Glenn, Robinson, Kansas 66532	95.40
Schmitt, John W., Route 1, Gorham, Kansas 67640	78.70	Pancake, Joseph, Route 1, Box 79, Atwood, Kansas 67730	26.21
Schmitz, Mike, Baileyville, Kansas 66404	21.02	Peabody, TecTank, Inc., P.O. Box 996, Parsons, Kansas 67357	179.78
Schneider, Raymond M., Route 2, Box 118, Osborne, Kansas 67473	25.70	Schmidt, Marvin, Route 1, Burns, Kansas 66840	62.14
Schraeder Farms, Arland E. Schraeder, 2206 5th, Dodge City, Kansas 67801	64.80	Schmidt, Will and Dennis, Route 1, Box 81, Canton, Kansas 67428	20.74
Schreiner, George, Sharon, Kansas 67138	289.30	Snyder, Ivan, Route 1, Overbrook, Kansas 66524	90.22
Scripter, Armin D., Route 5, Box 164, Abilene, Kansas 67410	451.37	Wilson, J. Earl, 2022 Vermont St., Lawrence, Kansas 66044	132.55
Seidl, Leo P., Route 2, Goddard, Kansas 67052	97.20	Wood, Charles, Route 5, Abilene, Kansas 67410	335.52
Seiter, John, Route 2, Clearwater, Kansas 67026	43.85	Total	\$35,585.80
Seneca Golf Club, Lorin L. Sweetland, Treas., Box 231, Seneca, Kansas 66538	31.25	Sec. 3. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund for refund of gasoline tax on gasoline which was lost due to an accident or vandalism and was not claimed within the statutory limit prescribed by K.S.A. 79-3417, to the following claimants:	
Sheley, David, Route 1, Norton, Kansas 67654	340.85	Edward J. Roitz, Roitz Oil Company, Inc., P.O. Box 1, Pittsburg, Kansas 66762	\$508.02
Sherretts, Emma Jo, Route 2, Valley Falls, Kansas 66088	86.40	Farmers Coop Oil Company, P.O. Box 73, Barnes, Kansas 66933	908.64
Shipley, Melvin D., Esbon, Kansas 66941	146.24	The Farmers Cooperative Elevator Company, P.O. Box 6, Nickerson, Kansas 67561	1,160.66
Shipley, Richard, Route 1, Box 69, Studley, Kansas 67759	28.80	Phillip E. Bolton, Bolton Oil Company, P.O. Box 253, Burlington, Kansas 66839	359.12
Shultz, Lebert R. 3901 W. 95th Terr., Shawnee Mission, Kansas 66207	20.02	Total	\$2,936.44
Sieker, Harry, Jr., Sieker 3 Farms, Route 1, Ellinwood, Kansas 67526	46.73	Sec. 4. The department of revenue is hereby authorized and directed to pay the following amount from the division of vehicles operating fund for refund of unused fifteen-day temporary registration permits and dealer inventory tax stamps, to the following claimant:	
Simpson, Carl, Milton, Kansas 67106	181.01	Overland Park Dodge Sales, Inc., c/o Emanuel Bugelli, President, 10952 East Progress Avenue, Englewood, Colorado 80111	\$230.00
Sjogren, James L., Route 2, Concordia, Kansas 66901	231.84	Sec. 5. The department of revenue is hereby authorized and directed to pay the following amounts from the sales tax refund fund for sales tax paid for materials for tax exempt projects under K.S.A. 1981 Supp. 79-3606, to the following claimants:	
Skeet, Billy A., Route 3, Tonganoxie, Kansas 66086	16.06	Bethany College, Lindsborg, Kansas 67456	\$1,639.65
Skinner, Clifford K., Route 5, Fort Scott, Kansas 66701	41.26	City of LaCygne, c/o Marvin W. Barkis, City Attorney, P.O. Box 333, Paola, Kansas 66071	433.13
Sky Sports II, Inc., Dale L. Boyer, Route 2, Hutchinson, Kansas 67501	115.20	City of Leawood, c/o Jinny Oberlander, City Clerk, 9617 Lee Boulevard, Leawood, Kansas 66206	2,449.97
Smith, Trueman, Route 4, Box 210, Columbus, Kansas 66725	14.84	Housing Authority of the City of Morrowville, Kansas, c/o Percy H. Collins, Jr., Attorney at Law, 1704 M Street, Belleville, Kansas 66935	2,657.00
Smitherman, David, Haviland, Kansas 67059	31.74	Housing Authority of the City of Munden, Kansas, c/o Percy H. Collins, Jr., Attorney at Law, 1704 M Street, Belleville, Kansas 66935	2,687.00
Sommers, Gary L., 1739 North Edgemoor, Wichita, Kansas 67208	69.62	Housing Authority of the City of Palmer, c/o Floyd Sorrick, Attorney at Law, 217 "C" Street, Washington, Kansas 66968	2,644.00
Spare, Richard E., Route 2, St. John, Kansas 67576	39.60	Asphalt Engineers, Inc., c/o Sam Giamanco, Lionmark, Inc., 1620 Woodson Road, St. Louis, Mo. 63114	274.60
Splitter, Louie W., Route 2, Geneseo, Kansas 67444	67.68	Stevenson Company, Inc., c/o Robert L. Miller, 116 West Morris, Topeka, Kansas 66608	375.36
Sramek, Eugene A., McDonald, Kansas 67745	89.46	Unified School District 379, c/o Charles L. Stuart, Superintendent, 807 Dexter Street, Box 97, Clay Center, Kansas 67432	128.33
Standley, Frank, Route 1, Courtland, Kansas 66939	86.40	Total	\$13,289.04
Staton, Robert C., Route 1, Liberty, Kansas 67351	62.50	Sec. 6. The department of revenue is hereby authorized and directed to pay the following amounts from the salaries and wages account of the state general fund for a salary increase that was not made during a prior fiscal year as a result of clerical error, for the following claimant:	
Stegman, Julius and Allen, Route 2, Holcomb, Kansas 67851	311.11		
Stone, Susie, Route 2, Bucklin, Kansas 67834	36.36		
Stout, Byron G., Jr., 150 South Old Manor, Wichita, Kansas 67218	50.40		
Swenson, H. D., Eskridge, Kansas 66423	290.74		
Switzer, Veryl A., 1412 Wreath Ave., Manhattan, Kansas 66502	112.39		
Taylor, Arvilla M. Bell, Route 1, Box 81, Studley, Kansas 67759	140.40		
Thomas, Marvin, Route 1, Pratt, Kansas 67124	71.42		
Thompson, John, Jr., Route 1, Scammon, Kansas 66773	20.00		
Tommer, Francis, 232 West Walnut, Waterville, Kansas 66548	234.14		
Trear, John M., Route 1, Box 29, Olpe, Kansas 66865	43.06		
True, Kenneth M., Caylor, Kansas 67638	47.02		
Unruh, Otto, Route 2, Box 163, Newton, Kansas 67114	31.25		
Vacin Farms, Inc. by Frank Vacin, 665 West 5th, Colby, Kansas 67701	136.66		
Van Gundy, Myron, Route 2, Reading, Kansas 66868 (\$41.40; \$131.04)	172.44		
Vering, Marcel J., Route 1, Marysville, Kansas 66508	134.14		
Victory Hills Country Club, Inc., 7101 Parallel, Kansas City, Kansas 66112	36.00		
Vohs, Arthur J., Route 2, Box 8, Louisburg, Kansas 66053	21.46		
Walker, Eldridge W., Route 1, Parker, Kansas 66072	34.20		
Welhing, Loren, Route 1, Box 125, Diller, Nebraska 68342	18.00		
Wendelin, Karl, Herndon, Kansas 67739	21.24		
Wengel, Karl A., Route 2, Burrton, Kansas 67020	21.60		
Wheeler, Winston L., Route 2, Holton, Kansas 66436	17.86		
Wiedemann, K. T. Trust, D. L. Oppliger, Vice President & Trust Officer, The Fourth National Bank & Trust Co., P.O. Box 1122, Wichita, Kansas 67201	170.42		
Wiedmaier, Gary, Route 2, Effingham, Kansas 66023	19.08		
Wilson, Warren R., Route 3, Abilene, Kansas 67410	77.98		
Winkel, Karl P., Glen Elder, Kansas 67446	209.90		
Wise, Donald, Route 1, Clearwater, Kansas 67026	15.77		
Woerner, Raymond, Route 1, Box 82, Linn, Kansas 66953	39.96		
Woodroof, Ronald G., Route 2, McCune, Kansas 66753	64.80		

(continued)

Lloyd Lanter, 1521 Palmer Drive, Atchison, Kansas 66002 (gross pay, \$33.53; employer's contributions, \$17.47) \$51.00

Sec. 7. There is appropriated from the state general fund the following amount for a refund paid in error to the state for a round trip airline ticket which was used by Senator James Francisco for official travel, in August, 1977, pursuant to an erroneous credit memo issued by claimant, for the following claimant:

Trans World Airlines, c/o John Belfonte, P.O. Box 20007, Kansas City, Missouri 64195 \$252.00

Sec. 8. The supreme court and the board of supervisors of panels to aid indigent defendants are hereby authorized and directed to pay the following amount from the aid to indigent defendants fund account of the state general fund for translation services performed in criminal proceedings involving Vietnamese defendants which were not paid for due to insufficient appropriations, to the following claimant:

James R. Klassen, Route 2, Box 102A, Newton, Kansas 67114 \$214.18

Sec. 9. The Kansas energy office is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for printing services by claimant for the Kansas energy office without prior authorization of the division of printing for the department of administration, to the following claimant:

Southwest Publishing & Mailing Corp., 6210 S.W. 10th Street, Topeka, Kansas 66615 \$429.42

Sec. 10. There is appropriated from the state general fund for the fiscal year ending June 30, 1982, the following amount for settlement and in full satisfaction of the claim of Security Benefit Life Insurance Company against Harold L. Gochenour for repayment of an overpayment of insured disability benefits under the Kansas public employees retirement system resulting from federal social security payments, to the following:

Security Benefit Life Insurance Company \$3,648.33

Provided, That payment of this amount shall be on warrant of the director of accounts and reports issued pursuant to vouchers approved by the executive secretary of the Kansas public employees retirement system, or the secretary's designee: *Provided further*, That a written release in full satisfaction of this claim against Harold L. Gochenour shall be secured by the executive secretary of the Kansas public employees retirement system, or the secretary's designee prior to the payment of this amount.

Sec. 11. The department of human resources is hereby authorized and directed to pay the following amount from the administration fee fund in satisfaction of a settlement agreement entered into by the parties in the case of Sarah Randall vs. State of Kansas, Department of Human Resources, Civil Action No. 77-2161, in the United States District Court for Kansas, and for payment of attorneys' fees therefor, to the following claimant:

Sarah Randall, c/o J. Chris Morse, Attorney, New Brotherhood Building, Eighth and State Avenue, Kansas City, Kansas 66101 \$2,368.00

Provided, That a written release and satisfaction of all claims under such case against the state of Kansas and any officers and employees of the state of Kansas shall be secured prior to payment of this amount.

Sec. 12. The department of human resources is hereby authorized and directed to pay the following amount from the comprehensive employment and training act (CETA) program — federal fund for satisfaction of a settlement agreement pursuant to civil rights claims filed with the Kansas Commission on Civil Rights, Docket No. 4299-81, and the Federal Equal Employment Opportunity Commission, Docket No. 071810403, to the following claimant:

Deb. Smith, 941 Pennsylvania, Lawrence, Kansas 66044 \$400.00

Provided, That a written release and satisfaction of such employment discrimination claims against the state of Kansas and any officers and employees of the state of Kansas shall be secured prior to payment of this amount.

Sec. 13. The department of social and rehabilitation services is hereby authorized and directed to pay the following amount from the social services clearing fund for payment for psychotherapy services under Title XIX for which claims were not timely filed due to delayed state certification of the psychologist performing the services, to the following claimant:

The Christian Counseling Center of Lawrence, Kansas, c/o Mack

Harnden, Executive Director, 10th and Kentucky, Lawrence, Kansas 66044 \$1,088.75

Sec. 14. The Kansas state university is hereby authorized and directed to pay the following amounts from the other operating expenditures (including official hospitality) account of the state general fund for payment of travel expenses incurred in 1976 for which vouchers were not filed in the proper fiscal year, to the following claimants:

Dale G. Anderson, c/o Grain Science & Industry, Kansas State University, Manhattan, Kansas 66506	\$196.10
William B. Briggs, c/o Grain Science & Industry, Kansas State University, Manhattan, Kansas 66506	260.70
Cornelius Hugo, 1521 Hillcrest, Manhattan, Kansas 66502	224.70
Harry B. Pfost, c/o Grain Science & Industry, Kansas State University, Manhattan, Kansas 66502	385.52
Total	\$1,067.02

Sec. 15. The Kansas state university is hereby authorized and directed to pay the following amount from the other operating expenditures (including official hospitality) account of the state general fund for slate repair to Farrell Library for purposes of public safety, to the following claimant:

Coonrod and Walz Construction Co., Inc., 650 Westdale Drive, P.O. Box 9166, Wichita, Kansas 67277 \$3,208.06

Sec. 16. The Pittsburg state university is hereby authorized and directed to pay the following amount from the other operating expenditures (including official hospitality) account of the state general fund for personal injury sustained by claimant when steel door of a freight elevator closed on claimant's right hand breaking two bones, to the following claimant:

Daryl D. Taylor, 1126 S. 3rd, Osawatomie, Kansas 66064 \$315.11

Sec. 17. The Pittsburg state university is hereby authorized and directed to pay the following amount from the other operating expenditures (including official hospitality) account of the state general fund for a voucher for payment for a book which was not presented in the proper fiscal year, to the following claimant:

Follett PSU Bookstore, 1603 South Joplin, Pittsburg, Kansas 66762 \$10.40

Sec. 18. The university of Kansas is hereby authorized and directed to pay the following amounts from the other operating expenditures (including official hospitality) account of the state general fund for the Lawrence campus for library acquisitions and services performed for which invoices were not submitted in the proper fiscal year, to the following claimants:

Security Storage Company of Washington, c/o John R. Beavers, Controller, 1701 Florida Ave., N.W. Washington, D.C. 20009	\$846.80
The Michie Company, c/o Barbara N. Gentry, Office Manager, P.O. Box 7587, Charlottesville, Virginia 22906	434.92
The American Law Institute, c/o Kathleen M. Kilgannon, 4025 Chestnut St., Philadelphia, Pennsylvania 19104	107.88
Total	\$1,389.60

Sec. 19. The university of Kansas medical center is hereby authorized and directed to pay the following amount from the other operating expenditures (including official hospitality) account of the state general fund for fees and expenses for service as an expert witness in a medical malpractice lawsuit in 1978, to the following claimant:

L. Stanley James, M.D., Department of Pediatrics, College of Physicians and Surgeons, Columbia University, 630 West 168th, New York, New York 10032 and the Kansas University Endowment Association \$1,983.32

Sec. 20. There is appropriated from the state general fund the following amount for the balance due for electric power usage by the university of Kansas medical center which was billed in June, 1981, in a greater than anticipated amount due to utility rate increases and previously deficient metering of electric power usage and which was not paid due to insufficient appropriations therefor, for the following claimant:

Board of Public Utilities, c/o Terry W. Drake, Manager of Collections and Accounts, 700 Minnesota Avenue, Kansas City, Kansas 66101 \$133,489.90

Provided, That a written release and satisfaction of all claims and rights for all electric power provided to the university of Kansas medical center prior to July 1, 1981, against the state of Kansas,

(continued)

any state agency and any officers and employees of the state of Kansas shall be secured prior to payment of this amount.

Sec. 21. (a) There is appropriated from the state general fund the following amount for attorney's fees and costs in the case of Galan M. Jameksela v. Clark D. Ahlberg, President of Wichita State University, Civil Case No. 80-1845, filed in United States District Court for Kansas, for the following claimant:

James S. Phillips, Jr., Attorney, 3241 East Douglas, Wichita, Kansas 67218. \$23,549.38

(b) Upon payment of the amount authorized by subsection (a) to the claimant, the attorney general is hereby directed to pursue any appropriate claims against the defendant's professional liability insurance carrier and any other appropriate parties for the purpose of recovering amounts paid pursuant to subsection (a).

Sec. 22. (a) The adjutant general is hereby authorized and directed to pay the following amount from the other operating expenditures, rent of armories, payment of troops account of the state general fund for the final year's installment of a special assessment for construction of a sewer benefiting a national guard armory, to the following claimant:

The County of Bourbon, c/o Wilda Insley, City Clerk, One East Third Street, P.O. Box 151, Fort Scott, Kansas 66701. \$696.10

(b) The adjutant general is hereby authorized and directed to pay the following amount from the other operating expenditures, rent of armories, pay of troops account of the state general fund for a bill for sewer repair services for a national guard armory which was not submitted in the proper fiscal year, to the following claimant:

Dixon's, 123 N. Main Street, Kingman, Kansas \$539.69

Sec. 23. The attorney general and the Kansas bureau of investigation are hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for reimbursement of moving expenses incurred while employed by the Kansas bureau of investigation, to the following claimant:

Larry J. Sigler, Box 628, Cottonwood Falls, Kansas 66845. \$240.00

Sec. 24. The department of corrections is hereby authorized and directed to pay the following amount from the other operating expenditures — work release account of the state general fund for loss of cash by theft and by uncollected check at the Wichita work release center, to the following claimant:

Wichita work release trust fund \$505.00

Sec. 25. The department of corrections is hereby authorized and directed to pay the following amount from the other operating expenditures—department of corrections account of the state general fund for expenses incurred in the care and keeping of a parole violator, to the following claimant:

The County of Ford, c/o Richard A. Wolf, Sheriff, P.O. Box 747, Dodge City, Kansas 67801. \$794.80

Sec. 26. The state industrial reformatory is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for loss of money wrongfully removed from a trust account at the state industrial reformatory, to the following claimant:

Roy Garrens, c/o Mr. Nesseroad, 4411 Janssen, Memphis, Tennessee 38128. \$300.00

Sec. 27. The state industrial reformatory is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for permanent injury to the right eye caused by a piece of a grinding wheel flying off while working in the plumbing shop at the state industrial reformatory, to the following claimant:

Gregg Hoffman, c/o Robert L. Taylor, Attorney at Law, No. 7 South Adams, Hutchinson, Kansas 67501. \$11,560.35

Provided, That a written release and satisfaction of all claims and rights against the state of Kansas and any officers and employees of the state of Kansas regarding this claim shall be secured prior to payment of this amount.

Sec. 28. The Kansas state penitentiary is hereby authorized and directed to pay the following amounts from the other operating expenditures account of the state general fund for reimbursement for loss of personal property or unauthorized withdrawal of

claimant's funds at Kansas state penitentiary, to the following claimants:

Larry Hume, KSP	\$202.50
Steven L. Olson, KSP	30.00
Burton L. Scofield, Jr., 2741 S. Croco Road, Topeka, Kansas 66605.	73.83
Willie C. Wilkins, KSP.	40.00
Chester E. Forsyth, Wichita Work Release Center, 320 North Market, Wichita, Kansas 67202.	100.00
Marvin K. Farris, KSP	26.50
John Towles, KSP	65.85
Jimmy E. Hamby, KSP	100.00
Total	\$638.68

Sec. 29. The Kansas state penitentiary is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for permanent injuries as result of a bone fracture suffered while operating a fork lift at Kansas state penitentiary, to the following claimant:

Glen McCambry, c/o Gregory M. Cogg, Attorney at Law, 809 Quindaro Blvd., Kansas City, Kansas 66101. \$2,606.23

Provided, That a written release and satisfaction of all claims and rights against the state of Kansas and any officers and employees of the state of Kansas regarding this claim shall be secured prior to payment of this amount.

Sec. 30. The Kansas state penitentiary is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for injury to left index finger accidentally caught in a meat grinder at Kansas state penitentiary, to the following claimant:

Wilfred D. Mantz \$1,000.00

Provided, That a written release and satisfaction of all claims and rights against the state of Kansas and any officers and employees of the state of Kansas regarding this claim shall be secured prior to payment of this amount.

Sec. 31. The state reception and diagnostic center is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for damage to and subsequent disposal of a pair of shoes at the state reception and diagnostic center, to the following claimant:

Maurice Melton, KSP \$27.00

Sec. 32. There is appropriated from the state general fund the following amount for losses sustained as a result of polychlorinated biphenyl (PCB) contaminated cattle which were impounded along with other contaminated property and disposed of as hazardous to the public, for the following claimant:

Donald Busenitz, Route 3, Box 126, Newton, Kansas 67114. \$5,000.00

Sec. 33. The Parsons state hospital and training center is hereby authorized and directed to pay the following amount from the salaries and wages account of the state general fund for loss of salary for 10 months due to an error in time sheets, to the following claimant:

Virginia M. Hill, 615 North 26th Street, Parsons, Kansas 67357 (gross pay \$840; employer's contributions, \$104.68) \$944.68

Sec. 34. There is appropriated from the state general fund the following amount for loss of claimants' father, James K. Edwards, who was killed on December 15, 1978, by Glendal Rider, a convicted murderer who had escaped from Larned state hospital, for the following claimants:

Jamie Edwards, c/o Jerry R. Palmer, Attorney at Law, Suite 102, 112 S.W. 6th, Topeka, Kansas 66603	\$8,750.00
Kristi Edwards, c/o Jerry R. Palmer, Attorney at Law, Suite 102, 112 S.W. 6th, Topeka, Kansas 66603	8,750.00
Total	\$17,500.00

Sec. 35. The state park and resources authority is hereby authorized and directed to pay the following amount from the state park and resources authority general fees fund for damages to claimant's boat incurred while providing assistance at Lake Cheney at the request of employees of the authority during adverse weather conditions on June 29, 1980, to the following claimant:

Larry G. Hahn, 8442 Lakeland Court, Wichita, Kansas 67207 \$118.57

Sec. 36. The state historical society is hereby authorized and directed to pay the following amount from the old Shawnee mission account of the state general fund for a 1980 special

(continued)

assessment for maintenance and use of a sewer benefiting the old Shawnee mission, to the following claimant:

The County of Johnson, c/o County Treasurer, Johnson County Courthouse, Olathe, Kansas 66061. \$483.94

Sec. 37. The Kansas highway patrol is hereby authorized and directed to pay the following amount from the state highway patrol fund for payment for services for which the invoice was not submitted in the proper fiscal year, to the following claimant: I.B.M. Corporation, 217 East 4th Street, Topeka, Kansas 66603. \$636.10

Sec. 38. The department of transportation is hereby authorized and directed to pay the following amounts from the division of transportation operations—other operating expenditures account of the state highway fund for loss of mechanic's tools from district one shop on the night of July 29, 1981, to the following claimant:

Keith L. Comfort, 1336½ Medford, Topeka, Kansas 66604 \$1,302.44
James A. Lucero, 1816 S.W. 71st, Topeka, Kansas 66619. 4,255.40
Total \$5,557.84

Sec. 39. The board of state fair managers is hereby authorized and directed to pay the following amount from the state fair fee fund for personal injuries sustained by the claimant at the Kansas state fairgrounds in Hutchinson on September 20, 1976, to the following claimant:

Erma Brown, c/o Jim Lawing, Attorney at Law, 212 One Twenty Building, 120 South Market, Wichita, Kansas 67202. \$2,500.00

Sec. 40. The department of transportation is hereby authorized and directed to pay the following amount from the division of transportation operations—other operating expenditures account of the state highway fund for Reno county land fill user fees which were not paid in 1976, 1977 and 1978, to the following claimant:

The County of Reno, c/o Annabel Miller, County Treasurer, 206 West 1st Street, Hutchinson, Kansas 67501 \$330.03

Sec. 41. The Kansas state penitentiary is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for loss resulting from return of a deposited check because of a forged endorsement of an inmate at Kansas state penitentiary, to the following claimant:

Leavenworth National Bank and Trust Co., 401 Delaware, Leavenworth, Kansas 66048 \$267.27

Sec. 42. The state industrial reformatory is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for funeral expenses incurred for the death of Charles E. Brown at the state industrial reformatory on June 2, 1980, to the following claimant: Debbie Brown, 3518 North Armstrong, Wichita, Kansas 67204 \$1,500.00

Sec. 43. The director of accounts and reports is hereby authorized to draw warrants on the state treasurer in favor of the claimants specified in this act, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections or by the claimants or their legal representatives or duly authorized agents, as provided by law.

Sec. 44. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body April 6, 1982.

Senate adopted Conference Committee report April 28, 1982.
ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 9, 1982.
House adopted Conference Committee report April 27, 1982.
WENDELL LADY
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED May 13, 1982.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 14th day of May, 1982.

JACK H. BRIER
Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER May 20, 1982.)

SENATE BILL No. 898

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1982, June 30, 1983 and June 30, 1984; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, capital improvement projects and acts incidental to the foregoing; amending section 32 of chapter 32 of the 1981 Session Laws of Kansas, section 10 of 1982 Substitute for Senate Bill No. 627, section 8 of 1982 Substitute for Senate Bill No. 635, sections 9 and 11 of 1982 Substitute for Senate Bill No. 721, section 2 of 1982 Substitute for House Bill No. 2802, section 4 of 1982 Substitute for House Bill No. 2803, and sections 2 and 6 of 1982 Substitute for House Bill No. 3089, and repealing the existing sections; also repealing K.S.A. 1981 Supp. 75-3921.

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

Section 1. For the fiscal years ending June 30, 1982, June 30, 1983, and June 30, 1984, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, fees, receipts, disbursements, capital improvement projects and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

Sec. 2.
SECRETARY OF STATE
(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year specified, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

	Fiscal Year 1982	Fiscal Year 1983
Land survey fee fund		\$47,600
Prepaid services fund		No limit

(b) On July 1, 1982, the expenditure limitation established by section 14(b) of 1982 Substitute for Senate Bill No. 627 on the information services fee fund is hereby increased from \$24,500 to \$36,900.

(c) On July 1, 1982, the director of accounts and reports shall transfer \$35,000 from the state general fund to the land survey fee fund. After such transfer and upon certification by the secretary of state that moneys in the land survey fee fund are sufficient therefor, the director of accounts and reports shall transfer \$35,000 from the land survey fee fund to the state general fund.

(d) On July 1, 1982, the position limitation established by section 18 of 1982 Substitute for Senate Bill No. 627 for the secretary of state is hereby increased from 44.0 to 45.0.

Sec. 3.
LEGISLATIVE COORDINATING COUNCIL
(a) There is appropriated for the above agency from the state general fund for the fiscal year specified, the following:

	Fiscal Year 1982	Fiscal Year 1983
For the office of revisor of statutes	\$74,000	

Sec. 4.
DEPARTMENT OF ADMINISTRATION
(a) There is appropriated for the above agency from the state general fund for the fiscal year specified, the following:

	Fiscal Year 1982	Fiscal Year 1983
Operating expenditures—division of the budget.	\$37,000	

(continued)

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal years specified, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Table with 3 columns: Description, Fiscal Year 1982, Fiscal Year 1983. Rows include 900 Jackson street acquisition fund, 900 Jackson street operating fund, Property contingency fund, 900 Jackson street bond proceeds fund, 900 Jackson street bond and interest sinking fund, 900 Jackson street depreciation reserve fund.

(c) On the effective date of this act, the director of accounts and reports shall transfer \$35,000 from the operating expenditures—architectural and engineering services account of the state general fund to the operating expenditures—management and operation of state capitol account of the state general fund of the department of administration.

(d) On the effective date of this act, of the \$92,800 appropriated for the department of administration by section 2(b) of chapter 25 of the 1981 Session Laws of Kansas from the federal revenue sharing fund in the energy conservation renovation projects, capitol complex area account, the sum of \$46,000 is hereby lapsed.

(e) There is appropriated for the above agency from the federal revenue sharing fund for the fiscal years specified, the following:

Table with 3 columns: Description, Fiscal Year 1982, Fiscal Year 1983. Rows include Capitol grounds lighting system, Renovate heating, ventilating and air conditioning system on two floors of the state office building, Site location analysis for capitol complex including printing plant, motor pool, buildings and grounds and heating plant, Special maintenance and repairs—governor's residence, Repair roof flashings on north and south wings of capitol, Capital improvements—statehouse, Energy conservation measures with early payback, Expansion of environmental space for information systems and computing, Total.

Sec. 5. On July 1, 1982, section 2 of 1982 Substitute for House Bill No. 3089 is hereby amended to read as follows: Sec. 2.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund the following:

Table with 3 columns: Description, Fiscal Year 1982, Fiscal Year 1983. Rows include General administration, Accounting and reporting services, Budget analysis, Gubernatorial transition expenses, Personnel services, Central purchasing, Information systems and computing, Central management systems development.

expended only for central management systems development and are not subject to transfer under K.S.A. 75-3726a and any amendments thereto.

Table with 2 columns: Description, Amount. Rows include Architectural services and planning, Buildings and grounds, Cancelled warrants claims.

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983.

Table with 2 columns: Description, Amount. Rows include Pooled money investment board, General services, Renovate heating, ventilating and air conditioning system on two floors of the state office building, Site location analysis for capitol complex including printing plant, motor pool, buildings and grounds and heating plant, Special maintenance and repairs—governor's residence, Repair roof flashings on north and south wings of capitol, Capital improvements—statehouse, Energy conservation measures with early payback, Expansion of environmental space for information systems and computing, Contingency for supplemental rent, moving expenses and modification costs of providing space for state agencies.

Provided, That no expenditures shall be made from this account 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.

Any unencumbered balance in excess of \$100 as of June 30, 1982, in the following account of the governor's committee on criminal administration is hereby reappropriated to the department of administration for fiscal year 1983: For matching omnibus crime act grants to local units of government.

Table with 2 columns: Description, Amount. Row includes Total \$15,710,260 \$15,041,160.

(b) There is appropriated for the above agency from the following special revenue funds all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Table with 2 columns: Description, Amount. Rows include Building and ground fund, Conversion of materials and equipment fund, Municipal audit training program registration fees fund, All-sports hall of fame fund, All-sports hall of fame gift fund, All-sports hall of fame trust fund, State municipal accounting board fee fund, Flood control emergency—federal fund, Intergovernmental personnel act—federal fund, State office building operating fund, Data processing fund, 535 Kansas state office building operating fund.

(continued)

Accounting services recovery fund	87,927
<i>Provided</i> , That expenditures may be made from this fund to provide accounting services to other state agencies: <i>Provided further</i> , That the secretary of administration is hereby authorized to fix, charge and collect fees for accounting services to other state agencies: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: <i>And provided further</i> , That all fees received for such services shall be credited to this fund.	
Fifth and Kansas Avenue operating fund	372,315
State office building depreciation reserve fund	100,000
<i>Provided</i> , That expenditures from this fund for special maintenance, repairs, construction and equipment for the state office building shall not exceed \$100,000.	
Motor pool service fund	2,626,297
<i>Provided</i> , That expenditures from this fund for motor vehicle registrations shall be in addition to any expenditure limitation imposed on this fund.	
535 Kansas temporary state office building depreciation reserve fund	No limit
Computer services fund	No limit
Fifth and Kansas Avenue depreciation reserve fund	No limit
Motor pool service depreciation reserve fund	2,200,000
State office building key deposit fund	No limit
Central mail services revolving fund	No limit
Kansas public employees retirement clearing fund	No limit
Forbes building and grounds fund	626,837
535 Kansas office building bond and interest sinking fund	No limit
Fifth and Kansas Avenue bond and interest sinking fund	No limit
Intragovernmental printing service fund	5,218,370
Intragovernmental printing service depreciation reserve fund	No limit
State communications services fund	No limit
Central aircraft fund	No limit

Provided, That expenditures may be made from this fund to provide central aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for central aircraft services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be credited to this fund.

Computer services depreciation reserve fund	No limit
Executive mansion gifts fund	No limit
FICA revolving fund	No limit
Self-insurance reserve fund	No limit
Bid and contract deposit fund	No limit
State workmen's compensation self-insurance fund	No limit
Health and hospitalization insurance clearing fund	No limit
Withholding tax fund	No limit
State contribution fund	No limit
TIAA-CREF clearing fund	No limit
Unemployment compensation clearing fund	No limit
Federal grants contracts clearing fund	No limit
Construction defects recovery fund	No limit
Omnibus crime act—federal fund	No limit
Omnibus crime act—clearing fund	No limit

(c) On July 1, 1982, the director of accounts and reports shall transfer \$95,164 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the state department of transportation.

(d) On October 1, 1982, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer from the all-sports hall of fame trust fund to the all-sports hall of fame fund the amount equal to the result obtained by subtracting the amount of the unencumbered balance on June 30, 1982, in the all-sports hall of fame fund from \$3,125.

(e) On July 1, 1982, the director of accounts and reports shall transfer \$100,000 from the state office building operating fund to the 535 Kansas state office building operating fund.

(f) On July 1, 1982, the director of accounts and reports shall transfer an amount specified by the director of the budget from the Fifth and Kansas Avenue operating fund to the Fifth and Kansas Avenue bond and interest sinking fund.

(g) On July 1, 1982, the director of accounts and reports shall transfer \$12,000 from the 535 Kansas state office building operating fund to the 535 Kansas temporary state office building depreciation reserve fund.

(h) On July 1, 1982, the director of accounts and reports shall transfer \$12,000 from the Fifth and Kansas Avenue operating fund to the Fifth and Kansas Avenue depreciation reserve fund.

(i) On July 1, 1982, the director of accounts and reports shall transfer all moneys in the aircraft reimbursement fund of the office of the governor to the central aircraft fund of the department of administration. On July 1, 1982, all liabilities of the aircraft reimbursement fund of the office of the governor are imposed on the central aircraft fund of the department of administration and the aircraft reimbursement fund of the office of the governor is hereby abolished.

(j) On July 1, 1982, the director of accounts and reports shall transfer \$15,000 from the state general fund to the central aircraft fund. This transfer of \$15,000 is an advance for the purpose of initiating the central aircraft service activity within the department of administration. Upon certification by the secretary of administration that moneys in the central aircraft fund are sufficient therefor, the director of accounts and reports shall transfer \$15,000 from the central aircraft fund to the state general fund.

(k) Any unencumbered balance as of June 30, 1982, in the following account of the federal revenue sharing fund is hereby lapsed: Special maintenance, statehouse and grounds.

Sec. 6.

COMMISSION ON CIVIL RIGHTS

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

	Fiscal Year 1982	Fiscal Year 1983
Other operating expenditures		\$5,000

Sec. 7.

JUDICIAL BRANCH

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

	Fiscal Year 1982	Fiscal Year 1983
Judges of the district courts—salaries and wages		\$63,631
Non-judicial personnel of the district courts—salaries and wages		155,385
Total		\$219,016

(b) On July 1, 1982, of the \$327,503 appropriated for the judicial branch by section 4(a) of 1982 House Substitute for Senate Bill No. 590 from the state general fund in the district courts—other operating expenditures account, the sum of \$14,000 is hereby lapsed.

(c) On July 1, 1982, the position limitation established by section 6 of 1982 House Substitute for Senate Bill No. 590 for the nonjudicial personnel of the judicial branch is hereby decreased from 1,330.5 to 1,328.5 and for the judges of the district courts of the judicial branch is hereby increased from 211.5 to 212.5.

Sec. 8. On July 1, 1982, section 6 of 1982 Substitute for House Bill No. 3089 is hereby amended to read as follows:
Sec. 6.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue funds all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service regulation fund	\$2,990,898	\$2,935,378
Motor carrier license fees fund	1,118,482	1,134,275
Conservation fee fund	1,900,293	2,414,811

Provided, That any expenditures made from this fund for plugging abandoned wells and testing of wells shall be in addition to any expenditure limitation imposed on this fund.

Mined-land reclamation fund	No limit
Gas pipeline inspection fee fund	9,000
Mined-land conservation and reclamation fee fund	96,012
National surface mining control and reclamation act—federal fund	94,392
Abandoned mined-land reclamation act—federal fund	50,614
<i>Provided</i> , That expenditures from this fund for state operations shall not exceed \$50,614.	

Gas pipeline safety program—federal fund	37,000
Railroad safety program—federal fund	23,000

(b) On July 1, 1982, the position limitation established by section 7 of 1982 Substitute for House Bill No. 3089 for the state corporation commission is hereby increased from 216.5 to 222.5.

(continued)

Sec. 9.

STATE CORPORATION COMMISSION

(a) On the effective date of this act, the expenditure limitation established by section 3(b) of 1982 House Bill No. 2825 on the conservation fee fund is hereby decreased from \$1,762,517 to \$1,728,781: Provided, That expenditures from the conservation fee fund for plugging of abandoned wells and for testing of wells shall be in addition to any expenditure limitation imposed on the conservation fee fund for the fiscal year ending June 30, 1982.

(b) On the effective date of this act, the expenditure limitation established by section 3(a) of 1982 House Bill No. 2825 on the public service regulation fund is hereby increased from \$2,988,236 to \$3,005,236.

Sec. 10.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) There is appropriated for the above agency from the following special revenue fund for the fiscal year specified, all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

Table with 2 columns: Fiscal Year 1982, Fiscal Year 1983. Row: Securities act fee fund. Value: \$438,172.

(b) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, for the office of the securities commissioner of Kansas that are financed by appropriations made by this section shall not exceed 15.0.

Sec. 11.

DEPARTMENT OF ECONOMIC DEVELOPMENT

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

Table with 2 columns: Fiscal Year 1982, Fiscal Year 1983. Rows: Salaries and wages (\$38,159), Other operating expenditures (13,013), Handicapped employment seminars (35,000), Total (\$86,172).

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year specified, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Table with 2 columns: Fiscal Year 1982, Fiscal Year 1983. Rows: Economic development planning assistance grant—federal fund (\$15,600), Ozarks regional commission—agricultural hall of fame project fund—federal (13,000), Staff development and investment plan—federal fund (25,000), Community development block grant planning fund—federal (107,000).

(c) On July 1, 1982, of the \$57,500 appropriated for the department of economic development by section 9(a) of 1982 Substitute for Senate Bill No. 627 from the state general fund in the grants-in-aid—agricultural hall of fame account, the sum of \$13,000 is hereby lapsed.

(d) On July 1, 1982, the position limitation established by section 18 of 1982 Substitute for Senate Bill No. 627 for the department of economic development is hereby increased from 39.0 to 41.0.

Sec. 12. On July 1, 1982, section 10 of 1982 Substitute for Senate Bill No. 627 is hereby amended to read as follows: Sec. 10.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the state general fund the following:

Table with 2 columns: Fiscal Year 1982, Fiscal Year 1983. Row: Salaries and wages. Value: \$2,498,315.

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983: Provided, however, That expenditures from such reappropriated balance shall be made only 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.

Other operating expenditures 602,391

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983: Provided, however, That expenditures from such reappropriated balance shall not exceed \$2,953 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.

Table with 2 columns: Fiscal Year 1982, Fiscal Year 1983. Row: Official hospitality. Value: 750. Total: \$3,101,456.

(b) There is appropriated for the above agency from the following special revenue funds all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Table with 2 columns: Fiscal Year 1982, Fiscal Year 1983. Rows: Insurance company examination fund (No limit), Insurance company annual statement examination fund (\$38,661), Insurance company examiner training fund (No limit), Conversion of materials and equipment fund (0), Commissioner's travel reimbursement fund (No limit), Health care stabilization fund (No limit).

Provided, That expenditures may be made from this fund for salaries and wages: Provided further, That expenditures from this fund for salaries and wages shall not exceed \$28,976.

Workers' compensation fund No limit

Provided, That expenditures from this fund for attorneys' fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made.

Firemen's relief fund No limit

Suspense fund No limit

Insurance company tax and fee refund fund No limit

(c) On July 1, 1982, the director of accounts and reports shall transfer \$2,642,346 from the state general fund to the workers' compensation fund in accordance with K.S.A. 44-566a and amendments thereto.

Sec. 13.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On July 1, 1982, of the \$37,547,356 appropriated for the Kansas public employees retirement system by section 2(a) of 1982 Substitute for Senate Bill No. 591 from the state general fund in the for employers' contributions account, the sum of \$1,477,479 is hereby lapsed.

(b) On July 1, 1982, the expenditure limitation established by section 2(b) of 1982 Substitute for Senate Bill No. 591 on the administrative expenses account of the Kansas public employees retirement fund is hereby increased from \$1,766,399 to \$1,791,399: Provided, That expenditures from the administrative expenses account during the fiscal year ending June 30, 1983, for moving expenses shall be in addition to any expenditure limitation imposed on such account for the fiscal year ending June 30, 1983, except that such expenditures for moving expenses shall not exceed \$57,320.

Sec. 14.

DEPARTMENT OF REVENUE

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

Table with 2 columns: Fiscal Year 1982, Fiscal Year 1983. Row: Salaries and wages and other operating expenditures. Value: \$580,000.

(b) On July 1, 1982, the expenditure limitation established by section 3(a) of 1982 Substitute for Senate Bill No. 591 on expenditures from the amount reappropriated from the other operating expenditures account to the salaries and wages and other operating expenditures account of the state general fund is hereby decreased from \$562,089 to \$262,089.

(c) There is appropriated for the above agency from the following special revenue fund for the fiscal year specified, all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

Table with 2 columns: Fiscal Year 1982, Fiscal Year 1983. Row: City and county compensating use tax fund. Value: No limit.

(continued)

(d) On July 1, 1982, the position limitation established by section 4 of 1982 Substitute for Senate Bill No. 591 for the department of revenue is hereby increased from 1,418.0 to 1,426.0.

Sec. 15.

DEPARTMENT ON AGING

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

	Fiscal Year 1982	Fiscal Year 1983
Assistance to area agencies on aging		\$361,000
Older Kansans employment programs		125,000
Total		\$486,000

Sec. 16.

DEPARTMENT OF HUMAN RESOURCES

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

	Fiscal Year 1982	Fiscal Year 1983
Salaries and wages		\$43,555
Other operating expenditures		14,500
Total		\$58,055

Sec. 17.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

	Fiscal Year 1982	Fiscal Year 1983
Foster care		\$150,000
Income maintenance		285,547
Medical assistance		95,000
Youth services		5,391,261
Adult services		1,345,631
Total		\$7,267,439

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year specified, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

	Fiscal Year 1982	Fiscal Year 1983
Alcohol and drug safety action program fund		\$558,000
Homemaker services fund—private contributions		100,000
State alcohol and other drug abuse prevention and treatment fund		No limit

(c) On July 1, 1982, the expenditure limitation established by section 4(b) of 1982 Substitute for House Bill No. 2739 on the state operations account of the social services clearing fund is hereby increased from \$81,031,277 to \$82,750,000.

(d) On July 1, 1982, the expenditure limitation established by section 4(b) of 1982 Substitute for House Bill No. 2739 on the juvenile justice and delinquency act fund—federal is hereby increased from \$284,000 to \$748,306.

(e) On July 1, 1982, the expenditure limitation established by section 4(b) of 1982 Substitute for House Bill No. 2739 on the social services block grant—federal fund is hereby decreased from \$26,989,741 to \$26,589,741.

(f) On July 1, 1982, the position limitation established by section 7 of 1982 Substitute for House Bill No. 2739 for the department of social and rehabilitation services is hereby increased from 2,645.1 to 2,657.1.

(g) On July 1, 1982, the appropriation made for the department of social and rehabilitation services by section 4(a) of 1982 Substitute for House Bill No. 2739 from the state general fund in the social services account is hereby lapsed.

(h) On July 1, 1982, the appropriation made for the department of social and rehabilitation services by section 4(a) of 1982 Substitute for House Bill No. 2739 from the state general fund in the juvenile offender services account is hereby lapsed.

(i) On January 1, 1983, the director of accounts and reports shall transfer from the state general fund to the state alcohol and other drug abuse prevention and treatment fund the amount certified by the state treasurer as equal to the result obtained by subtracting the amount transferred from the state general fund to the local alcoholic liquor equalization fund under 1982 House

Substitute for Senate Bill No. 888 with regard to calendar year 1982, from the amount credited to the state general fund under K.S.A. 1981 Supp. 79-41a03, and any amendments thereto, during the period from December 16, 1981, to December 15, 1982.

Sec. 18.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year specified, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

	Fiscal Year 1982	Fiscal Year 1983
GED credentials processing fees fund		\$0
Motorcycle safety fund		25,000

Provided, That expenditures from this fund for state operations shall not exceed \$2,500.

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

	Fiscal Year 1982	Fiscal Year 1983
Post-secondary aid for vocational education	\$282,474	
Community college credit hour state aid		\$216,949
Community college out-district state aid entitlement		29,519
Municipal university fund		112,406
Municipal university out-district state aid		408,500
Total	\$282,474	\$767,374

Sec. 19.

EMPORIA STATE UNIVERSITY

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

	Fiscal Year 1982	Fiscal Year 1983
Operating expenditures for utilities	\$34,823	

Sec. 20.

KANSAS STATE UNIVERSITY

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

	Fiscal Year 1982	Fiscal Year 1983
Operating expenditures for utilities	\$239,266	
Roof deck repair and replacements	71,000	
Total	\$310,266	

(b) On July 1, 1982, the expenditure limitation established by section 3(b) of 1982 Substitute for Senate Bill No. 721 on the sponsored research overhead fund is hereby decreased from \$2,755,824 to \$2,615,959.

Sec. 21.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

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

	Fiscal Year 1982	Fiscal Year 1983
Operating expenditures for utilities	\$24,550	

Sec. 22.

PITTSBURG STATE UNIVERSITY

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

	Fiscal Year 1982	Fiscal Year 1983
Other operating expenditures (including official hospitality)	\$115,000	
Nursing capitation grant replacement	39,652	
Total	\$154,652	

Sec. 23.

KANSAS PUBLIC TELEVISION BOARD

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

	Fiscal Year 1982	Fiscal Year 1983
Grant for construction of translators to be located at Independence, Iola and Emporia, Kansas and for the construction of a tower and receiving antenna		

(continued)

to be located between Independence and Iola, Kansas	\$264,500
<i>Provided</i> , That no expenditures shall be made from this account until KTWU-Channel 11 has received approval by the federal communications commission: <i>Provided further</i> , That expenditures from the account shall be made only 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.	
Grant to KANZ-FM public educational radio in southwest Kansas to assist in the extension of broadcast coverage area through the construction of a repeater station network to serve northwest Kansas	10,000
Total	\$274,500

Sec. 24. On July 1, 1982, section 11 of 1982 Substitute for Senate Bill No. 721 is hereby amended to read as follows:
Sec. 11.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages	\$591,950	\$528,998
Other operating expenditures (including official hospitality)	190,124	190,124
Scholarships and tuition grants	4,175,000	4,175,000

Provided, That an amount of not greater than \$4,125,000 shall be made available from this account and from available federal funds for tuition grants authorized by article 61 of chapter 72 of the Kansas Statutes Annotated if sufficient eligible applications are received therefor: *Provided, however*, That whenever a state scholar is awarded both a state scholarship and a tuition grant and the total of the amount of the state scholarship and the amount of the tuition grant exceeds \$1,450, the amount of the state scholarship awarded to such state scholar shall be reduced by the amount that such total exceeds \$1,450.

Regents' distinguished professors	57,500
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Provided, That the state board of regents is hereby authorized to transfer moneys from this account to the restricted fees fund of any eligible institution under its jurisdiction receiving a regents' distinguished professor.

Scholarships for osteopathic medical education	150,000
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Provided, That the state board of regents is hereby authorized to contract with and award scholarships to Kansas residents who are undergraduate students enrolled in or admitted to accredited schools of osteopathic medicine in a course of instruction leading to the degree of doctor of osteopathy: *Provided further*, That such contracts shall include such terms and conditions as may be prescribed by the state board of regents and as otherwise prescribed by law, and if no terms and conditions are otherwise prescribed by law the terms and conditions for awarding such scholarships shall be the same as the terms and conditions for awarding scholarships to students admitted to or enrolled in the university of Kansas school of medicine under K.S.A. 1981 Supp. 76-373 to 76-377a, inclusive, to the extent that such sections may be made applicable thereto: *And provided further*, That such scholarships shall be awarded subject to the limits of appropriations therefor.

Contractual agreements and loans for osteopathic education	624,000
Reciprocal agreement—university of Missouri	40,000
Contractual agreements—dental education	112,500

Provided, That no expenditure shall be made from this account for persons commencing dental education during the academic year which commences in the fall of 1982.

Contractual agreements—optometry education	138,750
Salary enrichment for unclassified employees	900,000

Provided, That the state board of regents is hereby authorized to transfer moneys from this account to an account or accounts of any institution under its jurisdiction to be expended by such institution only for the enrichment of salaries of faculty in the areas of business, computer science and engineering: *Provided further*, That the state board of regents shall submit a written report on the distribution of these moneys to the legislative coordinating council prior to December 31, 1982.

Contracts for postgraduate training in osteopathic medicine	55,239
Total	\$6,900,933

(b) There is appropriated for the above agency from the following special revenue funds all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

Wichita state university, general obligation bond and interest fund	No limit
Statewide continuing education network clearing fund	No limit
Student incentive grant fund—federal	No limit

Higher education act of 1965—federal fund	No limit
<i>Provided</i> , That any transfers of moneys from this fund shall be in addition to any expenditure limitation imposed on this fund.	
Earned indirect costs fund—federal	No limit
State student financial training grant—federal fund	No limit
Tuition grant discontinued attendance fund	No limit
State scholarship discontinued attendance fund	No limit

(c) There is appropriated for the above agency from the Kansas educational building fund the following:

Major repairs, special maintenance and remodeling for institutions of higher education	\$1,075,000
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Provided, That the state board of regents is hereby authorized to transfer moneys from this account to an account of the Kansas educational building fund of any institution under its jurisdiction to be expended by such institution for projects approved by the state board of regents.

Sec. 25.

UNIVERSITY OF KANSAS

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

	Fiscal Year 1982	Fiscal Year 1983
Operating expenditures for utilities	\$568,137	
Kansas applied remote sensing program		\$50,000
Salaries and wages		100,355
Research program in tertiary oil recovery		54,225
Total	\$568,137	\$204,580

(b) On July 1, 1982, of the \$3,077,500 appropriated for the university of Kansas by section 7(a) of 1982 Substitute for Senate Bill No. 721 from the state general fund in the geological survey account, the sum of \$169,580 is hereby lapsed.

(c) On July 1, 1982, the expenditure limitation established by section 7(b) of 1982 Substitute for Senate Bill No. 721 on the geological survey fund is hereby increased from \$1,440,000 to \$1,609,580.

(d) On July 1, 1982, the expenditure limitation established by section 7(b) of 1982 Substitute for Senate Bill No. 721 on the law enforcement training center fund is hereby increased from \$593,378 to \$866,415.

(e) On July 1, 1982, the expenditure limitation established by section 7(b) of 1982 Substitute for Senate Bill No. 721 on the sponsored research overhead fund is hereby decreased from \$3,106,716 to \$3,015,677.

(f) On July 1, 1982, the position limitation established by section 12(a) of 1982 Substitute for Senate Bill No. 721 for the university of Kansas is hereby increased from 1,979.2 to 1,980.2.

(g) On July 1, 1982, the position limitation established by section 12(b) of 1982 Substitute for Senate Bill No. 721 for the university of Kansas is hereby increased from 2,252.8 to 2,258.3.

Sec. 26. On the effective date of this act, section 32 of chapter 32 of the 1981 Session Laws of Kansas is hereby amended to read as follows: Sec. 32.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages	\$39,131,101
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Provided, That any unencumbered balance in excess of \$100 as of June 30, 1981, is hereby reappropriated for fiscal year 1982: *Provided, however*, That expenditures from such balance shall not exceed \$24,018 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: *Provided further*, That expenditures may be made from this account to provide a pay rate differential for nursing personnel employed by the university of Kansas medical center who are employed during work periods commencing on and after 3 p.m. and ending on or before 7 a.m.: *And provided further*, That such pay rate differential shall be a pay increase for each such employee employed during the work period commencing at 3 p.m. and ending at 11 p.m. of an amount equal to an increase of 5% in such employee's rate of pay under the pay plan in effect under K.S.A. 1980 1981 Supp. 75-2938 or any amendments to such pay plan: *And provided further*, That such pay rate differential shall be a pay increase for each such employee employed during the work period commencing at 11 p.m. and ending at 7 a.m. of an amount equal to an increase of 10% in such employee's rate of pay under the pay plan in effect under K.S.A. 1980 1981 Supp. 75-2938 or any amendments to such pay plan: *And provided further*, That in no case

(continued)

shall such pay rate differential provide additional pay at a rate less than \$.20 per hour: *And provided further*, That expenditures from this account for officers and employees paid on biweekly payroll periods from appropriations for fiscal year 1982 shall be only for salaries and wages actually earned from July 1, 1981, to June 30, 1982, inclusive.

Other operating expenditures (including official hospitality) 3,477,091

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1981, is hereby reappropriated for fiscal year 1982: *Provided, however*, That expenditures from such balance shall not exceed \$57,000 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: *Provided further*, That expenditures from this account for medical malpractice legal counsel shall not exceed \$50,000.

Operating expenditures for utilities 2,953,296

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1981, is hereby reappropriated for fiscal year 1982: *Provided, however*, That expenditures from such balance shall not exceed \$372,350 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.

Support for resident training opportunities 1,324,012

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1981, is hereby reappropriated for fiscal year 1982: *Provided, however*, That expenditures from such balance shall not exceed \$102,831 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.

Support for the department of family practice and for primary care outreach programs 2,106,314

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1981, is hereby reappropriated for fiscal year 1982: *Provided, however*, That expenditures from such balance shall not exceed \$65,535 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: *Provided further*, That expenditures may be made from this account to purchase insurance for the university aircraft.

For support of cystic fibrosis clinic 11,108

Purchase malpractice insurance for undergraduate students in training in the university of Kansas school of medicine, nursing and allied health care, which insurance shall be approved by the commissioner of insurance of the state of Kansas 33,852

Contractual agreements and scholarships for medical education 3,415,000

Total \$51,614,865 \$52,451,774

(b) There is appropriated for the above agency from the following special revenue funds all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

General fees fund \$4,048,503
Hospital revenue fund 46,458,890
Restricted fees fund No limit

Provided, That restricted fees shall be limited to the following accounts: Reimbursable items for patients and others; professional fees collected and remitted; salaries reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; *sponsored research*; gift receipts; departmental commercial receipts: *Provided, however*, That the state board of regents, with the 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, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be used solely for the specific purpose or purposes for which collected.

Sponsored research fund No limit
Sponsored research overhead fund 2,239,464

Provided, That expenditures from this fund may be made for administration, operation, and development of research and for matching federal funds available for buildings and equipment that qualify for research purposes.

Parking fees fund 237,287
Service clearing fund No limit

Provided, That the service clearing fund shall be used only as a working capital fund to finance internal service activities rendered to the institution's own departments, other institutional related organizations, and specific organizations and classes of individuals approved by the state board of regents, for the following service activities: Print shop; computer services; purchasing storeroom; university motor pool; clothing (uniforms); food stores; renal dialysis; kidney procurement; physical plant storeroom; intravenous solutions; photo supplies: *Provided*,

however, That the state board of regents, with the 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, may amend the list of service activities included in the service clearing fund: *And provided further*, That the director of accounts and reports shall approve the accounting procedures to insure a self-supporting operation of the service clearing fund.

College work study fund No limit
Student union fees fund No limit
Scholarship funds fund No limit
Advances fund—department of social and rehabilitation services No limit
Federal aid for buildings fund No limit
Bond construction funds No limit
Health professions student loan fund—medical students No limit
Health professions student loan fund—nursing students No limit
Revolving student loans fund No limit
1961 student center apartments revenue fund No limit
1961 student center apartments bond and interest sinking fund No limit
Student loans fund No limit
Suspense fund No limit
Student center dormitory fund No limit
Basic science facility—federal fund No limit
Educational opportunity grant fund No limit
Basic educational opportunity grant fund No limit
Clinical facility bond and interest sinking fund No limit
Clinical facility bond reserve fund No limit
National direct student loan fund No limit
Clinical facility extraordinary repair fund No limit
Clinical facility discretionary fund No limit
Parking facility revenue fund No limit
Parking facility bond and interest sinking fund No limit
Medical library private gifts fund No limit
Medical library revenue fund No limit
Medical library bond and interest sinking fund No limit
University of Kansas hospital fund 0

Provided, That expenditures from such fund shall be made only in accordance with K.S.A. 1989 1981 Supp. 76-827 and appropriation acts of the legislature.

(c) There is appropriated for the above agency from the federal revenue sharing fund the following:

Improve hospital billing services \$250,000

Provided, That no expenditures shall be made from this account 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.

(d) Any unencumbered balance as of June 30, 1981, in each of the following accounts of the federal revenue sharing fund is hereby lapsed: Acquisition and installation of elevator in G building; chilled water lines; roof replacement for Sudler, D, G and A buildings; weatherstripping, storm sash, and glazing, screening and sealing of windows for institutions of higher education; insulation of attic.

(e) On July 1, 1981, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the chancellor of the university of Kansas to not to exceed \$24,410 from the general fees fund to the national direct student loan fund.

Sec. 27. On July 1, 1982, section 9 of 1982 Substitute for Senate Bill No. 721 is hereby amended to read as follows: Sec. 9.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages \$35,742,216 \$36,267,343

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983: *Provided further*, That expenditures may be made from this account to provide a pay rate differential for nursing personnel employed by the university of Kansas medical center who are employed during work periods commencing on and after 3 p.m. and ending on or before 7 a.m.: *And provided further*, That such pay rate differential shall be a pay increase for each such employee employed during the work period commencing at 3 p.m. and ending at 11 p.m. of an amount equal to an increase of 5% in such employee's rate of pay under the pay plan in effect under K.S.A. 1981 Supp. 75-2938 or any amendments to such pay plan: *And provided further*, That such pay rate differential shall be a pay increase for each such employee employed during the work period commencing at 11 p.m. and ending at 7 a.m. of an amount equal to an increase of 10% in such employee's rate of pay under the pay plan in effect under K.S.A. 1981 Supp. 75-2938 or any amendments to such pay plan: *And provided further*, That in no

(continued)

case shall such pay rate differential provide additional pay at a rate less than \$.20 per hour.

Table with 2 columns: Description and Amount. Includes 'Other operating expenditures (including official hospitality)', 'Operating expenditures for utilities', 'Support for resident training opportunities', 'Support for the department of family practice and for primary care outreach programs', 'For support of cystic fibrosis clinic', and 'Purchase of malpractice insurance'.

Provided, That expenditures may be made from this account only for the purchase of malpractice insurance for undergraduate students in training at the university of Kansas school of medicine, nursing and allied health care: Provided further, That such insurance shall be approved by the commissioner of insurance of the state of Kansas.

Table with 2 columns: Description and Amount. Includes 'Contractual agreements and scholarships for medical education' and 'Total'.

(b) There is appropriated for the above agency from the following special revenue funds all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

Table with 2 columns: Description and Amount. Includes 'General fees fund' and 'Hospital revenue fund'.

Provided, That expenditures may be made from this fund for contracts which the above agency is hereby authorized to negotiate and enter into with private practice corporations for hospital services in diagnostic radiology, clinical and surgical pathology, radiation therapy, rehabilitative medicine and anesthesiology, respiratory therapy and inhalation therapy: Provided further, That such contracts shall not be subject to the competitive bid requirements of K.S.A. 1981 Supp. 75-3739 and any amendments thereto.

Table with 2 columns: Description and Amount. Includes 'Restricted fees fund' with 'No limit'.

Provided, That restricted fees shall be limited to the following accounts: Reimbursable items for patients and others; professional fees collected and remitted; salaries reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; gift receipts; sponsored research; departmental commercial receipts: Provided, however, That the state board of regents, with the 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, may amend or change this list of restricted fees: Provided further, That all restricted fees shall be used solely for the specific purpose or purposes for which collected.

Table with 2 columns: Description and Amount. Includes 'Sponsored research overhead fund'.

Provided, That expenditures from this fund may be made for administration, operation, and development of research and for matching federal funds available for buildings and equipment that qualify for research purposes.

Table with 2 columns: Description and Amount. Includes 'Parking fees fund' and 'Service clearing fund'.

Provided, That the service clearing fund shall be used only as a working capital fund to finance internal service activities rendered to the institution's own departments, other institutional related organizations, and specific organizations and classes of individuals approved by the state board of regents, for the following service activities: Print shop; computer services; purchasing storeroom; university motor pool; clothing (uniforms); food stores; renal dialysis; kidney procurement; physical plant storeroom; intravenous solutions; photo supplies: Provided, however, That the state board of regents, with the 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, may amend the list of service activities included in the service clearing fund: And provided further, That the director of accounts and reports shall approve the accounting procedures to insure a self-supporting operation of the service clearing fund.

Table with 2 columns: Description and Amount. Includes 'College work study fund', 'Student union fees fund', 'Scholarship funds fund', 'Advances fund—department of social and rehabilitation services', 'Federal aid for buildings fund', 'Bond construction funds', 'Health professions student loan fund—medical students', 'Health professions student loan fund—nursing students', 'Revolving student loans fund', '1961 student center apartments revenue fund', '1961 student center apartments bond and interest sinking fund', 'Student loans fund', 'Suspense fund', 'Student center dormitory fund', 'Basic science facility—federal fund', 'Educational opportunity grant fund', 'Basic educational opportunity grant fund', and 'Clinical facility bond and interest sinking fund'.

Table with 2 columns: Description and Amount. Includes 'Clinical facility bond reserve fund', 'National direct student loan fund', 'Clinical facility extraordinary repair fund', 'Clinical facility discretionary fund', 'Parking facility revenue fund', 'Parking facility bond and interest sinking fund', 'Medical library private gifts fund', 'Medical library revenue fund', and 'Medical library bond and interest sinking fund'.

(c) There is appropriated for the above agency from the Kansas educational building fund the following:

Table with 2 columns: Description and Amount. Includes 'Addition to Applegate energy center—planning'.

(d) On July 1, 1982, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer: (1) An amount specified by the chancellor of the university of Kansas of not to exceed \$6,221 from the general fees fund to the national direct student loan fund; (2) an amount specified by the chancellor of the university of Kansas of not to exceed \$14,334 from the general fees fund to the health professions student loan fund—medical students; and (3) an amount specified by the chancellor of the university of Kansas of not to exceed \$3,855 from the general fees fund to the health professions student loan fund—nursing students.

(e) Total expenditures from general use funds for salaries of unclassified staff of clinical departments, excluding residents, interns, fellows and non-clinical faculty positions funded wholly from restricted fees, shall not exceed 40% 38% of the total compensation for such employees. The proportion of general use fund salary support for any individual clinical department shall not exceed 45% 50%, except that this 45% 50% limitation shall not apply to the departments of family practice, pediatrics, psychiatry and rehabilitation medicine. The provisions of this subsection (e) shall not apply to unclassified staff of clinical departments at the university of Kansas school of medicine at Wichita.

(f) On July 1, 1982, the position limitation established by section 12(a) of 1982 Substitute for Senate Bill No. 721 for the university of Kansas medical center is hereby increased from 3,163.8 to 3,166.8.

(g) On July 1, 1982, the position limitation established by section 12(b) of 1982 Substitute for Senate Bill No. 721 for the university of Kansas medical center is hereby decreased from 1,351.7 to 1,348.7.

(h) In addition to service commitment areas established pursuant to K.S.A. 76-375, the university of Kansas medical center may authorize not more than 12 persons at any one time to serve all or part of their obligation to engage in the practice of medicine and surgery under K.S.A. 1981 Supp. 76-373 to 76-377a, inclusive, in medical clinics located in Kansas cities other than Kansas City, Kansas, which are operated by professional corporations affiliated by contract with the university of Kansas medical center. Service in such medical clinics shall constitute service in both service commitment area I and service commitment area II under K.S.A. 1981 Supp. 76-373 to 76-377a, inclusive.

Sec. 28.

WICHITA STATE UNIVERSITY

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

Table with 3 columns: Description, Fiscal Year 1982, and Fiscal Year 1983. Includes 'Operating expenditures for utilities', 'Salaries and wages', 'Nursing capitation grant replacement', and 'Total'.

(b) On July 1, 1982, the position limitation established by section 12(a) of 1982 Substitute for Senate Bill No. 721 for Wichita state university is hereby decreased from 614.8 to 613.3.

(c) On July 1, 1982, the position limitation established by section 12(b) of 1982 Substitute for Senate Bill No. 721 is hereby increased from 885.1 to 887.6.

Sec. 29.

KANSAS ADULT AUTHORITY

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

(continued)

	Fiscal Year 1982	Fiscal Year 1983
Salaries and wages		\$307,876
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$18,995 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.		
Other operating expenditures		56,821
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$6,224 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.		
Matching of federal grants		908
Total		\$365,605

(b) There is appropriated for the above agency from the following special revenue fund for the fiscal year specified, all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

	Fiscal Year 1982	Fiscal Year 1983
Omnibus crime act—federal fund.		\$8,172

(c) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, for the Kansas adult authority that are financed by appropriations made by this section shall not exceed 11.0.

Sec. 30.

DEPARTMENT OF CORRECTIONS

(a) On the effective date of this act, the expenditure limitation established by section 7(a) of 1982 House Bill No. 2825 on the correctional industries fund is hereby increased from \$3,046,884 to \$3,061,884.

(b) On July 1, 1982,, the position limitation established by section 11 of 1982 Substitute for House Bill No. 2803 for the department of corrections is hereby increased from 199.5 to 200.5.

Sec. 31. On July 1, 1982, section 4 of 1982 Substitute for House Bill No. 2803 is hereby amended to read as follows:
Sec. 4.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages—department of corrections	\$2,189,360
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$103,861 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.	
Other operating expenditures—department of corrections.	580,179
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$24,160 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.	
Salaries and wages—honor camps	574,384
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$2,694 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.	
Other operating expenditures—honor camps	398,905
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$3,775 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.

Salaries and wages—work release 608,602

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$45,684 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.

Other operating expenditures—work release 429,390

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$9,654 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.

Community corrections act grants 4,270,909 4,270,294

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983: *Provided, however*, That expenditures from such reappropriated balance shall not exceed ~~\$929,259~~ \$1,014,676 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: *Provided further*, That the amount of the per capita appropriation factor under subsection (g) of K.S.A. 1981 Supp. 75-52,101 shall be \$5: *Provided further*, That no expenditures may be made by any county from any grant made to such county from this account for any quarter of fiscal year 1983 which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections: *And provided further*, That no expenditures shall be made from this account for a grant to Riley county or Sedgwick county 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.

Implementation of career ladder and salary enhancements. 810,000

Provided, That the secretary of corrections is hereby authorized to transfer moneys from this account of the state general fund to the appropriate accounts of the state general fund of the department of corrections and each correctional institution under the jurisdiction of the secretary of corrections to be expended to implement a career ladder and salary enhancements for correctional officers and other employees.

Care and maintenance of parole violators in local jail or detention facilities. 49,500

Any unencumbered balance in excess of \$100 as of June 30, 1982, in the following account is hereby reappropriated for fiscal year 1983: Renovation of cellhouses A, B, C and D at the Kansas state penitentiary and cellhouses A, B, C and D at the state industrial reformatory.

Any unencumbered balance in excess of \$100 as of June 30, 1982, in the payment of court costs account is hereby reappropriated for fiscal year 1983: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$5,000 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.

Total \$10,006,021 \$9,910,614

(b) There is appropriated for the above agency from the following special revenue funds all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Correctional industries fund.	\$2,140,588	\$3,230,588
Correctional industries equipment replacement fund.		94,700
<i>Provided</i> , That expenditures from this fund are hereby authorized for the following purpose, subject to the expenditure limitation prescribed therefor:		
Capital outlay.	\$94,700	
General fees fund.		6,000

(c) During the fiscal year ending June 30, 1983, the secretary of corrections is hereby authorized to transfer moneys from the salaries and wages—department of corrections account of the state general fund or from the salaries and wages—work release account of the state general fund, or from both such accounts, to the salaries and wages—honor camps account of the state general fund for the purpose of reallocating one position for honor

(continued)

camps, except that the total of all such transfers shall not exceed \$13,310.

Sec. 32.

CORRECTIONS OMBUDSMAN BOARD

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

	Fiscal Year 1982	Fiscal Year 1983
Operating expenditures		\$10,970

Sec. 33.

CRIME VICTIMS REPARATIONS BOARD

(a) The director of accounts and reports shall not make the transfer of \$30,106 directed to be made by section 21(b) of 1982 Senate Bill No. 643 from the preventive health and health services block grant fund of the department of health and environment to the federal preventive health and health services block grant fund of the crime victims reparations board.

(b) On the effective date of this act, the director of accounts and reports shall transfer \$30,106 from the federal 314(d) health incentive grant fund of the department of health and environment to the federal preventive health and health services block grant fund of the crime victims reparations board.

Sec. 34.

STATE FIRE MARSHAL

(a) On July 1, 1982, the expenditure limitation established by section 3(a) of 1982 Substitute for House Bill No. 2803 on the fire marshal fee fund is hereby increased from \$974,585 to \$976,185.

(b) On July 1, 1982, the director of accounts and reports shall transfer \$50,000 from the state general fund to the fire marshal fee fund.

(c) On May 1, 1983, the director of accounts and reports shall transfer \$50,000 from the fire marshal fee fund to the state general fund.

Sec. 35.

STATE INDUSTRIAL REFORMATORY

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

	Fiscal Year 1982	Fiscal Year 1983
Other operating expenditures	\$11,861	
Post-secondary education training contracts		175,491

(b) On the effective date of this act, of the \$4,952,157 appropriated for the state industrial reformatory by section 9(a) of chapter 15 of the 1981 Session Laws of Kansas from the state general fund in the salaries and wages account, the sum of \$11,861 is hereby lapsed.

(c) On July 1, 1982, of the \$3,756,358 appropriated for the state industrial reformatory by section 7(a) of 1982 Substitute for House Bill No. 2803 from the state general fund in the other operating expenditures account, the sum of \$46,250 is hereby lapsed.

Sec. 36. On July 1, 1982, section 2 of Substitute for House Bill No. 2802 is hereby amended to read as follows: Sec. 2.

YOUTH CENTER AT TOPEKA

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures	\$4,720,865
<i>Provided, That expenditures may be made from this account for razing a staff cottage and garage.</i>	

(b) There is appropriated for the above agency from the following special revenue funds all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Youth center at Topeka fee fund	\$37,750
Youth center at Topeka improvement fund	4,525
Elementary and secondary education fund—federal	111,958
Canteen fund	No limit
Patient benefit fund	No limit

(c) There is appropriated for the above agency from the state institutions building fund the following:

Planning for new heating plant and steam distribution system	\$117,000
<i>Provided, That no expenditures shall be made from this account,</i>	

except expenditures for engineering services, until an analysis of the institution's heating and utilities needs has been conducted, including analysis of the feasibility of converting existing boilers; and a report of such analysis has been submitted to the joint committee on state building construction.

(d) Any unencumbered balance as of June 30, 1982, in each of the following accounts of the state institutions building fund is hereby lapsed: Purchase new dishwashing machine—Topeka; construct and equip closed detention treatment cottage including relocation of staff cottage No. 157624; refurbish Jayhawk cottage; air condition gymnasium in Chippewa cottage; install security screens in Osage and Kanza cottages; air-condition gymnasiums in Arapaho and Cheyenne cottages; resurface front driveways—Topeka.

(e) Upon request of the superintendent or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,500 from the canteen fund to the patient benefit fund.

Sec. 37.

STATE BOARD OF AGRICULTURE

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

	Fiscal Year 1982	Fiscal Year 1983
Central office	\$11,486	
Regulation of water resources program		\$32,980

(b) On July 1, 1982, of the \$1,731,257 appropriated for the state board of agriculture by section 2(a) of 1982 Substitute for Senate Bill No. 635 from the state general fund in the regulation of agricultural products program account, the sum of \$9,774 is hereby lapsed.

(c) On July 1, 1982, of the \$813,925 appropriated for the state board of agriculture by section 2(a) of 1982 Substitute for Senate Bill No. 635 from the state general fund in the regulation of pesticides and plant pests and diseases program account, the sum of \$33,860 is hereby lapsed.

(d) On July 1, 1982, the expenditure limitation established by section 2(b) of 1982 Substitute for Senate Bill No. 635 on the pesticide use fee fund is hereby increased from \$84,700 to \$129,560.

(e) On July 1, 1982, the expenditure limitation established by section 2(b) of 1982 Substitute for Senate Bill No. 635 on the entomology fee fund is hereby decreased from \$129,099 to \$118,099.

(f) On July 1, 1982, the expenditure limitation established by section 2(b) of 1982 Substitute for Senate Bill No. 635 on the dairy division fee fund is hereby decreased from \$74,223 to \$63,469.

(g) On July 1, 1982, the expenditure limitation established by section 2(b) of 1982 Substitute for Senate Bill No. 635 on the grade A milk fee fund is hereby increased from \$129,430 to \$149,958.

(h) On July 1, 1982, the expenditure limitation established by section 2(b) of 1982 Substitute for Senate Bill No. 635 on the water appropriation certification fund is hereby decreased from \$142,430 to \$109,450.

(i) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 20 of the 1981 Session Laws of Kansas on the market division fee fund is hereby increased from \$5,850 to \$25,850.

Sec. 38.

BOARD OF STATE FAIR MANAGERS

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

	Fiscal Year 1982	Fiscal Year 1983
Grandstand roof and maintenance shop roof repairs	\$6,600	

Provided, That the above agency is hereby authorized to negotiate and enter into contracts for materials and services for such roof repairs: Provided further, That such contracts shall not be subject to the competitive bid requirements of K.S.A. 1981 Supp. 75-3739 to 75-3741, inclusive, and amendments thereto.

(b) On the effective date of this act, the expenditure limitation established by the state finance council on the state fair fee fund is hereby increased from \$1,460,586 to \$1,482,406.

(continued)

(c) During the fiscal year ending June 30, 1983, expenditures from the state fair fee fund which are for payments to any performer, entertainer or special attraction of amounts based on a percentage of admission receipts in addition to a base guarantee shall be in addition to any expenditure limitation imposed on the state fair fee fund for the fiscal year ending June 30, 1983.

(d) On July 1, 1982, or as soon thereafter as moneys are available therefor during the fiscal year ending June 30, 1983, upon certification of the board of state fair managers, the director of accounts and reports shall transfer \$6,600 from the state fair fee fund to the state general fund.

Sec. 39. On July 1, 1982, section 8 of 1982 Substitute for Senate Bill No. 635 is hereby amended to read as follows: Sec. 8.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages	\$770,000	\$753,834
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983: Provided, however, That expenditures from such balance shall be made only not exceed \$38,198 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.</i>		
Other operating expenditures	484,544	
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1982, is hereby reappropriated for fiscal year 1983: Provided, however, That expenditures from such balance shall not exceed \$18,853 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.</i>		
Annual repayment on water storage costs on John Redmond reservoir	157,580	
Annual repayment on water storage costs on Council Grove reservoir	52,200	
Annual repayment on water storage costs on Elk City reservoir ..	77,272	
Annual repayment on water storage costs on Milford reservoir ...	455,987	
Annual repayment on water storage costs on Marion reservoir ...	59,974	
Annual repayment on water storage costs on Perry reservoir	336,703	
Annual repayment on water storage costs on Clinton reservoir ...	182,844	
Annual repayment on water storage costs on Big Hill reservoir ...	60,184	
Annual repayment on water storage costs on Hillsdale reservoir ...	102,363	
Operation and maintenance charges on reservoirs in the state water plan	276,395	
Total	\$3,016,046	\$2,999,880

(b) There is appropriated for the above agency from the following special revenue funds all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal water resources planning grant fund	\$0
Conversion of materials and equipment fund	0

(c) On July 1, 1982, the position limitation established by section 9 of 1982 Substitute for Senate Bill No. 635 for the Kansas water office is hereby increased from 28.5 to 29.5.

Sec. 40.

KANSAS WHEAT COMMISSION

(a) On July 1, 1982, the expenditure limitation established by section 6(a) of 1982 Substitute for Senate Bill No. 635 on the Kansas wheat commission fund is hereby increased from \$941,334 to \$1,306,334.

(b) During the fiscal year ending June 30, 1983, expenditures from the Kansas wheat commission fund for contracts with United States wheat associates, inc., for special projects shall not exceed \$105,000.

Sec. 41.

DEPARTMENT OF HEALTH AND ENVIRONMENT

(a) There is appropriated for the above agency from the following special revenue fund for the fiscal year specified, all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

	Fiscal Year 1982	Fiscal Year 1983
Federal EPA 109(b) statewide operator training program fund		\$0
<i>Provided, That any transfers of moneys from this fund to other state agencies shall be in addition to any expenditure limitation imposed on this fund.</i>		

Provided further, That no transfers shall be made from this fund 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.

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

	Fiscal Year 1982	Fiscal Year 1983
Establishment, maintenance and operation of an emergency medical services communications system ..	\$4,800	
Community health services—other operating expenditures		\$3,700

(c) On July 1, 1982, of the \$868,790 appropriated for the department of health and environment by section 5(a) of 1982 Substitute for House Bill No. 2739 from the state general fund in the administration—other operating expenditures account, the sum of \$1,750 is hereby lapsed.

(d) On July 1, 1982, the expenditure limitation established by section 5(b) of 1982 Substitute for House Bill No. 2739 on the national health planning act fund—federal is hereby decreased from \$370,777 to \$365,527.

Sec. 42.

KANSAS NEUROLOGICAL INSTITUTE

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

	Fiscal Year 1982	Fiscal Year 1983
Operating expenditures		\$25,211

Sec. 43.

OSAWATOMIE STATE HOSPITAL

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year specified, the following:

	Fiscal Year 1982	Fiscal Year 1983
Planning for remodeling of employees' dormitory for administration building		\$90,000

Provided, That no expenditures shall be made from this account 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.

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

	Fiscal Year 1982	Fiscal Year 1983
Operating expenditures		\$30,921

(c) On July 1, 1982, the position limitation established by section 14 of 1982 Substitute for House Bill No. 2802 for Osawatomi state hospital is hereby increased from 595.0 to 597.0.

Sec. 44.

(a) There is appropriated from the state general fund for the fiscal year ending June 30, 1982, the following amount for settlement of a court judgment of \$52,302 against the state in the case of Kane and Bills Construction Co., Inc., v. Division of Architectural Services, and Wichita State University, Case No. 78C1127, in the district court of Sedgwick county, Kansas, to the following claimant:

Kane and Bills Construction Co., Inc., c/o Dan Biles, Office of the Attorney General, Kansas Judicial Center, Topeka, Kansas 66612	\$40,000
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Provided, That a written release and satisfaction of all claims and rights under such case against the state of Kansas and any officers and employees of the state of Kansas shall be secured prior to payment of this amount to such claimant.

(b) The department of administration is hereby authorized and directed to pay the following amount during the fiscal year ending June 30, 1982, from the special maintenance, statehouse and grounds account of the federal revenue sharing fund for additional necessary statehouse stone repair which was not under the original contract for statehouse stone repair services, to the following claimant:

(continued)

J. T. Lardner, c/o Charles F. Lardner, 128 North Van Buren, Topeka, Kansas 66603. \$27,300

(c) The director of accounts and reports is hereby authorized to draw warrants on the state treasurer in favor of the claimants specified in this section, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such section or by the claimants or their legal representatives or duly authorized agents, as provided by law.

Sec. 45.

KANSAS SOLDIERS' HOME

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

	Fiscal Year 1982	Fiscal Year 1983
Fire safety improvements		\$15,000

(b) On July 1, 1982, of the \$1,335,970 appropriated for the Kansas soldiers' home by section 15(a) of 1982 Substitute for Senate Bill No. 627 from the state general fund in the salaries and wages account, the sum of \$15,000 is hereby lapsed.

Sec. 46.

KANSAS FISH AND GAME COMMISSION

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year specified, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

	Fiscal Year 1982	Fiscal Year 1983
Hatchery stamp revenue fund		\$0

Provided, That all moneys received by the Kansas fish and game commission from the issuance and sale of hatchery stamps under 1982 House Bill No. 3131 shall be deposited in the state treasury to the credit of this fund.

Hatchery revenue bond proceeds fund		0
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Sec. 47. On July 1, 1982, the director of accounts and reports shall transfer from the state general fund to each imprest fund increased by K.S.A. 1981 Supp. 75-3058, as amended by section 1 of 1982 House Bill No. 3145, an amount equal to the increase in the specified balance for such imprest fund.

Sec. 48.

PARSONS STATE HOSPITAL AND TRAINING CENTER

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

	Fiscal Year 1982	Fiscal Year 1983
Operating expenditures		\$16,427

(b) On July 1, 1982, the position limitation established by section 14 of 1982 Substitute for House Bill No. 2802 for Parsons state hospital and training center is hereby increased from 384.5 to 385.5.

Sec. 49.

FORT HAYS STATE UNIVERSITY

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

	Fiscal Year 1982	Fiscal Year 1983
Nursing capitation grant replacement	\$17,796	
Salaries and wages		\$64,070

Sec. 50.

ADJUTANT GENERAL

(a) On the effective date of this act, the expenditure limitation established by section 5(c) of 1982 House Bill No. 2825 on the military fees fund is hereby increased from \$86,402 to \$100,481.

Sec. 51.

NORTON STATE HOSPITAL

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

	Fiscal Year 1982	Fiscal Year 1983
Operating expenditures		\$36,014

(b) On July 1, 1982, the position limitation established by

section 14 of 1982 Substitute for House Bill No. 2802 for Norton state hospital is hereby increased from 257.0 to 258.0.

Sec. 52.

KANSAS STATE PENITENTIARY

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

	Fiscal Year 1982	Fiscal Year 1983
Other operating expenditures		\$45,000

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

Construct medium-custody and support facilities for the fiscal year ending June 30, 1984	\$5,831,118
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Sec. 53.

KANSAS HIGHWAY PATROL

(a) On July 1, 1982, the expenditure limitation established by section 3(b) of 1982 Substitute for House Bill No. 2801 on the capitol area security fund is hereby decreased from \$472,463 to \$446,490.

(b) On July 1, 1982, the position limitation established by section 4 of 1982 Substitute for House Bill No. 2801 for capitol area security for the Kansas highway patrol is hereby decreased from 59.5 to 55.5.

Sec. 54. Appeals to exceed position limitations. The limitations imposed by this act on the full-time equivalent number of full-time and regular part-time positions, excluding seasonal and temporary positions, paid from appropriations made in this act or in any other appropriation act of the 1982 regular session of the legislature may be exceeded 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.

Sec. 55. Appeals to exceed expenditure limitations. Upon written application to the governor and 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, expenditures from special revenue funds may exceed the amounts specified in this act.

Sec. 56. Savings. Any unencumbered balance in any special revenue fund, or account thereof, which is not otherwise specifically appropriated or limited by this or any other appropriation act of the 1982 regular session of the legislature, is hereby appropriated for the same use and purpose as the same was heretofore appropriated.

Sec. 57. On the effective date of this act, section 32 of chapter 32 of the 1981 Session Laws of Kansas and K.S.A. 1981 Supp. 75-3921 are hereby repealed.

Sec. 58. On July 1, 1982, section 10 of 1982 Substitute for Senate Bill No. 627, section 8 of 1982 Substitute for Senate Bill No. 635, sections 9 and 11 of 1982 Substitute for Senate Bill No. 721, section 2 of 1982 Substitute for House Bill No. 2802, section 4 of 1982 Substitute for House Bill No. 2803, and sections 2 and 6 of 1982 Substitute for House Bill No. 3089 are hereby repealed.

Sec. 59. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body April 27, 1982.

Senate adopted Conference Committee report April 29, 1982.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 29, 1982.
House adopted Conference Committee report April 29, 1982.

WENDELL LADY
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED May 13, 1982.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 14th day of May, 1982.

(SEAL)

JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER May 20, 1982.)

HOUSE BILL No. 2623

AN ACT concerning the retirement of Kansas public employees under certain retirement systems of the Kansas public employees retirement system; relating to membership and credit for certain service; date of retirement; post-retirement benefit adjustments; retirement, service-connected and insured death and disability and retirant funeral benefits; designation of beneficiaries; retirement options; payment, withdrawal and crediting of interest on employee contributions; rates of employer contributions; arrearages; purchase of service credit; costs of administration; officers and employees of the board; membership, crediting of prior and participating service and benefits under certain circumstances; amending K.S.A. 20-2601, 20-2603, 20-2605, 20-2606, 20-2607, 20-2610, 20-2610a, 74-4909, 74-4914a, 74-4914b, 74-4914c, 74-4914d, 74-4916, 74-4917, 74-4918, 74-4919a, 74-4936a, 74-4940, 74-4952, 74-4956, 74-4958, 74-4959, 74-4960, 74-4963, 74-4964, 74-4965, 74-4968, 74-4995, 74-49,104 and 74-49,106 and K.S.A. 1981 Supp. 74-4902, 74-4908, 74-4915, 74-4920, 74-4922, 74-4927, 74-4937, 74-4967 and 75-2935b and repealing the existing sections; also repealing K.S.A. 1981 Supp. 74-4920a.

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

New Section 1. (1) Each person who is a member of a retirement system and who becomes a member of another retirement system shall receive credit under each such retirement system for credited service under the other retirement system for the purpose of satisfying any requirement for such person to complete certain periods of service to become eligible to receive a retirement benefit or disability benefit or for such person's beneficiaries to receive a death benefit. The retirement benefit which a person becomes eligible to receive under a retirement system shall be based only on credited service under such retirement system, except that the determination of final average salary under such retirement system shall include the compensation received as a member of each other retirement system if such compensation is higher.

(2) As used in this section:

- (a) "Member" means a person who has attained membership in a retirement system, who has not retired under such retirement system and who has not withdrawn such person's accumulated contributions for such retirement system; and
- (b) "retirement system" means the Kansas public employees retirement system, the Kansas police and firemen's retirement system and the retirement system for judges.

New Sec. 2. (1) After June 30, 1982, upon the death of a retirant, the board of trustees of the Kansas public employees retirement system shall pay an amount for reasonable funeral and burial expenses which shall not exceed \$750 for such retirant, less any amounts payable for such purposes under the federal social security act or under the applicable provisions of any local police or fire pension plan, as defined by subsection (c) of K.S.A. 1981 Supp. 12-5001.

(2) As used in this section "retirant" means any person who is a member or special member of the Kansas public employees retirement system, the Kansas police and firemen's retirement system, the state school retirement system or the retirement system for judges and who has retired.

New Sec. 3. (1) The retirement benefit, pension or annuity payments accruing after June 30, 1982, until June 30, 1987, to each retirant and each local school annuitant entitled to receive such payments on June 30, 1981, shall be increased by an amount equal to 10% of the retirement benefit, pension or annuity payment in effect on June 30, 1982, from the retirant's retirement system or the local school annuitant's separate retirement system maintained by a local school district and shall be paid by such retirement system to the retirant or by such separate retirement system maintained by a local school district to the local school annuitant during such period. No such increased payments shall

be paid under this section after June 30, 1987. All such increased payments to local school annuitants shall be paid by the local school district maintaining a separate retirement system and such payments shall be made at no additional cost to any employer other than the local school district.

(2) As used in this section:

- (a) "Retirant" means (i) any person who is a member of a retirement system and who retired prior to July 1, 1981, (ii) any person who is a special member of a retirement system and who retired prior to July 1, 1981, and (iii) any person who is a joint annuitant or beneficiary of any member described in clause (i) or of any special member described in clause (ii);
- (b) "retirement system" means the Kansas public employees retirement system, the Kansas police and firemen's retirement system, the state school retirement system and the retirement system for judges.

(c) "Local school annuitant" means (1) any person who is an annuitant with 10 or more years of service who is receiving an annuity from a school district maintaining a separate retirement system and whose annuity is not included, in whole or in part, in payments made to such school district under K.S.A. 72-5512b and who is not a member of a group I or of group II as defined in K.S.A. 72-5518, and (2) any person who is receiving an annuity from a school district maintaining a separate retirement system which is receiving an aggregate payment from the Kansas public employees retirement system under K.S.A. 72-5512b, and who retired prior to September 1, 1971.

Sec. 4. On July 1, 1982, K.S.A. 20-2601 is hereby amended to read as follows: 20-2601. As used in this act and in the act of which this section is amendatory the following words and terms shall have the following meaning meanings, unless the context shall clearly indicate another or indicates a different meaning or intent.

(a) "Fund" shall mean means the Kansas public employees retirement fund created by K.S.A. 74-4921.

(b) "Retirement system for judges" means the system provided for in the acts contained in article 26 of chapter 20 of the Kansas Statutes Annotated and any acts amendatory thereof or supplemental thereto.

(c) "Judge" shall mean and include all means any duly elected or appointed justices justice of the supreme court, judges judge of the court of appeals or judges judge of the any district courts court of Kansas, who shall serve serves in such capacity on and after the effective date of this act.

(d) "Member" means a judge who is making the required contributions to the fund, or any former judge who shall have has made the required contributions to the fund and shall have has not received a refund of such the judge's accumulated contributions.

(e) "Prior service" shall mean means all the periods of time any judge shall have has served in such capacity prior to the effective date of this act.

(f) "Current service" shall mean means the period of service any judge shall serve serves in such capacity from and after the effective date of this act.

(g) "Military service" shall mean means active service of any judge in any of the armed forces of the United States during a war or national emergency prior or subsequent to the effective date of this act, provided such service commenced while such judge was holding the office of judge. The board shall have has the power to determine when a national emergency exists or has existed for the purpose of applying this definition and provision.

(h) "Total years of service" shall mean means the total number of years served as a judge, including prior service, military service and current service as defined herein by this section, computed to the nearest one-twelfth ^(1/12) 1/12 year.

(i) "Salary" shall mean means the statutory salary of a judge.

(j) "Final average salary" shall mean means that determined as provided in subsection (b) of K.S.A. 20-2610 and amendments thereto.

(k) "Beneficiary" shall mean a means any natural person or persons or estate so designated by a judge in the last written designation of beneficiary on file with the board, or, except as provided in subsection (n) if no person designated survives, if no estate is designated or if no designation of beneficiary is on file, the estate of such judge.

(continued)

(l) "Annuity" shall mean means a series of equal monthly payments, payable at the end of each calendar month during the life of a retired judge, of which payments the first payment to shall be made as of the end of the calendar month in which such annuity was awarded and the last payment to shall be at the end of the calendar month in which such judge shall die dies. The first payment shall include all amounts accrued since the effective date of the award of annuities, including a pro rata portion of the monthly amount of any fraction of a month elapsing between the effective date of such annuity and the end of the calendar month in which such annuity began.

(m) "Board" shall mean means the board of trustees of the Kansas public employees retirement system.

(n) "Trust" means an express trust created by any trust instrument, including a will, and designated by a member to receive benefits and other amounts payable under K.S.A. 20-2607, 20-2610a and 20-2612, and any amendments thereto, instead of a beneficiary. A designation of a trust shall be filed with the board. If there is a designated trust at the time of the member's death, all benefits and other amounts payable under K.S.A. 20-2607, 20-2610a and 20-2612, and any amendments thereto, shall be paid to the trust instead of the member's beneficiary. If no will is admitted to probate within nine months after the death of the member or no trustee qualifies within such nine months or if the designated trust fails, for any reason whatsoever, any benefits and other amounts payable under K.S.A. 20-2607, 20-2610a and 20-2612, and any amendments thereto, shall be paid to the member's beneficiary and any payments so made shall be a full discharge and release to the retirement system for judges from any further claims.

(o) "Accumulated contributions" means the sum of all contributions by a member to the retirement system for judges which are credited to the member's account, with interest allowed thereon after June 30, 1982.

Sec. 5. On July 1, 1982, K.S.A. 20-2603 is hereby amended to read as follows: 20-2603. (a) Except as otherwise provided in this section, each judge shall contribute 6% of the judge's salary for each payroll period to the fund. Commencing with the first payroll period after 20 years of service by the judge and after the judge reaches 65 years of age, and for each payroll period thereafter, such judge shall contribute 2% of such judge's salary to the fund.

(b) The director of accounts and reports shall deduct the amount each judge is to contribute to the fund on the payroll of each judge for each payroll period showing the amount deducted and its credit to the fund. Such deductions shall be remitted quarterly, or as the board may otherwise provide, to the executive secretary of the Kansas public employees retirement system for deposit in the fund to the credit of the judge's individual account therein.

(c) Interest on each judge's accumulated contributions at the rate determined under subsection (1)(a) of K.S.A. 74-4922 and amendments thereto shall be added annually to the judge's individual account in the fund for periods commencing after June 30, 1982.

(d) No member who has retired under the retirement system for judges shall make contributions to that system or receive any service credit under that system for any service after the date of such retirement.

Sec. 6. On July 1, 1982, K.S.A. 20-2605 is hereby amended to read as follows: 20-2605. (a) The board shall select and employ or retain a qualified actuary who shall serve at its pleasure as its technical advisor on matters regarding operation of the retirement system for judges. The actuary shall:

(1) As soon after the effective date as practicable and once every three (3) years thereafter, make a general investigation of the actuarial experience under the retirement system for judges including mortality, retirement, employment turnover and interest, and recommend actuarial tables for use in valuations and in calculating actuarial equivalent values based on such investigation; make a valuation of the liabilities and reserves of the retirement system for judges, and a determination of the contributions required by the retirement system for judges to discharge its liabilities and administrative costs under this act and the act of which this section is amendatory; and recommend to the board rates of employer contributions required to establish

and maintain the retirement system for judges on an actuarial reserve basis.

(2) Perform such other duties as may be assigned by the board.

(b) Upon the basis of the actuarial valuation and appraisal and upon the recommendation of the actuary, the board shall certify, on or before July 15 of each year, to the division of budget an actuarially determined estimate of the rate of contribution which will be required, together with all judges' contributions and other assets of the retirement system for judges to pay all liabilities which shall exist or accrue under the retirement system for judges, including amortization of the unfunded accrued liability as it existed on June 30, 1968, over a period of not to exceed forty (40) 40 years and the cost of administration of the retirement system for judges, as determined by the board, upon recommendation of the actuary. The rate of contribution for the state determined under this section shall not include the costs of administration of the system.

(c) The division of the budget and the governor shall include in the budget and in the budget request for appropriations for personal services the sum required to satisfy the state's obligation under this act the retirement system for judges as certified by the board and shall present the same to the legislature for allowance and appropriation.

Sec. 7. On July 1, 1982, K.S.A. 20-2606 is hereby amended to read as follows: 20-2606. (a) Any judge whose service is terminated prior to retirement, for any cause other than death, and whose total service as a judge at the time of termination of service is less than ten (10) years, may, upon written request to the board, have returned to him the total amount of accumulated contributions which he the judge has made to the fund; and after the retirement system for judges has a reasonable time to process the application for withdrawal. The return of such accumulated contributions to said a judge shall preclude said that judge from any benefits hereunder under the retirement system for judges unless and until said that judge again serves in such capacity. ~~Provided, That~~.

(b) Any incumbent judge over seventy (70) 70 years of age and with a total service of at least eight (8) years at the time his the judge's present term of office expires, or at the time of his retirement if he should retire the judge retires before the end of his the judge's present term, shall, unless he requests a return of his contributions, receive retirement annuities as provided in K.S.A. 20-2608, 20-2609 and 20-2610, and any amendments thereto, unless the judge requests the return of accumulated contributions under this section.

(c) In case said any judge should again serve, who has had such judge's accumulated contributions returned under this section, serves again in such capacity, he such judge may return the amount refunded to him under this section without interest or penalty and regain his such judge's original status under this act. Any judge whose service is terminated prior to retirement, for any cause other than death, and whose total service as a judge is ten (10) or more years, shall not be entitled to have returned contributions to the fund made by him but shall receive retirement annuities as provided in K.S.A. 20-2608, 20-2609 and 20-2610, and any amendments thereto the retirement system for judges.

Sec. 8. On July 1, 1982, K.S.A. 20-2607 is hereby amended to read as follows: 20-2607. Except as provided in K.S.A. 20-2610a as amended and amendments thereto, in the event of a judge's death prior to retirement, all the judge's accumulated contributions to the fund made by said judge shall be paid to his the judge's beneficiary and. Whenever a judge shall die subsequent to his dies after retirement, without electing an option herein provided under K.S.A. 20-2610a and amendments thereto, the amount of annuities he the judge has received under this act the retirement system for judges shall be computed and if such amount shall be is less than the judge's accumulated contributions to the fund made by such judge, the difference shall be paid to his the judge's beneficiary.

Sec. 9. On July 1, 1982, K.S.A. 20-2610 is hereby amended to read as follows: 20-2610. (a) A judge who retires under K.S.A. 20-2608 shall be entitled to receive an annuity, each monthly payment of which shall be in an amount equal to three and one-third percent (3 1/3%) 3 1/3% of the final average salary of the

(continued)

judge, determined as provided in subsection (b), multiplied by the number of his or her the judge's total years of service, but such monthly benefits shall not exceed ~~sixty-five percent (65%)~~ 65% of the final average salary of such judge, determined as provided in subsection (b).

(b) For any judge who retires under K.S.A. 20-2608 or 20-2609 on or after July 1, 1975, the annuity shall be based on the final average salary of such judge as provided in this subsection. The final average salary of a judge who becomes permanently physically or mentally disabled and who is retired under K.S.A. 20-2608 or 20-2609 shall be determined as if such judge had retired on the date such judge became permanently physically or mentally disabled. The final average salary of a former judge whose service is terminated without retiring and who later retires under K.S.A. 20-2608 shall be determined as if such former judge had retired at the time such service was terminated. *Except as otherwise provided by this subsection*, final average salary shall mean the average highest annual salary paid to the judge for any five (5) years of the last ~~ten (10)~~ 10 years of service as a judge immediately preceding retirement or termination of employment, or if service as a judge is less than five (5) years, then the final average salary shall be the average annual salary paid to the judge during the full period of service as a judge, or if service as a judge is less than one year, then the final average salary shall be computed by multiplying the amount of monthly salary such judge was receiving at time of retirement by ~~twelve (12)~~; ~~except, that for 12. In the case of judges who retire on or after July 1, 1975, but prior to January 1, 1981, the final average salary of such judges shall be computed as follows:~~

(1) For retirement prior to January 1, 1976, the amount of monthly salary at the time of retirement multiplied by ~~twelve (12)~~ 12;

(2) for retirement during calendar year 1976, the total salary received during the last year of service as a judge;

(3) for retirement during calendar year 1977, the average of the total salary received during the last two (2) years of service as a judge;

(4) for retirement during calendar year 1978, the average of the total salary received during the last three (3) years of service as a judge;

(5) for retirement during calendar year 1979, the average of the total salary received during the last four (4) years of service as a judge; and

(6) for retirement during calendar year 1980, the average of the total salary received during the last five (5) years of service as a judge.

(e) *Except as otherwise provided in this subsection*, if a person, who has retired as a judge and is receiving a monthly annuity of more than one hundred dollars (\$100) under this act or the acts of which this act is amendatory, should be employed, elected or appointed in or to any position or office for which compensation for service in excess of two thousand four hundred dollars (\$2,400) per annum is paid by the state of Kansas or any county, city, township, special district, political subdivision or any instrumentality of any one or several of the aforementioned, such person shall not receive any such annuity for any month for which he or she serves in such position or office. For the purpose of this subsection, compensation shall not be construed to include any amounts provided by the employer for expenses. This subsection shall not apply to:

(1) Service rendered by such retirant as a juror, as a witness in any legal proceeding or action; as a school crossing guard or a school crossing patrolman; as an election board judge or clerk; or in any office or position of a similar nature; as an officer, employee, appointee or member of the legislature or in the performance of judicial duties assigned pursuant to K.S.A. 20-2616; or

(2) the employment of any such retirant employed by the state of Kansas or any county, city, township, special district, political subdivision or any instrumentality of any one or several of the aforementioned for a period of not to exceed ninety (90) days in any one calendar year. The ninety-day privilege shall be strictly construed; with the exceptions that if such retirant is employed on a monthly basis, three (3) calendar months shall be considered ninety (90) days; and if compensation is received for any portion of a day, that day shall be construed as a full day in computing the total number of days employed.

Sec. 10. On July 1, 1982, K.S.A. 20-2610a is hereby amended to read as follows: 20-2610a. (a) A judge may elect to have such judge's retirement annuity paid under one of the options provided in this section in lieu of having it paid in the form stated in K.S.A. 20-2610 and amendments thereto. Such election shall be made at least three years before date of actual retirement, unless the judge submits evidence, satisfactory to the board, of the judge's good health. If option A is elected, and the spouse or a dependent of the judge is named joint annuitant, such good health requirement shall be waived. A specific person shall be designated as joint annuitant at the time of election of option A or B. The same requirements and limitations shall apply in the event a judge wishes to change the named joint annuitant or cancel or change the option selected.

(b) The amount of retirement annuity payable under an option shall be based on the age of the judge and, if applicable, the age of the joint annuitant, and shall be such amount as to be the actuarial equivalent of the retirement annuity otherwise payable under K.S.A. 20-2610 and amendments thereto as prescribed in subsection (c). *In no case shall the total amount of retirement annuity payable under any option provided in this section be more than 100% of the retirement annuity which would have been otherwise payable if no option had been elected under this section.*

(c) The retirement options are:

(1) Option A. *Joint and one-half (1/2) 1/2 to joint annuitant survivor.* A reduced retirement annuity payable to the judge during the judge's lifetime in a monthly amount equal to the product of (A) the monthly payment of the retirement annuity otherwise payable under K.S.A. 20-2610 and amendments thereto and (B) the percentage equal to ~~eighty-eight percent (88%)~~ 87% minus ~~six-tenths of one percent (-6%)~~ .6% for each year by which the age of the judge's joint annuitant is less than the judge's age, computed to the nearest whole year, or plus ~~six-tenths of one percent (-6%)~~ .6% for each year by which the age of the judge's joint annuitant is more than the judge's age, computed to the nearest whole year, with one-half (1/2) 1/2 of that monthly amount continued to the judge's joint annuitant during such joint annuitant's remaining lifetime, if any, after the death of the judge. *In the event that the designated joint annuitant under option A predeceases the retired judge, the amount of the retirement annuity otherwise payable to the judge under option A shall be adjusted automatically to the retirement annuity which the judge would have received if no option had been elected under this section.*

(2) Option B. *Joint and survivor.* A reduced retirement annuity payable to the judge during the judge's lifetime in a monthly amount equal to the product of (A) the monthly payment of the retirement annuity otherwise payable under K.S.A. 20-2610 and amendments thereto and (B) the percentage equal to ~~seventy-seven percent (77%)~~ 75% minus ~~nine-tenths of one percent (-9%)~~ .9% for each year by which the age of the judge's joint annuitant is less than the judge's age, computed to the nearest whole year, or plus ~~nine-tenths of one percent (-9%)~~ .9% for each year by which the age of the judge's joint annuitant is more than the judge's age, computed to the nearest whole year, with that monthly amount continued to the joint annuitant during the joint annuitant's remaining lifetime, if any, after the death of judge. *In the event that the designated joint annuitant under option B predeceases the retired judge, the amount of the retirement annuity otherwise payable to the judge under option B shall be adjusted automatically to the retirement annuity which the judge would have received if no option had been elected under this section.*

(3) Option C. *Life with ten 10 years certain.* A reduced retirement annuity payable to the judge during the judge's lifetime in a monthly amount equal to ~~ninety-four percent (94%)~~ 94% of the monthly payment of the retirement annuity otherwise payable under K.S.A. 20-2610 and amendments thereto and if the judge dies within the ten-year certain period, measured from the commencement of retirement annuity payments, such monthly payments shall be continued to such judge's beneficiary during the balance of the ten-year certain period.

(d) If a member attains age ~~sixty (60)~~ 60 and dies without having actually retired, the member's spouse, if the spouse is beneficiary for the member's accumulated contributions, may elect to receive benefits as a joint annuitant under option A.

(continued)

calculated as if the member retired on date of death, in lieu of receiving the member's accumulated contributions.

(e) Benefits payable to a joint annuitant shall accrue from the first day of the month following the death of a member or retirant and, in the case of option A and option B, shall end on the first day of the month in which the joint annuitant dies.

(f) If a member, who is not eligible to retire in accordance with the provisions of subsection (a) of K.S.A. 20-2608, dies in service as a judge, the beneficiary of such member shall be eligible to receive a lump-sum death benefit from the fund in an amount equal to ~~sixty-five percent (65%)~~ 65% of the salary of such member at the time of death.

(g) *The provisions of the law in effect on the retirement date of a judge under the retirement system for judges shall govern the retirement annuity payable to the retired judge and any joint annuitant.*

New Sec. 11. (1) An arrearage obligation shall arise when it is ascertained that required contributions have not been made to the Kansas public employees retirement system at the required time. Such arrearage obligation shall be met by the employer by preparing a report on the appropriate form to correct all previous quarterly reports affected by the arrearage obligation. Such report shall be submitted by the employer with the first quarterly report after such an arrearage obligation is discovered or as the board of trustees of the system may otherwise prescribe. The proper remittance to cover employer contributions in arrearage shall accompany such report or as the board of trustees of the system may otherwise prescribe. The amounts due for an arrearage obligation shall be based upon the compensation paid to the member and at the rates in effect at the time the contributions were originally due to be paid to the system.

(2) In the event the proper remittance to cover employee contributions in arrearage does not accompany such report, service credits for that period of employment involving the arrearage obligation may be purchased by the member as participating service at any time prior to retirement by making application therefor and paying to the system a single lump sum amount determined by the system's actuary using (a) the member's then current annual rate of compensation, or if not actively employed, the member's annual rate of compensation when last participating and (b) the actuarial assumptions and tables currently in use by the system.

New Sec. 12. Each person who is an employee of a participating employer on June 30, 1982, who was barred from membership in the Kansas public employees retirement system under the law in effect on June 30, 1982, by reason of coverage by, eligibility for or future eligibility for another retirement plan authorized under any other law of this state, and who is made eligible by this act to be a member of the Kansas public employees retirement system, may make an election in accordance with this section to become a member of that system. No such person shall become a member of the Kansas public employees retirement system in accordance with this section and K.S.A. 74-4911 or 74-4935, whichever is applicable, unless such person files a written statement of election to become a member of the system under this section. A written statement of election to become a member of the system shall be filed with the board of trustees. Each election by filing a written statement of election under this section shall be effective on the first day of the first payroll period of the calendar quarter coinciding with or following the date of such filing and shall be irrevocable.

Sec. 13. On July 1, 1982, K.S.A. 1981 Supp. 74-4902 is hereby amended to read as follows: 74-4902. As used in K.S.A. 74-4901 to 74-4929, both sections inclusive, as amended and supplemented, the following words and phrases shall have the following meanings respectively ascribed to each of them, unless a different meaning is plainly required by the context:

(1) "Accumulated contributions," the sum of all contributions by a member to the system which shall be are credited to the member's account, with interest allowed thereon;

(2) "Acts," K.S.A. 74-4901 to 74-4929, both sections inclusive, as amended and supplemented;

(3) "Actuarial equivalent," an annuity or benefit of equal value to the accumulated contributions, annuity or benefit, when computed upon the basis of the actuarial tables in use by the system;

(4) "Actuarial tables," the actuarial tables approved and in use by the board at any given time;

(5) "Actuary," the actuary or firm of actuaries employed or retained by the board at any given time;

(6) "Agent," the individual designated by each participating employer through whom system transactions and communication shall be are directed;

(7) "Beneficiary," any natural person or persons or estate named by a member to receive any benefits as provided for by this act. Except as otherwise provided by subsection (33) of this section, if there is no named beneficiary living at time of member's death, any benefits provided for by this act shall be paid to: (A) The member's surviving spouse; (B) the member's dependent child or children; (C) the member's dependent parent or parents; (D) the member's nondependent child or children; (E) the member's nondependent parent or parents; (F) the estate of the deceased member; in the order of preference as specified in this subsection. Any payment made to a named beneficiary shall be a full discharge and release to the system from any further claims. Any payment made to a beneficiary as provided in clauses (A), (B), (C), (D), (E) or (F) of this subsection as determined by the board shall be a full discharge and release to the system from any further claims. Whenever any payment is payable to more than one beneficiary such payment shall be made to such beneficiaries jointly. Any benefits payable to a beneficiary or beneficiaries who are minor children or incompetent persons shall be made in the name of the beneficiary or beneficiaries and delivered to the lawfully appointed conservator of such beneficiaries who was nominated by will or as otherwise provided by law, except that in those cases where the benefit involves only the payment of the member's accumulated contributions with interest as provided by this act in an amount not to exceed \$500, the board is hereby authorized in its discretion without the appointment of a conservator or the giving of a bond to pay such amount as is due to the minor or minors themselves, any payment so made shall be a full discharge and release to the system from any further claims;

(8) "Board of trustees," "board" or "trustees," the managing body of the system which shall be is known as the Kansas public employees retirement system board of trustees;

(9) "Compensation," all salary, wages, and fees payable to a member for personal services performed for a participating employer, including maintenance or any allowance in lieu thereof provided a member as part of compensation, but shall not include compensation as including reimbursement for traveling or moving expenses;

(10) "Credited service," the sum of participating service and prior service and in no event shall credited service include any service which is credited under another retirement plan authorized under any law of this state;

(11) "Dependent," a parent or child of a member who is dependent upon the member for at least ½ of such parent or child's support;

(12) "Effective date," the date upon which the system becomes effective by operation of law;

(13) "Eligible employer," the state of Kansas, and any county, city, township, special district or any instrumentality of any one or several of the aforementioned whose employees are covered by social security and are not covered by or eligible for and will not become eligible for another retirement plan authorized under the laws of the state of Kansas which is in operation on the entry date. If a class or several classes of employees of any above defined employers employer are not covered by social security and are not covered by or eligible for and will not become eligible for another retirement plan authorized under the laws of the state of Kansas which is in operation on the entry date, such employer shall be deemed an eligible employer but only with respect to that such class or those classes of employees who are covered by social security;

Nothing contained in this subsection shall prevent or be construed as preventing any person who is covered by or eligible for or will become eligible for retirement benefits under the state school retirement system if such person is not a current contributing member to the state school retirement system from being an employee if the person is otherwise an employee within the definition contained in subsection (14) of this section and with

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respect to such persons the employer shall be deemed an eligible employer, except that this provision shall not be construed as entitling any such person to prior service credit or participating service credit for any of the time that such person was employed in school service as that term is defined in K.S.A. 72-5501.

(14) "Employee," any appointed or elective officer or employee of a participating employer whose employment is not seasonal or temporary and whose employment requires at least 1,000 hours of work per year, but not including: (A) Any employee who is covered by or eligible for or who will become eligible for another retirement plan authorized under any other law of this state in operation on the entry date, except this definition shall not exclude any person as defined under this clause (A) who is covered only by social security; (B) Any person covered by or eligible for or who will become eligible for a retirement annuity under the provisions of K.S.A. 74-4925 except as otherwise specifically provided in subsection (3) of K.S.A. 74-4925 and this subsection; (C) (B) any employee who is a contributing member of the United States civil service retirement system; (D) (C) any employee of an eligible employer who is a participant in public service employment under title II and title VI of the federal comprehensive employment and training act of 1973; (E) (D) any employee or class of employees specifically exempted by law; except that nothing contained in this subsection shall prevent or be construed as preventing any person who is covered by or eligible for or will become eligible for retirement benefits under the state school retirement system if such person is not a current contributing member to the state school retirement system from being an employee if the person is an appointed or an elective officer or employee of a participating employer and such person's employment is not seasonal or temporary and requires at least 1,000 hours of work per year and if such person is not within the exceptions specified in clauses (B), (C), (D) or (E) of this subsection but this exception shall not be construed as entitling any such person to prior service credit or participating service credit for any of the time that such person was employed in school service as that term is defined in K.S.A. 72-5501. On and After July 1 June 30, 1975, no person who is otherwise eligible for membership in the Kansas public employees retirement system shall be barred from such membership by reason of coverage by, eligibility for or future eligibility for a retirement annuity under the provisions of K.S.A. 74-4925, except that no person shall receive service credit under the Kansas public employees retirement system for any period of service for which benefits accrue or are granted under a retirement annuity plan under the provisions of K.S.A. 74-4925. After June 30, 1982, no person who is otherwise eligible for membership in the Kansas public employees retirement system shall be barred from such membership by reason of coverage by, eligibility for or future eligibility for any benefit under another retirement plan authorized under any law of this state, except that no such person shall receive service credit under the Kansas public employees retirement system for any period of service for which any benefit accrues or is granted under any such retirement plan;

(15) "Entry date," the date as of which an eligible employer joins the system. The first entry date pursuant to this act shall be is January 1, 1962;

(16) "Executive secretary," the managing officer of the system employed by the board under this act;

(17) "Final average salary," in the case of a member who retires prior to January 1, 1977, and in the case of a member who retires after January 1, 1977, and who has less than five years of participating service after January 1, 1967, the average highest annual compensation paid to such member for any five years of the last 10 years of participating service immediately preceding retirement or termination of employment, or in the case of a member who retires on or after January 1, 1977, and who has five or more years of participating service after January 1, 1967, the average highest annual compensation paid to such member on or after January 1, 1967, for any five years of participating service preceding retirement or termination of employment, or, in any case, if participating service is less than five years, then the average annual compensation paid to the member during the full period of participating service, or, in any case, if the member has less than one calendar year of participating service such member's final average salary shall be computed by multiplying

such member's highest monthly salary received in that year by 12;

(18) "Fiscal year," of the Kansas public employees retirement system, the period commencing July 1 of any year and ending June 30 of the next;

(19) "Kansas public employees retirement fund," the fund created by this act for payment of expenses and benefits under the system and referred to herein as the "fund";

(20) "Leave of absence," a period of absence from employment without pay, authorized and approved by the employer, and which after the effective date does not exceed one year;

(21) "Member," an eligible employee who is in the system and is making the required employee contributions, or any former employee who has made the required contributions to the system and has not received a refund;

(22) "Military service," service in the armed forces of the United States in time of war or national emergency, which service is immediately preceded by a period of employment as an employee with a participating employer and is followed by return to employment as an employee with the same or another participating employer within 12 months immediately following discharge from such military service, except that if the board shall determine determines that such return within 12 months was made impossible by reason of a service-connected disability, the period within which the employee must return to employment with a participating employer shall be extended not more than two years from the date of discharge or separation from military service;

(23) "Normal retirement date," the date on or after which a member may retire with full retirement benefits pursuant to this act, namely, the first day of the month coinciding with or following such member's 65th birthday;

(24) "Participating employer," an eligible employer who has agreed to make contributions to the system on behalf of its employees;

(25) "Participating service," the period of employment after the entry date for which credit is granted a member;

(26) "Prior service," the period of employment of a member prior to such member's entry date for which credit is granted a member under this act;

(27) "Prior service annual salary," the highest annual salary (not including any amounts received as payment for overtime or as reimbursement for traveling or moving expense) received for personal services by the member from the current employer in any one of the three calendar years immediately preceding January 1, 1962, or the entry date of the employer, whichever is later, except that if a member entered the employment of the state during the calendar year 1961, the prior service annual salary shall be computed by multiplying such member's highest monthly salary received in that year by 12;

(28) "Retirant," a member who has retired under this system;

(29) "Retirement benefit," a monthly income or the actuarial equivalent thereof paid in such manner as specified by the member pursuant to this act or as otherwise allowed to be paid at the discretion of the board, with benefits accruing from the first day of the month coinciding with or following retirement and ending on the first day of the month in which death occurs, unless the retirant is survived by the retirant's spouse, in which case the surviving spouse shall be paid the retirement benefit which would have been payable had the retirant lived until the end of the month, and upon proper identification such surviving spouse may negotiate the warrant issued in the name of the retirant, but if there is no surviving spouse no benefit will be payable for the month in which the death of the retirant occurred;

(30) "Retirement system" or "system," the Kansas public employees retirement system as established by this act and as it may be amended;

(31) "Social security," the old age, survivors and disability insurance section of the federal social security act;

(32) "Total disability," a physical or mental disability which prevents the member from engaging, for remuneration or profit, in any occupation for which the member is reasonably suited by education, training or experience;

(33) "Trust," an express trust, created by a trust instrument, including a will, designated by a member to receive payment of the insured death benefit under K.S.A. 1981 Supp. 74-4927 and

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amendments thereto and payment of the member's accumulated contributions under subsection (1) of K.S.A. 74-4916 and *amendments thereto*. A designation of a trust shall be filed with the board. If there is a designated trust at the time of the member's death, the insured death benefit for the member under K.S.A. 1981 Supp. 74-4927 and *amendments thereto* and the member's accumulated contributions under subsection (1) of K.S.A. 74-4916 and *amendments thereto* shall be paid to the trust in lieu of the member's beneficiary. If no will is admitted to probate within nine months after the death of the member or no trustee qualifies within such nine months or if the designated trust fails, for any reason whatsoever, the insured death benefit under K.S.A. 1981 Supp. 74-4927 and *amendments thereto* and the member's accumulated contributions under subsection (1) of K.S.A. 74-4916 and *amendments thereto* shall be paid in accordance with the provisions of subsection (7) of this section as in other cases where there is no named beneficiary living at the time of the member's death and any payments so made shall be a full discharge and release to the system from any further claims.

Sec. 14. On July 1, 1982, K.S.A. 1981 Supp. 74-4908 is hereby amended to read as follows: 74-4908. (1) The board shall appoint an executive secretary and shall establish the compensation therefor. Subject to the direction of the board, the executive secretary shall be the managing officer of the system and as such shall have charge of the office, records and supervision and direction of the employees of the system. The executive secretary shall be in the unclassified service under the Kansas civil service act.

(2) The executive secretary shall recommend to the board the administrative organization, the number and qualifications of employees necessary to carry out the intent of this act and the directions of the board. Upon approval of the board, the executive secretary is authorized to employ such persons in accordance with the Kansas civil service act.

(3) The board of trustees shall select and employ or retain a qualified actuary who shall serve at its pleasure as its technical advisor on matters regarding operation of the system. The actuary shall:

(a) Make an annual valuation of the liabilities and reserves of the system, and a determination of the contributions required by the system to discharge its liabilities and administrative costs under this act, and recommend to the board rates of employer contributions required to establish and maintain the system on an actuarial reserve basis.

(b) As soon after the effective date as practicable and once every three years thereafter, make a general investigation of the actuarial experience under the system including mortality, retirement, employment turnover and interest, and recommend actuarial tables for use in valuations and in calculating actuarial equivalent values based on such investigation.

(c) Perform such other duties as may be assigned by the board.

(4) The attorney general of the state shall furnish such legal services as may be necessary upon receipt of a request from the board.

(5) The board shall employ or retain qualified investment counsel or counselors or may negotiate with a trust company to assist and advise in the judicious investment of funds as herein provided.

(6) The board shall may appoint an investment officer to advise and assist the board in the performance of powers, duties and functions relating to the management and investment of the fund and in such other matters as may be directed by the board. The investment officer shall be in the unclassified service under the Kansas civil service act. The compensation of the investment officer shall be established by the board.

Sec. 15. On July 1, 1982, K.S.A. 1981 Supp. 75-2935b is hereby amended to read as follows: 75-2935b. Salaries and other compensation of all persons who are within the unclassified service of the Kansas civil service act, and which salaries and other compensation are not fixed by statute, shall be subject to the approval of the governor and such salaries or other compensation shall not be paid until approved by the governor. The provisions of this section shall not apply to the salaries and other compensation of any officer or employee when such salary or other compensation is specifically prescribed by law, nor to officers and

employees of elected state officials, officers and employees under the jurisdiction of the state board of regents, the executive secretary of the Kansas public employees retirement system, officers and employees under the jurisdiction of the supreme court, legislative officers and employees or officers and employees of any agency performing functions and duties primarily for the legislative branch.

Sec. 16. K.S.A. 74-4909 is hereby amended to read as follows: 74-4909. (1) The board of trustees shall be responsible for the general administration of the system, subject to the provisions of this act.

(2) The board shall establish rules and regulations for the administration of the system and for the transaction of its business consistent with law, which rules and regulations shall be filed in the office of the revisor of statutes.

(3) The board shall be responsible for the installation of a complete and adequate system of accounts and records. The board shall contract with the department of administration to provide such accounting services as are necessary to avoid duplication of efforts and promote efficiency; and. The board shall pay the department of administration an amount not exceeding the actual cost incurred in providing this service, which payments shall be deposited in the state treasury and then credited to the state general revenue fund.

(4) All meetings of the board shall be open to the public. The board shall keep a record of its proceedings.

(5) The board may prescribe rules for the determination of the value of maintenance, board, lodging, laundry and other allowances to employees in lieu of money.

(6) The board may adopt all necessary actuarial tables to be used in the operation of the system as recommended by the actuary, and may compile such additional data as may be necessary for required actuarial valuations and calculations.

(7) The board or the investment committee may invest all cash not required for current payments in securities eligible for investment under this act. All actions of the investment committee shall be reported to the board at the first meeting of the board following the action of the investment committee.

(8) The board shall determine from year to year the interest rate allowed on contributions, which rate shall bear a reasonable relationship to the interest earnings of investments of the system.

(9) (8) The board, as soon after the close of the fiscal year as practical, shall publish for distribution among members a financial statement showing the financial status of the system.

(10) (9) All decisions of the board as to questions of fact shall be final and conclusive on all persons except for the right of review as provided by law and except for fraud or such gross mistake of fact as to have an effect equivalent to fraud.

(11) (10) Each member's account and records shall be administered in a confidential manner and specific data regarding the member shall not be released unless authorized in writing by the member; however, the board may release information to the employer or to other state and federal agencies as it deems necessary.

Sec. 17. On July 1, 1982, K.S.A. 74-4914a is hereby amended to read as follows: 74-4914a. (1) As used in K.S.A. 74-4914a to 74-4914d, inclusive, and amendments thereto, and section 21 "security officer" means any person, as certified to the board by the secretary of corrections, who is employed on or after the effective date of this act as an employee of the department of corrections who is employed. (1) On or after the effective date of this act as a

(a) Who is in any position in a job class in the correctional officer class series including but not limited to correctional officer I, correctional officer II, correctional supervisor I, correctional supervisor II or and correctional supervisor III, or in a position in the correctional counselor I, correctional counselor II, unit team supervisor or correctional classification administrator job class, as all such job classes are described on the effective date of this act in the state job classification plan in effect for the classified service under the Kansas civil service act as such classes are described in the classification plan in effect on the effective date of this act as approved by the governor as provided in K.S.A. 1079 Supp. 75-2938 and amendments thereto; or who is in a position in any successor job class or classes that have been approved under

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said statute K.S.A. 1981 Supp. 75-2938, and amendments thereto, and that have substantially the same duties and responsibilities thereto; (2)

(b) who is promoted prior to or on or after the effective date of this act from a position in any job class under paragraph (a) to any position in any job class of director or deputy director of any correctional institution, the job class of director, honor camps, the job class of work release supervisor, the job class of training officer, correctional institutions, or the job class of correctional administrator — security specialist as such job classes are described on the effective date of this act in the state job classification plan in effect for the classified service under the Kansas civil service act or to any successor job class or classes that are approved under K.S.A. 1981 Supp. 75-2938, and amendments thereto, and that have substantially the same duties and responsibilities, if the person was employed and had at least three consecutive years of service in any one or more positions in any one or more job classes described in paragraph (a) immediately preceding promotion to the position in a job class under this paragraph (b);

(c) who is in any position for which the duties and responsibilities directly and primarily involve operation of power plant facilities within any correctional institution and involve regular contact with inmates; as certified to the board by the secretary of corrections; or (3)

(d) who is in any position for which the duties and responsibilities directly and primarily involve the operation of the correctional industries activity of the department of corrections within a correctional institution and involve regular contact with inmates; as certified to the board by the secretary of corrections;

(e) who is in any position for which the duties and responsibilities directly and primarily involve supervision of food service operations within any correctional institution and involve regular contact with inmates; or

(f) who is in any position for which the duties and responsibilities directly and primarily involve supervision of maintenance operations within any correctional institution and involve regular contact with inmates.

(2) As used in K.S.A. 74-4914a to 74-4914d, inclusive, and amendments thereto, and section 21 references to the department of corrections include correctional institutions thereunder as defined by K.S.A. 1981 Supp. 75-5202 and amendments thereto unless the context requires otherwise.

(3) The words and phrases used in K.S.A. 74-4914a to 74-4914d, inclusive, and amendments thereto, and section 21 shall have the meanings ascribed thereto in K.S.A. 1981 Supp. 74-4902, and amendments thereto, unless a different meaning is plainly required by the context.

Sec. 18. On July 1, 1982, K.S.A. 74-4914b is hereby amended to read as follows: 74-4914b. Except as otherwise provided in this act K.S.A. 74-4914a to 74-4914d, inclusive, and amendments thereto, the provisions of K.S.A. 74-4901 to 74-4929, and any acts amendatory thereof or supplemental thereto, shall apply to all security officers.

Sec. 19. On July 1, 1982, K.S.A. 74-4914c is hereby amended to read as follows: 74-4914c. (1) Notwithstanding the provisions of K.S.A. 1981 Supp. 74-4914, 74-4915 and subsection (23) of K.S.A. 1981 Supp. 74-4902, and any amendments to such statutes, the normal retirement date for all security officers, as defined by paragraph (a) or (b) of subsection (1) of K.S.A. 74-4914a and any amendments thereto, with at least three (3) consecutive years of service as a such security officer immediately preceding the date of retirement, shall be the first day of the month coinciding with or following the attainment of age sixty (60). No security officer shall retire before such normal retirement date 55 and any such security officer may retire before such normal retirement date on the first day of any month coinciding with or following the attainment of age 50 or completion of 10 years of credited service, whichever occurs later. No person who is employed by the department of corrections on the day immediately preceding the effective date of this act, shall be retired by the department of corrections prior to the first day of the month coinciding with or following the attainment of age sixty-five (65). No person who is employed by the department of corrections on the day immediately preceding the effective date of this act and who is included in the definition of "security officer" by this act, shall be retired

by the department of corrections prior to the first day of the month coinciding with or following the attainment of age sixty-five (65).

(2) (a) Except as otherwise provided in paragraph (b) of this subsection (2), any security officer, as defined by paragraph (a) or (b) of subsection (1) of K.S.A. 74-4914a and any amendments thereto, who retires before the normal retirement date shall receive an annual retirement benefit equal to the annual retirement benefit payable had such security officer retired on the normal retirement date but based upon such security officer's final average salary and years of participating and prior service credited to the date of actual retirement reduced by an amount equal to the product of (i) such annual retirement benefit payable had such security officer retired on the normal retirement date, multiplied by (ii) the product of .6% multiplied by the number of months difference, to the nearest whole month, between such security officer's attained age at the time of retirement and age 55.

(b) Any security officer, as defined by paragraph (a) or (b) of subsection (1) of K.S.A. 74-4914a and any amendments thereto, who retires on or after July 1, 1982, and prior to July 1, 1987, before the normal retirement date shall receive an annual retirement benefit equal to the annual retirement benefit payable had such security officer retired on the normal retirement date but based upon such security officer's final average salary and years of participating and prior service credited to the date of actual retirement reduced by an amount equal to the product of (i) such annual retirement benefit payable had such security officer retired on the normal retirement date, multiplied by (ii) the product of .3% multiplied by the number of months difference, to the nearest whole month, between such security officer's attained age at the time of retirement and age 55.

(3) Notwithstanding the provisions of K.S.A. 1981 Supp. 74-4914, 74-4915 and subsection (23) of K.S.A. 1981 Supp. 74-4902, the normal retirement date for all security officers, as defined by paragraph (c), (d), (e) or (f) of subsection (1) of K.S.A. 74-4914a and any amendments thereto, with at least three consecutive years of service as such security officer immediately preceding the date of retirement, shall be the first day of the month coinciding with or following the attainment of age 60 and any such security officer may retire before such normal retirement date on the first day of any month coinciding with or following the attainment of age 55 or completion of 10 years of credited service, whichever occurs later.

(4) (a) Except as otherwise provided in paragraph (b) of this subsection (4), any security officer, as defined by paragraph (c), (d), (e) or (f) of subsection (1) of K.S.A. 74-4914a and any amendments thereto, who retires before the normal retirement date shall receive an annual retirement benefit equal to the annual retirement benefit payable had such security officer retired on the normal retirement date but based upon such security officer's final average salary and years of participating and prior service credited to the date of actual retirement reduced by an amount equal to the product of (i) such annual retirement benefit payable had such security officer retired on the normal retirement date, multiplied by (ii) the product of .6% multiplied by the number of months difference, to the nearest whole month, between such security officer's attained age at the time of retirement and age 60.

(b) Any security officer, as defined by paragraph (c), (d), (e) or (f) of subsection (1) of K.S.A. 74-4914a and any amendments thereto, who retires on or after July 1, 1982, and prior to July 1, 1987, before the normal retirement date shall receive an annual retirement benefit equal to the annual retirement benefit payable had such security officer retired on the normal retirement date but based upon such security officer's final average salary and years of participating and prior service credited to the date of actual retirement reduced by an amount equal to the product of (i) such annual retirement benefit payable had such security officer retired on the normal retirement date, multiplied by (ii) the product of .3% multiplied by the number of months difference, to the nearest whole month, between such security officer's attained age at the time of retirement and age 60.

Sec. 20. On July 1, 1982, K.S.A. 74-4914d is hereby amended to read as follows: 74-4914d. Any additional cost resulting from the normal retirement date and retirement before such normal retirement date for security officers as provided in K.S.A. 74-

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4914c and amendments thereto and disability benefits as provided in section 21 shall be added to the employer rate of contribution for the department of corrections as otherwise determined under K.S.A. 1981 Supp. 74-4920. Any such additional cost shall be included for the first time in the employer rate of contribution for the department of corrections for the fiscal year commencing on July 1, 1977.

New Sec. 21. (1) As used in this section:

(a) "Correctional employee" means any member of the system who is a security officer or other employee of the department of corrections and who is in a position for which the duties and responsibilities involve regular contact with inmates as certified by the secretary of corrections;

(b) "disability" means the total inability to perform permanently the duties of the position of a correctional employee in which the correctional employee was employed at the time of disability;

(c) "service-connected" means any physical or mental disability resulting from external force, violence or disease occasioned by an act of duty as a correctional employee and includes, for any correctional employee after five years of credited service, any death or disability resulting from a heart disease or disease of the lung or respiratory tract, except that in the event that the correctional employee ceases to be a contributing member except by reason of a service-connected disability for a period of six months or more and then again becomes a contributing member the provision relating to death or disability resulting from a heart disease or disease of the lung or respiratory tract shall not apply until such correctional employee has again become a contributing member for a period of not less than two years or unless clear and precise evidence is presented that the heart disease or disease of the lung or respiratory tract was in fact occasioned by an act of duty as a correctional employee; and

(d) "Final average salary" means the average highest annual compensation paid to a correctional employee for any three of the last five years of participating service immediately preceding the date of disability, or if participating service is less than three years, then the average annual compensation paid to the correctional employee during the full period of participating service or if a correctional employee has less than one calendar year of participating service the correctional employee's final average salary shall be computed by multiplying the correctional employee's highest monthly salary received in that year by 12.

(2) If any active contributing correctional employee becomes totally and permanently disabled due to service-connected causes as defined in subsection (1), such correctional employee shall be retired and the following benefits shall become payable and shall continue until the correctional employee's death or until the correctional employee recovers from the disability if a report of the event in a form acceptable to the board is filed in the office of the executive secretary of the board within 220 days after the date of the event or act of duty causing such disability and an application for such benefit, in such form and manner as the board shall prescribe, is filed by the correctional employee or the correctional employee's authorized representative in the office of the executive secretary of the board within two years of the date of disability:

(a) The correctional employee shall receive a retirement benefit equal to 50% of the correctional employee's final average salary. Such benefit shall accrue from the day upon which the correctional employee ceases to draw compensation.

(b) Each of the correctional employee's unmarried children under the age of 18 shall receive an annual benefit equal to 10% of the correctional employee's final average salary. Such benefit shall accrue from the day upon which the correctional employee ceases to draw compensation and shall end on the first day of the month in which each such child or children shall attain the age of 18, die or marry, whichever occurs earlier.

(c) In no case shall the total benefits payable under paragraphs (a) and (b) of this subsection (2) be in excess of 75% of the correctional employee's final average salary.

(d) In the event a correctional employee who is retired under paragraph (a) of this subsection (2), dies within two years after the date of such retirement, then benefits may be payable under subsection (2) of K.S.A. 74-4916.

(e) In the event a correctional employee who is retired under paragraph (a) of this subsection (2), dies more than two years after the date of such retirement, and the proximate cause of such death is the service-connected cause from which the disability resulted, then benefits may be payable under subsection (2) of K.S.A. 74-4916.

(3) If any correctional employee who is an active contributing member prior to such correctional employee's normal retirement but after five years or more of credited service becomes totally and permanently disabled for a period of 180 days from causes not service-connected, and not as the result of a willfully negligent or intentional act of the correctional employee, such correctional employee shall be retired and the following benefit shall become payable and shall continue until the correctional employee's death or until the correctional employee recovers from such disability whichever occurs first if a report of the disability in a form acceptable to the board is filed in the office of the executive secretary of the board within 220 days after the date of the commencement of such disability and if an application for such benefit in such form and manner as the board shall prescribe is filed in the office of the executive secretary of the board within two years of the date of disability:

A retirement benefit equal to 2% of the correctional employee's final average salary multiplied by the number of years of credited service, but not to exceed the amount of the retirement benefit provided in paragraph (a) of subsection (2). Such benefit shall not become payable until satisfactory evidence is presented to the board that the correctional employee is and has been for a period of 180 days totally and permanently disabled, but benefits shall accrue from the day upon which the correctional employee ceases to draw compensation.

(4) Any correctional employee who is employed for compensation by an employer other than the department of corrections and whose disability is incurred in the course of such other employment shall not be eligible for any of the benefits provided in subsection (3).

(5) If a correctional employee becomes totally and permanently disabled and no benefits are payable under subsections (2) or (3), the sum of the correctional employee's accumulated contributions shall be paid to the correctional employee.

(6) Any correctional employee receiving benefits under this section shall submit to medical examination, not oftener than annually, by one or more physicians or any other practitioners of the healing arts holding a valid license issued by Kansas state board of healing arts, as the board of trustees may direct. If upon such medical examination the examiners report to the board that the retirant is physically able and capable of resuming employment with the participating employer from whose employment the correctional employee retired, the disability benefits shall terminate. A retirant who has been receiving benefits under the provisions of this section and who returns to employment of a participating employer shall immediately commence accruing service credit which shall be added to that which has been accrued by virtue of previous service.

(7) Any retirant who has been receiving benefits under the provisions of this section for a period of five years shall be deemed finally retired and shall not be subject to further medical examinations, except that if the board of trustees shall have reasonable grounds to question whether the retirant remains totally and permanently disabled, a further medical examination or examinations may be required.

(8) Refusal or neglect to submit to examination as provided in subsection (6) shall be sufficient cause for suspending or discontinuing benefit payments under this section and if such refusal or neglect shall continue for a period of one year, the correctional employee's rights in and to all benefits under the system may be revoked by the board.

(9) Any retirement benefits payable under the provisions of this section shall be in lieu of all other benefits under the system.

(10) Each correctional employee shall report to such member's participating employer any event or act of duty causing disability within 200 days after such event or act of duty. The department of corrections shall file in the office of the executive secretary of the board, in a form acceptable to the board, a report

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of the event or act of duty causing disability within 220 days after the event or act of duty.

(11) Benefits payable under this section shall be reduced by the amount of any disability benefits received under the federal social security act or the workmen's compensation act. In no case shall a correctional employee who is entitled to receive benefits under this section receive less than \$50 per month.

(12) The provisions of this section shall apply to disabilities occurring after June 30, 1982, and prior to July 1, 1986. At the direction of the board of trustees, the actuary shall conduct an experience evaluation of benefits payable under this section at the end of three years and the board shall provide copies of such study to the governor and members of the legislature.

(13) The provisions of K.S.A. 1981 Supp. 74-4927 and amendments thereto relating to insured disability benefits shall not be applicable to correctional employees subject to the provisions of this section.

Sec. 22. On July 1, 1982, K.S.A. 1981 Supp. 74-4915 is hereby amended to read as follows: 74-4915. (1) Any member who shall retire on or after such member's normal retirement date shall be entitled to receive an annual retirement benefit equal to the sum obtained by adding an amount for participating service and an amount for prior service determined as provided in this section. The amount for prior service shall be equal to 1% of the member's prior service annual salary multiplied by the number of years of prior service entitled to credit as provided in K.S.A. 74-4913, except that for members retiring on or after July 1, 1981, who were last employed by a participating employer which had affiliated with the system under K.S.A. 1981 Supp. 74-4910 or K.S.A. 74-4912, 74-4929 or 74-4991, or amendments thereto, the amount for prior service shall be calculated using final average salary in lieu of prior service annual salary and, in the case of any such member who became a member under subsection (3) of K.S.A. 74-4925 and for whom a final average salary cannot be otherwise determined, such member's final average salary shall be based on all service for which such member received assistance in a plan under subsection (2) of K.S.A. 74-4925 as certified by such employer upon request of the board. The amount for participating service shall be equal to the total of 1.25% of the member's final average salary multiplied by the number of years of participating service prior to July 1, 1982, which are entitled to credit as provided in K.S.A. 74-4913 and 1.4% of the member's final average salary multiplied by the number of years of participating service after June 30, 1982, which are entitled to credit as provided in K.S.A. 74-4913.

(2) (A) Except as otherwise provided in paragraph (B) of this subsection, any member who retires before the normal retirement date shall receive an annual retirement benefit equal to the annual retirement benefit payable had the member retired on the normal retirement date but based upon the member's final average salary and years of participating and prior service credited to the date of actual retirement reduced by an amount equal to the product of (i) such annual retirement benefit payable had the member retired on the normal retirement date, multiplied by (ii) the product of .6% multiplied by the number of months difference, to the nearest whole month, between the member's attained age at the time of retirement and age 65.

(B) Any member who retires on or after July 1, 1981, and prior to July 1, 1984 1987, before the normal retirement date shall receive an annual retirement benefit equal to the annual retirement benefit payable had the member retired on the normal retirement date but based upon the member's final average salary and years of participating and prior service credited to the date of actual retirement reduced by an amount equal to the product of (i) such annual retirement benefit payable had the member retired on the normal retirement date, multiplied by (ii) the product of .3% multiplied by the number of months difference, to the nearest whole month, between the member's attained age at the time of retirement and age 65.

(3) Upon death of a retirant, there shall be paid to such retirant's beneficiary an amount equal to the excess, if any, of such retirant's accumulated contributions over the sum of all retirement benefit payments made.

(4) Such annual retirement benefits shall be paid in equal monthly installments except, that the board may provide for the

payment of retirement benefits which total less than \$240 a year on other than a monthly basis.

(5) In the event that an application in such form as may be prescribed by the board for any amount due under the provisions of this act, is not filed with the office of the retirement system by the person entitled to same within five years of the date such amount became due and payable, an amount equal to same shall be transferred to the retirement benefit accumulation reserve and such amount shall no longer be due and payable, except that if any such person shall present evidence satisfactory to the board that such person's failure to file such application within that time period was due to lack of knowledge or incapacity on such person's part, the amount equal to the amount originally due shall be transferred from the retirement benefit accumulation reserve to the reserve or reserves from which such transfer was initially made and the amount originally due shall be paid to such person.

Sec. 23. On July 1, 1982, K.S.A. 74-4916 is hereby amended to read as follows: 74-4916. (1) Upon the death of a member before retirement, his or her the member's accumulated contributions shall be paid to his or her the member's beneficiary.

(2) (a) In the event that a member should die dies before retirement as a result of an accident arising out of and in the course of his or her the member's actual performance of duty in the employ of a participating employer independent of all other causes and not as a result of a willfully negligent or intentional act of the member, an accidental death benefit shall be payable if: (A) A report of the accident, in a form acceptable to the board, is filed in the office of the executive secretary of the board within sixty (60) 60 days after the date of the accident causing such death and an application for such benefit, in such form and manner as the board shall prescribe, is filed in the office of the executive secretary of the board within two (2) years of the date of the accident, but the board may waive such time limits for a reasonable period if in the judgment of the board the failure to meet these limits was due to lack of knowledge or incapacity; and (B) the board finds from such evidence as it may require, to be submitted in such form and manner as it shall prescribe, that the natural and proximate cause of death was the result of an accident arising out of and in the course of the member's employment with a participating employer independent of all other causes at a definite time and place. Such accidental death benefit shall be a lump-sum amount of \$50,000 and an annual amount of one-half (1/2) 1/2 of the member's final average salary to which shall accrue from the first day of the month following the date of death and which shall be payable in monthly installments or as the board may direct, but, after June 30, 1982, in no case shall the accidental death benefit be less than \$100 per month. The accidental death benefit payments shall be paid to the surviving spouse of such deceased member, such payments to continue so long as such surviving spouse shall live lives or until such surviving spouse remarries or if there is no surviving spouse, or in the case the spouse dies or remarries before the youngest child of such deceased member attains age eighteen (18) 18 or if there are one or more children of the member who are totally disabled and dependent on the member or spouse, then to the child or children of such member under age eighteen (18) 18 and to the child or children of the member who are totally disabled and dependent on the member or spouse, divided in such manner as the board in its discretion shall determine, to continue until the youngest surviving child dies or attains age eighteen (18) 18 or, in the case of the child or children who are totally disabled and dependent on the member or spouse, until death or until no longer totally disabled, or if there is no surviving spouse or child eligible for accidental death benefits under this subsection (2) at the time of the member's death, then to the parent or parents of such member who are dependent on such member, to continue until the last such parent dies. All payments due hereunder under this subsection (2) to a minor shall be made to a legally appointed conservator of such minor or totally disabled child as provided in subsection (7) of K.S.A. 74-4902 (7) 1981 Supp. 74-4902 and amendments thereto.

(b) In construction of this section of the act there shall be no presumption that the death of the member was the result of an accident nor shall there be a liberal interpretation of the law or

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evidence in favor of the person claiming under this subsection (2). In the event of the death of a member resulting from a heart, circulatory or respiratory condition there must be clear and precise evidence that death was the result of an accident independent of all other causes which arose out of and in the course of the member's actual performance of his or her duties in the employ of a participating employer.

(c) The value, as determined by the board upon recommendation of the actuary, of any workmen's compensation benefits paid or payable to the recipient or recipients of an annual benefit under this section subsection (2) shall be deducted from the amounts which first become payable under this section on and after July 1, 1975. In the event that a member should die as a result of an accident as heretofore described herein in this subsection (2), all elections or options previously made by the deceased member shall become null and void and of no effect whatsoever and the retirement system shall be liable only for the accidental death benefit, refund of accumulated contributions as herein described in subsection (1) and any insured death benefit that may be due. The benefit payable under this subsection (2) shall be known and referred to as the "accidental death benefit."

(3) (a) Upon the application of a member, or his or her the member's appointing authority acting for him or her the member, a member who is in the employ of a participating employer and becomes totally and permanently disabled for duty in the employ of a participating employer, by reason of an accident which occurs occurred prior to July 1, 1975, may be retired by the board if, (A) the board finds the total and permanent disability to be the natural and proximate result of an accident causing personal injury or disease independent of all other causes and arising out of and in the course of the member's actual performance of his or her duties as an employee of a participating employer; and (B) a report of the accident, in a form acceptable to the board is filed in the office of the executive secretary of the board within two hundred (200) 200 days after the date of the accident causing such injury; and this time limitation shall apply to all such reports made after July 1, 1965; and (C) such application for retirement under this provision, in such form and manner as shall be prescribed by the board, is filed in the office of the executive secretary of the board within two (2) years of the date of the accident; and (D) after a medical examination of said the member has been made by or under the direction of a medical physician or physicians or any other practitioner holding a valid license issued by the Kansas state board of healing arts designated by the board and the medical physician or physicians or any other practitioner holding a valid license issued by the Kansas state board of healing arts report in writing to the board that the said member is physically or mentally totally disabled for duty in the employ of a participating employer and that such disability will probably be permanent; and (E) the board finds that the member became permanently and totally disabled on a date certain based on the evidence furnished and the professional guidance obtained and that such disability was not the result of a willfully negligent or intentional act of the member. If said the board shall so retire the applicant, he or she the member shall receive annually an accidental total disability benefit equal to one-half (1/2) 1/2 of his or her the member's final average salary to which shall accrue from the first day of the month following the date of such accidental total and permanent disability as found by the board payable in monthly installments or as the board may direct.

(b) In construction of this section of the act subsection (3) there shall be no presumption that the disability of the member was the result of an accident nor shall there be a liberal interpretation of the law or evidence in favor of the member claiming under this subsection (3). In the event of the disability of a member resulting from a heart, circulatory or respiratory condition there must be clear and precise evidence that disability was the result of an accident independent of all other causes which arose out of and in the course of the member's actual performance of his or her duties in the employ of a participating employer.

(c) A member will continue to receive such accidental total disability benefit so long as the member shall be is wholly and continuously disabled by such injury and prevented thereby from engaging in any gainful occupation or employment for which he or she the member is reasonably qualified by reason of his or her

education, training or experience. The accidental loss of both hands by actual severance through or above the wrist joint, or the accidental loss of both feet by actual severance through or above the ankle joint or the entire and irrevocable accidental loss of sight of both eyes, or such severance of one hand and one foot, and such severance of one hand or one foot and such loss of sight of one eye, shall be deemed accidental total and permanent disability and such accidental total disability benefits shall be paid so long as the member shall live lives.

(d) Once each year the board may require each retirant retired by reason of such accidental total and permanent disability who is under the age of seventy (70) to undergo a medical examination to be made by a physician or physicians or any other practitioner holding a valid license issued by the Kansas state board of healing arts designated by the board. Should the said retirant refuse to submit to such medical examination, his or her accidental total disability benefit may be discontinued by the board until his or her withdrawal of such refusal. Should such refusal continue for a period of one year, all of his or her rights in and to such accidental total disability benefit may be revoked by the board. If upon such medical examination of a retirant receiving accidental total disability benefit, the physician or physicians or any other practitioner holding a valid license issued by the Kansas state board of healing arts report to the board that the retirant is physically able and capable of resuming employment with the participating employer from whose employment he or she retired, the accidental total disability benefit shall terminate. A retirant who has been receiving an accidental total disability benefit who is returned to employment of a participating employer shall immediately commence accruing service credit which shall be added to that which had been accrued by virtue of previous service. Any retirant retired by reason of such accidental total and permanent disability who has been receiving benefits under the provisions of this subsection (3) for a period of five years shall be deemed finally retired and shall not be subject to further medical examinations, except that if the board of trustees has reasonable grounds to question whether the retirant remains totally and permanently disabled, a further medical examination or examinations may be required. Refusal or neglect to submit to examination shall be sufficient cause for suspending or discontinuing the accidental total disability benefit. If the refusal or neglect continues for a period of one year, all of the member's rights with respect to such accidental total disability benefit may be revoked by the board.

(e) If a retirant who is receiving an accidental total disability benefit and who has not attained age seventy (70) years becomes engaged in any gainful occupation, business or employment, the accidental total disability benefit shall terminate, except that the board in its discretion may continue such accidental total disability benefit if it finds that the sum of his or her earnings in any calendar year from such occupation, business or employment do not exceed an amount equal to one-half (1/2) of his or her annual accidental disability benefit. Each retirant receiving an accidental total disability benefit and who has not attained age seventy (70), shall file in the office of the executive secretary of the board on or before January 15 of each year a sworn statement of whether or not during the preceding year he or she engaged in any gainful occupation, business or employment and the sum of his or her earnings received during such calendar year.

(f) (e) In the event that a retirant who is receiving an accidental total disability benefit dies within five (5) years after the date of his or her the retirant's retirement, an accidental death benefit shall then be payable as provided in subsection (2) of this section.

(g) (f) A member who retires under the provisions of this section subsection (3) shall receive such benefits as herein provided in this subsection (3) in lieu of all other retirement benefits provided under the retirement system except that no member shall be entitled to receive any payments under this section subsection (3) for a period for which insured disability benefits are received.

(h) (g) The value, as determined by the board upon recommendation of the actuary, of any workmen's compensation benefits paid or payable to the recipient of an accidental total disability benefit shall be deducted from the amount payable under this section.

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(h) The benefit payable under subsection (3) of this section shall be known and referred to as "accidental total disability benefit."

Sec. 24. On July 1, 1982, K.S.A. 74-4917 is hereby amended to read as follows: 74-4917. (1) Upon termination of employment with a participating employer, not followed by employment with such participating employer or another participating employer, the member shall be paid an amount equal to ~~his or her~~ the member's accumulated contributions ~~then on deposit with the system~~ after making application in such form as may be prescribed by the board, except that the system shall have a reasonable time to receive all proper contributions ~~due the system and to process the application for withdrawal. Upon proper notification by the system, member contributions not on deposit with the system shall be paid to the member by the participating employer.~~ A leave of absence, a period of total disability or military service shall not be considered a termination of employment unless the member withdraws ~~his or her~~ accumulated contributions.

(2) If such member has completed ~~ten (10)~~ 10 years of credited service at date of termination, ~~he or she will~~ such member automatically shall be granted a vested retirement benefit in the system, except that at any time prior to the commencement of retirement benefit payments and before attaining age ~~sixty-five (65)~~ 65 the member may withdraw ~~his or her~~ accumulated contributions, whereupon no other benefits shall be payable for ~~his or her~~ such member's prior and participating service credit. Eligibility of such member for retirement benefits and procedures for making application for retirement benefits shall be in accordance with K.S.A. 1981 Supp. 74-4914, except that in lieu of the ~~three (3) month~~ three-month notice of intention to retire being made to the appointing authority, such member shall make application for retirement in such form as may be prescribed by the board and retirement benefits shall accrue from the first day of the month following receipt of such application. The amount of the retirement benefit shall be determined as provided in K.S.A. 1981 Supp. 74-4915 and amendments thereto.

(3) Termination of employment of a member, followed by employment with a participating employer within five ~~(5)~~ years after such termination, does not constitute a break in continuous employment if such member has not withdrawn ~~his or her~~ accumulated contributions. Such period while not employed shall not be credited.

(4) If, after the expiration of five ~~(5)~~ years following the termination of ~~his or her~~ employment, a former member becomes an employee of ~~his or her~~ such former member's former participating employer, or another participating employer, such former member shall be deemed to be a new employee. If a member, who has a vested benefit again becomes an employee of a participating employer, the amount of ~~his or her~~ such member's vested benefit shall remain in effect and any retirement benefit such member subsequently accrues shall be based on credited service after again becoming such an employee and shall be added to that which had been vested by virtue of previous service. Eligibility of such member for retirement benefits and procedures for making application for retirement benefits shall be in accordance with K.S.A. 1981 Supp. 74-4914.

Sec. 25. On July 1, 1982, K.S.A. 74-4918 is hereby amended to read as follows: 74-4918. (1) A member may elect to have such member's retirement benefit paid under one of the options provided in this section in lieu of having it paid in the form stated in K.S.A. 1981 Supp. 74-4915 and amendments thereto. Such election must be made at least one year before date of actual retirement or on the entry date whichever is latest, unless the member submits evidence, satisfactory to the board, of such member's good health, except that if option A is elected and the spouse or a dependent of the member is named joint annuitant, such good health requirement will be waived. A specific person must be designated as joint annuitant at the time of election of option A or B, except that if a member who has elected to have such member's retirement benefit paid under ~~one of the options as provided above~~ option A or B wishes to change or cancel the option elected or change the named joint annuitant, such member must do so at least one year before date of actual retirement, unless the member before actual retirement submits evidence, satisfactory to the board, of the good health of the joint annuitant

under the option being cancelled or changed, or the joint annuitant previously named when electing to change the named joint annuitant. Under no circumstances may an option be changed or cancelled nor the named joint annuitant changed after the date of actual retirement of the member.

(2) The amount of retirement benefit payable under an option shall be based on the age of the member and, if applicable, the age of the joint annuitant, and shall be such amount as to be the actuarial equivalent of the retirement benefit otherwise payable under K.S.A. 1981 Supp. 74-4915 and amendments thereto, as prescribed in subsection (3). *In no case shall the total amount of retirement benefit paid under any option provided in this section be more than 100% of the retirement benefit which would have been otherwise payable if no option had been elected under this section.*

(3) The retirement options are:

(A) Option A. Joint and ~~one-half (½)~~ ½ to joint annuitant survivor. A reduced retirement benefit is payable to the retirant during the retirant's lifetime in a monthly amount equal to the product of (A) the monthly payment of the retirement benefit otherwise payable under K.S.A. 1981 Supp. 74-4915 and amendments thereto and (B) the percentage equal to ~~eighty-eight percent (88%)~~ 87% minus ~~six-tenths of one percent (-6%)~~ .6% for each year by which the age of the retirant's joint annuitant is less than the retirant's age, computed to the nearest whole year, or plus ~~six-tenths of one percent (-6%)~~ .6% for each year by which the age of the retirant's joint annuitant is more than the retirant's age, computed to the nearest whole year, with ~~one-half (½)~~ ½ of that monthly amount continued to the retirant's joint annuitant during such joint annuitant's remaining lifetime, if any, after the death of the retirant. *In the event that the designated joint annuitant under option A predeceases the retirant, the amount of the retirement benefit otherwise payable to the retirant under option A shall be adjusted automatically to the retirement benefit which the retirant would have received if no option had been elected under this section.*

(B) Option B. Joint and survivor. A reduced retirement benefit is payable to the retirant during the retirant's lifetime in a monthly amount equal to the product of (A) the monthly payment of the retirement benefit otherwise payable under K.S.A. 1981 Supp. 74-4915 and amendments thereto and (B) the percentage equal to ~~seventy-seven percent (77%)~~ 75% minus ~~nine-tenths of one percent (-9%)~~ .9% for each year by which the age of the retirant's joint annuitant is less than the retirant's age, computed to the nearest whole year, or plus ~~nine-tenths of one percent (-9%)~~ .9% for each year by which the age of the retirant's joint annuitant is more than the retirant's age, computed to the nearest whole year, with that amount continued to the joint annuitant during the joint annuitant's remaining lifetime, if any, after the death of the retirant. *In the event that the designated joint annuitant under option B predeceases the retirant, the amount of the retirement benefit otherwise payable to the retirant under option B shall be adjusted automatically to the retirement benefit which the retirant would have received if no option had been elected under this section.*

(C) Option C. Life with ~~ten (10)~~ 10 years certain. A reduced retirement benefit is payable to the retirant during the retirant's lifetime in a monthly amount equal to ~~ninety-four percent (94%)~~ 94% of the monthly payment of the retirement benefit otherwise payable under K.S.A. 1981 Supp. 74-4915 and amendments thereto and if the retirant dies within the ten-year certain period, measured from the commencement of retirement benefit payments, such payments shall be continued to the retirant's beneficiary during the balance of the ten-year certain period.

(4) If a member, who is eligible to retire in accordance with the provisions of K.S.A. 1981 Supp. 74-4914, dies without having actually retired, the member's spouse, if the spouse is beneficiary for the member's accumulated contributions, may elect to receive benefits as a joint annuitant under option A, calculated as if the member retired on date of death, in lieu of receiving the member's accumulated contributions.

(5) The benefits of subsection (4) shall be available in the case of death within the first six months after the entry date of the member's participating employer and this provision shall be retroactive and apply to all such deaths occurring on and after

(continued)

January 1, 1962. In the event that a member died prior to July 1, 1965, leaving a surviving spouse but without designating a beneficiary for said the member's accumulated contributions, such surviving spouse shall be considered as having been designated such beneficiary for the purpose of paying benefits under this subsection and may make application for same after the effective date of this subsection.

(6) Benefits payable to a joint annuitant shall accrue from the first day of the month following the death of a member or retirant and, in the case of option A and option B, shall end on the first day of the month in which the joint annuitant dies.

(7) *The provisions of the law in effect on the retirement date of a member under the system shall govern the retirement benefit payable to the retirant and any joint annuitant.*

Sec. 26. On July 1, 1982, K.S.A. 74-4919a is hereby amended to read as follows: 74-4919a. (1) An employee of a participating employer who becomes a member as provided in K.S.A. 74-4911, after completion of one year of continuous employment as therein provided may purchase participating service credit for said such year of employment by making application therefor and paying to the system a lump sum amount equivalent to ~~four percent (4%)~~ 4% of the compensation paid to such member for personal services during said such year by said the participating employer. Such application and payment may be made at any time after the employee becomes a member and continues to be employed by a participating employer. If an employee was employed before the participating employer's entry date and did not become a member until the first day of the month or the first day of the first payroll period, whichever is applicable, coinciding with or following the completion of one year continuous employment, said the member may purchase participating service credit for the period from the participating employer's entry date until he or she such member became a member by paying to the system a lump sum amount equivalent to ~~four percent (4%)~~ 4% of the compensation paid to such member for personal service during said such period.

(2) Any employee of the state of Kansas who was receiving or was eligible for assistance by the state board of regents in the purchase of a retirement annuity under K.S.A. 74-4925, and who became ineligible for such assistance prior to the effective date of this act because such employee's position was reclassified to a position in the classified service under the Kansas civil service act, or who became ineligible for such assistance because such person accepted and transferred to a position in the classified service under the Kansas civil service act, and who becomes a member of the system on the first day of the payroll period coinciding with or following the effective date of this act in accordance with subsection (5) of K.S.A. 74-4911, may purchase participating service credit for the period of employment from the effective date of such reclassification or transfer to the date of such employee's membership in the system. Such employee may purchase such participating service credit by making application therefor and paying to the system a lump sum amount equivalent to ~~four percent (4%)~~ 4% of the compensation paid to such member for personal services during said such period by the state of Kansas. Such application and payment may be made at any time after the employee becomes a member and continues to be employed by a participating employer.

Sec. 27. K.S.A. 1981 Supp. 74-4920 is hereby amended to read as follows: 74-4920. (1) Upon the basis of each annual actuarial valuation and appraisal as provided for in subsection (3)(a) of K.S.A. 1981 Supp. 74-4908, the board shall certify, on or before July 15 of each year, to the division of the budget in the case of the state and to the agent for each other participating employer an actuarially determined estimate of the rate of contribution which will be required, together with all accumulated contributions and other assets of the system, to be paid by each such participating employer to pay all liabilities which shall exist or accrue under the system, including amortization of the past service cost over a period of not to exceed 40 years from the entry date, except as otherwise provided in this section, and the cost of administration of the system, as determined by the board, upon recommendation of the actuary. For the purposes of determining the rate of contribution of each employer affiliating on or after January 1, 1982, the past service cost of the employer shall be amortized over the period from the entry date of such employer to

December 31, 2022, inclusive. *The rate of contribution for participating employers determined under this section shall not include the costs of administration of the system.*

(2) The division of the budget and the governor shall include in the budget and in the budget request for appropriations for personal services the sum required to satisfy the state's obligation under this act as certified by the board and shall present the same to the legislature for allowance and appropriation.

(3) Each other participating employer shall appropriate and pay to the system a sum sufficient to satisfy the obligation under this act as certified by the board.

(4) Each participating employer is hereby authorized to pay the employer's contribution from the same fund that the compensation for which such contribution is made is paid from or from any other funds available to it for such purpose. Each political subdivision, other than an instrumentality of the state, which is by law authorized to levy taxes for other purposes, may levy annually at the time of its levy of taxes, a tax which may be in addition to all other taxes authorized or limited by law, and shall not be subject to any tax levy limit or aggregate tax levy limit prescribed by any act contained in article 19 of chapter 79 of the Kansas Statutes Annotated or by any act amendatory thereof or supplemental thereto, or any other law, for the purpose of making its contributions under this act and, in the case of cities and counties, to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 1980 1981 Supp. 12-1774, and amendments thereto, by cities located in the county, which tax, together with any other fund available, shall be sufficient to enable it to make such contribution. In lieu of levying the tax authorized in this subsection, any taxing subdivision may pay such costs from any employee benefits contribution fund established pursuant to K.S.A. 1980 1981 Supp. 12-16,102. Each participating employer which is not by law authorized to levy taxes as described above, but which prepares a budget for its expenses for the ensuing year and presents the same to a governing body which is authorized by law to levy taxes as described above, may include in its budget an amount sufficient to make its contributions under this act which may be in addition to all other taxes authorized or limited by law. Such governing body to which the budget is submitted for approval, may levy a tax sufficient to allow the participating employer to make its contributions under this act which tax may be in addition to all other taxes authorized or limited by law and shall not be subject to any tax levy limit or aggregate tax levy limit prescribed by any act contained in article 19 of chapter 79 of the Kansas Statutes Annotated or any act amendatory thereof or supplemental thereto, which tax, together with any other fund available, shall be sufficient to enable the participating employer to make the contributions required by this act.

(5) The rate of contribution certified to a participating employer as provided in this section shall apply during the first fiscal year of the participating employer which begins in the calendar year immediately following such certification. ~~Except as otherwise provided in K.S.A. 1981 Supp. 74-4920a,~~ For the fiscal year commencing in calendar year ~~1981 1982~~, the employer rate of contribution for the state of Kansas shall be ~~4.3%~~ 4.8% of the amount of compensation upon which the members contribute during the period and for participating employers under K.S.A. 74-4931 the employer rate of contribution shall be ~~3.3%~~ 4.5% of the amount of compensation upon which the members contribute during the period. *For the fiscal year commencing January 1, 1983, the employee rate of contribution for participating employers other than the state of Kansas shall be 4.8% of the amount of compensation upon which members contribute during the period.*

(6) The board with the advice of the actuary may fix the contribution rates for participating employers joining the system after one year from the first entry date or for employers who exercise the option contained in K.S.A. 74-4912, and any amendments thereto, at rates different from the rate fixed for employers joining within one year of the first entry date.

(7) Employer contributions shall in no way be limited by any other act which now or in the future establishes or limits the compensation of any member.

(8) Based upon the report of the actuary of each three-year general investigation of the actuarial experience of the system and

(continued)

the annual actuarial valuations and appraisals under subsection (3) of K.S.A. 1981 Supp. 74-4908 and amendments thereto, the board shall make a special report to the legislature on the participating service costs of the system. For purposes of this subsection (8), the participating service costs of the system shall include all costs of the system other than those attributable to past service, administration, the insured death benefit, the insured disability benefit and post-retirement benefit increases. The report shall include a review of the changes in the participating service costs since the preceding three-year general investigation under subsection (3) of K.S.A. 1981 Supp. 74-4908, and amendments thereto, and of the rates of contribution for employers and members applicable during that three-year period. The report shall be submitted to the legislative coordinating council on or before the December 1 immediately following the receipt by the board of the report of the actuary on such three-year general investigation of the actuarial experience of the system.

(9) Each participating employer shall remit quarterly, or as the board may otherwise provide, all employee deductions and required employer contributions to the executive secretary for deposit in the Kansas public employees retirement fund within 20 days after the end of the period covered by the remittance or within 25 days after forms or written instructions from the system were mailed by the system to such employer, whichever is later. Remittances of such deductions and contributions received after such date are delinquent. Delinquent payments due under this subsection (9) shall be subject to interest at the rate established for interest on judgments under subsection (a) of K.S.A. 16-204 and amendments thereto. At the request of the board, delinquent payments which are due or interest owed on such payments, or both, may be deducted from any other moneys payable to such employer by any department or agency of the state.

Sec. 28. K.S.A. 1981 Supp. 74-4922 is hereby amended to read as follows: 74-4922. (1) The executive secretary shall maintain such records as are necessary to determine the following reserves of the fund.

(a) *Member's accumulated contribution reserve.* This reserve shall be maintained for each member and for each member having a vested benefit. Each such reserve account shall be credited with the employee's contributions upon receipt thereof and shall be credited on June 30 each year with the employee's share of interest at the rate declared each year by the board interest at the actuarial assumption rate adopted by the board on the balance in the employee's account as of the preceding December 31. For the purposes of crediting interest upon accumulated contributions, the term member shall include the beneficiary of a member during the twelve-month period following the death of a member. Refunds of employee's accumulated contributions prior to retirement shall be made from this reserve. Upon commencement of payments of the retirement benefit, the amount in this reserve account for the retiring member or members, shall be transferred to the retirement benefit payment reserve.

(b) *Retirement benefit accumulation reserve.* This reserve shall be credited with the portion of employer contributions for retirement benefits (both for prior service and for participating service) and with income of the fund not otherwise directed by law to a different reserve. The board shall credit interest to all other reserves and reserve accounts as provided by law at rates determined by the board. Interest so credited shall be transferred from the retirement benefit accumulation reserve. Separate reserve accounts shall not be maintained for each participating employer joining the system on the first entry date. The board shall determine whether or not separate reserve accounts shall be maintained for each participating employer joining the system after the first entry date.

(c) *Retirement benefit payment reserve.* (i) This reserve will be credited with the amount transferred from the members accumulated contributions reserve and from the retirement benefit accumulation reserve and with interest allocated to this reserve at the rate determined each year by the board. It This reserve shall be charged with payments of retirement benefits including payments upon death of the excess of member's accumulated contributions over retirement benefit payments paid to date of death. Annually, upon receipt of the actuarial valuation as of the end of the previous fiscal year the board shall cause certain adjustments

to be made which shall be made prior to the end of the fiscal year immediately following the fiscal year for which the actuarial valuation is applicable.

(ii) The amount of these adjustments shall be the difference between the amount required by the current actuarial valuation and the amount required by the previous year's actuarial valuation plus amounts transferred to this reserve less amounts paid out of this reserve during the fiscal year to be adjusted. Such adjustments required to maintain this reserve on an actuarial reserve basis as of June 30 of the previous fiscal year shall be accomplished by transfers to or from, as applicable, the retirement benefit accumulation reserve.

(d) *Expense reserve.* This reserve shall be credited with the portion of employer contributions for expenses and with interest allocated to this reserve at the rate determined each year by the board. It shall be charged with payments of all expenses incurred in connection with the administration of the system.

(e) *Group insurance reserve.* This reserve shall be credited with the employer contributions required to pay the cost for the plan of death and long-term disability benefits under K.S.A. 1981 Supp. 74-4927, and amendments thereto, with any dividend or retrospective rate credit allowed by any insurance company or companies contracted with by the board for such plan, and with interest allocated to this reserve at the rate determined each year by the board. This reserve shall be charged with the amount of the payments required to provide such plan of death and long-term disability benefits.

Sec. 29. On July 1, 1982, K.S.A. 1981 Supp. 74-4927 is hereby amended to read as follows: 74-4927. (1) The board may establish a plan of death and long-term disability benefits to be paid to the members of the retirement system as provided by this section. The amount of death benefit for any member shall not exceed the member's annual rate of compensation on the date of death. The long-term disability benefit shall not be payable until the member has been prevented from carrying out each and every duty pertaining to the member's employment as a result of sickness or injury for a period of 180 days and the annual benefit shall not exceed an amount equal to $\frac{1}{2}$ 60% of the member's annual rate of compensation on the date such disability commenced and shall be payable in equal monthly installments. In the event that a member's compensation is not fixed at an annual rate but on an hourly, weekly, biweekly, monthly or any other basis than annual, the board shall prescribe by rule or regulation prescribe a formula for establishing a reasonable rate of annual compensation to be used in determining the amount of the death or long-term disability benefit for such member. Such plan shall provide that:

(A) The right to receive such death benefit shall cease upon the member's attainment of age 70 or date of retirement whichever first occurs. The right to receive such long-term disability benefit shall cease (i) for a member who becomes eligible for such benefit before attaining age 60, upon the date that such member attains age 65 or the date of such member's retirement, whichever first occurs, and (ii) for a member who becomes eligible for such benefit at or after attaining age 60, the date that such member has received such benefit for a period of five years, upon the date that such member attains age 70, or upon the date of such member's retirement, whichever first occurs.

(B) Long-term disability benefit payments shall be in lieu of any accidental total disability benefit that a member may be eligible to receive under subsection (3) of K.S.A. 74-4916 and amendments thereto. Such plan may provide that any amount which a member receives as a social security benefit or a disability benefit from any source by reason of any employment including but not limited to workmen's compensation benefits may be deducted from the amount of insured disability benefit payments under such plan, except that not more than 50% of such workmen's compensation benefits shall be deducted therefrom. In no case shall a member who is entitled to receive insured disability benefits receive less than \$50 per month. As used in this section, "workmen's compensation benefits" shall mean the total award of disability benefit payments under the workmen's compensation act notwithstanding any payment of attorneys fees from such benefits as provided in the workmen's compensation act.

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(C) The plan may include other provisions relating to qualifications for benefits; schedules and graduation of benefits; limitations of eligibility for benefits by reason of termination of employment or membership; conversion privileges; limitations of eligibility for benefits by reason of leaves of absence, military service or other interruptions in service; limitations on the condition of long-term disability benefit payment by reason of improved health; requirements for medical examinations or reports; or any other reasonable provisions as established by rule or regulation of uniform application adopted by the board.

(D) On and after the effective date of this act April 30, 1981, the board may provide under the plan for the continuation of long-term disability benefit payments to any former member who forfeits the entitlement to continued service credit under the retirement system or continued assistance in the purchase of retirement annuities under K.S.A. 74-4925 and to continued long-term disability benefit payments and continued death benefit coverage, by reason of the member's withdrawal of contributions from the retirement system or the repurchase of retirement annuities which were purchased with assistance received under K.S.A. 74-4925. Such long-term disability benefit payments may be continued until such individual dies, attains age 65 or is no longer disabled, whichever occurs first.

(2) In the event that a member becomes eligible for a long-term disability benefit under the plan authorized by this section such member shall be given participating service credit for the entire period of such disability. Such member's "final average salary" shall be computed in accordance with subsection (17) of K.S.A. 1981 Supp. 74-4902 and amendments thereto except that the years of participating service used in such computation shall be the years of salaried participating service.

(3) (A) To carry out the legislative intent to provide, within the funds made available therefor, the broadest possible coverage for members who are in active employment or involuntarily absent from such active employment, the plan of death and long-term disability benefits shall be subject to adjustment from time to time by the board within the limitations of this section. The plan may include terms and provisions which are consistent with the terms and provisions of group life and long-term disability policies usually issued to those employers who employ a large number of employees. The board shall have the authority to establish and adjust from time to time the procedures for financing and administering the plan of death and long-term disability benefits authorized by this section. Either the insured death benefit or the insured disability benefit or both such benefits may be financed directly by the system or by one or more insurance companies authorized and licensed to transact group life and group accident and health insurance in this state.

(B) The board may contract with one or more insurance companies, which are authorized and licensed to transact group life and group accident and health insurance in Kansas, to underwrite or to administer or to both underwrite and administer either the insured death benefit or the insured disability benefit or both such benefits. Each such contract with an insurance company under this subsection shall be entered into on the basis of competitive bids solicited and administered by the board. Such competitive bids shall be based on specifications prepared by the board.

(C) (i) In the event the board purchases one or more policies of group insurance from such company or companies to provide either the insured death benefit or the insured disability benefit or both such benefits, the board shall have the authority to subsequently cancel one or more of such policies and, notwithstanding any other provision of law, to release each company which issued any such cancelled policy from any liability for future benefits under any such policy and to have the reserves established by such company under any such cancelled policy returned to the system for deposit in the group insurance reserve of the fund.

(ii) In addition, the board shall have the authority to cancel any policy or policies of group life and long-term disability insurance in existence on the effective date of this act and, notwithstanding any other provision of law, to release each company which issued any such cancelled policy from any liability for future benefits under any such policy and to have the reserves

established by such company under any such cancelled policy returned to the system for deposit in the group insurance reserve of the fund. Notwithstanding any other provision of law, no premium tax shall be due or payable by any such company or companies on any such policy or policies purchased by the board nor shall any brokerage fees or commissions be paid thereon.

(4) (A) The cost of the plan of death and long-term disability benefits shall be paid from a special reserve hereby created in the fund, to be known as the group insurance reserve. Each participating employer shall appropriate and pay to the system in such manner as the board shall prescribe in addition to the employee and employer retirement contributions an amount equal to .6% of the amount of compensation on which the members' contributions to the Kansas public employees retirement system are based for deposit in the group insurance reserve of the Kansas public employees retirement fund.

(B) The director of the budget and the governor shall include in the budget and in the budget request for appropriations for personal services a sum to pay the state's contribution to the group insurance reserve as provided by this section and shall present the same to the legislature for allowances and appropriation.

(C) The provisions of subsection (4) of K.S.A. 1981 Supp. 74-4920 and amendments thereto shall apply for the purpose of providing the funds to make the contributions to be deposited to the group insurance reserve.

(D) Any dividend or retrospective rate credit allowed by an insurance company or companies shall be credited to the group insurance reserve and the board may take such amounts into consideration in determining the amounts of the benefits under the plan authorized by this section.

(5) The death benefit provided under the plan of death and long-term disability benefits authorized by this section shall be known and referred to as "insured death benefit." The long-term disability benefit provided under the plan of death and long-term disability benefits authorized by this section shall be known and referred to as "insured disability benefit."

(6) The board is hereby authorized to establish an "optional death benefit plan". Such optional death benefit plan shall be made available to all employees of the state of Kansas who are covered or may hereafter become covered by the plan of death and long-term disability benefits authorized by this section. The cost of the optional death benefit plan shall be paid by the applicant either by means of a system of payroll deductions or direct payment to the board. The board shall have the authority and discretion to establish such terms, conditions, specifications and coverages as it may deem to be in the best interest of the state of Kansas and its employees which should include term death benefits for the person's period of active state employment regardless of age. The cost of the optional death benefit plan shall not be established on such a basis as to unreasonably discriminate against any particular age group. The board shall have full administrative responsibility, discretion and authority to establish and continue such optional death benefit plan and the director of accounts and reports of the department of administration shall when requested by the board and from funds appropriated or available for such purpose establish a system to make periodic deductions from state payrolls to cover the cost of the optional death benefit plan coverage under the provisions of this subsection (6) and shall remit all deductions together with appropriate accounting reports to the system. All funds received by the board, whether in the form of direct payments, payroll deductions or otherwise, shall be accounted for separately from all other funds of the retirement system and shall be paid into a special reserve hereby created in the fund, to be known as the optional death benefit plan reserve, from which reserve the board is authorized to make the appropriate payments and such to pay the ongoing costs of administration of such optional death benefit plan as may be incurred in carrying out the provisions of this subsection (6).

Sec. 30. On July 1, 1982, K.S.A. 74-4936a is hereby amended to read as follows: 74-4936a. Any employee of a participating employer who is a member of the Kansas public employees retirement system, who was previously employed in a teaching position with a public school system of another state may elect to

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purchase additional benefits for not to exceed ten (10) 10 years of such out-of-state public school employment. The benefit for each such year of employment shall be equal to one percent (1%) 1% of the annual compensation of any such member at the time he such member purchases such additional benefits. (As used in this section, annual compensation as herein used shall be the rate of annual compensation being paid to such member by the participating employer on the date of application to purchase such additional benefits.) Such member may purchase such additional benefits by making application therefor at least three (3) years prior to date of retirement; and making a single lump sum payment in an amount equal to the then present value of the benefits being purchased as determined by the actuary using the member's attained age, annual compensation at the time of purchase and the actuarial assumptions and tables then in use by this system. ~~Said~~ The lump sum payment shall be made immediately upon being notified of the amount due. No participating employer shall pay the cost (, or any part thereof), of any additional benefits authorized to be purchased by a member under this section.

Sec. 31. K.S.A. 1981 Supp. 74-4937 is hereby amended to read as follows: 74-4937. (1) The normal retirement date of a member of the system who is in school employment and who is subject to K.S.A. 74-4940, and amendments thereto, shall be the first day of the month coinciding with or following the end of the school fiscal year in which the member attains age 65. Each member upon giving prior notice to the appointing authority and the retirement system may retire on the normal retirement date or the first day of any month thereafter up to the first day of the month following attainment of age 70.

(2) The compulsory retirement date for a member who is in school employment and who is subject to K.S.A. 74-4940, and amendments thereto, shall be the first day of the month coinciding with or following the end of the school year in which the member attains age 70.

(3) A member who is in school employment and who is subject to K.S.A. 74-4940, and amendments thereto, may be retired by such member's employer on the member's normal retirement date or on the first day of the month thereafter coinciding with or following the end of the school year for which such member is employed. Notice for retirement shall be given the member and filed with the office of the retirement system prior to the date selected for the member's retirement by such employer.

(4) Any member who is in school employment and who is subject to K.S.A. 74-4940, and amendments thereto, may retire before such member's normal retirement date on the first day of the month coinciding with or following the completion of the school fiscal year in which such member attained age 60 or the completion of 10 years of credited service, whichever occurs later, upon the filing with the office of the retirement system of an application for retirement in such form and manner as the board shall prescribe.

(5) ~~Any~~ No member who begins a year of school employment and who is subject to K.S.A. 74-4940, and amendments thereto, may not retire until the first day of the month coinciding with or following the end of the current school fiscal year unless good cause is shown and such retirement is agreed to by the participating employer and the board.

(6) As used in this section "school fiscal year" means the twelve-month period beginning July 1 and ending June 30.

Sec. 32. K.S.A. 74-4940 is hereby amended to read as follows: 74-4940. (a) Subject to the provisions of subsection (b), all persons to whom the continuing contract law applies (K.S.A. 72-5410 to 72-5412, and amendments thereto) shall be paid their contractual compensation in not less than twelve (12) 12 substantially equal installments, paid once (or more often) each month commencing in September of each school year.

(b) Upon written authorization from any person to whom the continuing contract law applies, an employer shall pay the balance of such person's contractual compensation for the school year in one payment upon completion of all his or her contractual obligations of the person. ~~Said~~ The authorization shall be filed with the employer not later than April 1 of the school year in and for which the balance payment is first authorized. A written authorization under this subsection shall remain in effect until

revoked in writing by the person filing the authorization. So long as the authorization of such person remains in effect, the balance of his or her the person's contractual compensation shall be paid each school year in accordance with the provisions of this subsection. Such payment shall be made no later than June 30 of the school year. For the purposes of the Kansas public employees' retirement system, the employer shall make the appropriate employee contribution deduction from said the payment and shall report and remit the amount so deducted to the executive secretary at the time monthly deductions and quarterly reports would normally be made under K.S.A. 1981 Supp. 74-4919 if the authorization for one payment was not in effect.

(c) Notwithstanding the provisions of subsections (a) and (b), each person, to whom the continuing contract law applies, who has completed the balance of the person's contractual obligations and retires prior to the end of a school year under K.S.A. 1981 Supp. 74-4937, and amendments thereto, shall be paid the balance of the person's contractual compensation in one payment during the calendar month immediately preceding the date of retirement. For the purposes of the Kansas public employees' retirement system, the employer shall make the appropriate employee contribution deduction from the payment and shall report and remit the amount so deducted to the executive secretary at the time monthly deductions and quarterly reports are made under K.S.A. 1981 Supp. 74-4919 for the calendar quarter in which the payment is made except that such report and remittance shall not include any amount which would have been reported normally in the next ensuing quarter under subsection (b). No employee contribution deduction shall be made from such amount and such amount shall not be included as compensation in determining the member's final average salary.

Sec. 33. On July 1, 1982, K.S.A. 74-4952 is hereby amended to read as follows: 74-4952. As used in K.S.A. 74-4951 to 74-4969 and any amendments thereto, both sections inclusive, the following words and phrases shall have the following meanings respectively ascribed to each of them, unless a different meaning is plainly required by the context:

(1) "Accumulated contributions," the sum of all contributions by a member to the system which shall be credited to his the member's account with interest allowed thereon after June 30, 1982;

(2) "Disability," the total inability to perform permanently the duties of the position of a policeman or fireman;

(3) "Eligible employer," any city, county, township or other political subdivision of the state employing one or more employees as firemen or policemen;

(4) "Employee," any policeman or fireman employed by a participating employer whose employment for police or fireman purposes is not seasonal or temporary and requires at least one thousand (1,000) 1,000 hours of work per year;

(5) "Entry date," the date as of which an eligible employer joins the system; the first entry date pursuant to this act shall be is January 1, 1967;

(6) "Final average salary," the average highest annual compensation paid to a member for any three (3) of the last five (5) years of participating service immediately preceding retirement or termination of employment, or if participating service is less than three (3) years, then the average annual compensation paid to the member during the full period of participating service, or if a member has less than one (1) calendar year of participating service his, then the member's final average salary shall be computed by multiplying his the member's highest monthly salary received in said that year by twelve (12) 12;

(7) "Retirement benefit," a monthly income with benefits accruing from the first day of the month coinciding with or following retirement and ending on the first day of the month in which death occurs or the actuarial equivalent thereof paid in such manner as specified by the member pursuant to this act or as otherwise allowed to be paid at the discretion of the board;

(8) "Normal retirement date," the date on or after which a member may retire with eligibility for retirement benefits for age and service as provided in subsections (1) and (3) of K.S.A. 1981 Supp. 74-4957; subsections (1) and (3);

(9) "Retirement system" or "system," the Kansas police and

(continued)

firemen's retirement system as established by this act and as it may be hereafter amended;

(10) "Service-connected," shall mean with regard to a death or any physical or mental disability, means any such death or disability resulting from external force, violence or disease occasioned by an act of duty as a policeman or fireman; and shall include, for any member after five (5) years of credited service, includes any death or disability resulting from a heart disease or disease of the lung or respiratory tract: *Provided, however, except* that in the event that the member ceases to be a contributing member except by reason of a service-connected disability for a period of six (6) months or more and then again becomes a contributing member, the provision relating to death or disability resulting from a heart disease or disease of the lung or respiratory tract shall not apply until such member has again become a contributing member for a period of not less than (2) two years or unless clear and precise evidence is presented that the heart disease or disease of the lung or respiratory tract was in fact occasioned by an act of duty as a policeman or fireman;

(11) "Fireman" or "firemen," an employee assigned to the fire department and engaged in the fighting and extinguishment of fires and the protection of life and property therefrom or in support thereof and who have been is specifically designated, appointed, commissioned or styled as such by the governing body or city manager of said the participating employer and certified to the retirement system as such;

(12) "Police," "policeman," or "policemen," an employee assigned to the police department and engaged in the enforcement of law and maintenance of order within the state and its political subdivisions, including sheriffs and sheriffs' deputies, or in support thereof and who have been is specifically designated, appointed, commissioned or styled as such by the governing body or city manager of said the participating employer and certified to the retirement system as such;

(13) Except as otherwise defined in this act, words and phrases used herein shall have the same meanings ascribed to them as are defined in K.S.A. 1981 Supp. 74-4902 and amendments thereto.

Sec. 34. On July 1, 1982, K.S.A. 74-4956 is hereby amended to read as follows: 74-4956. (1) Prior service shall be credited as follows:

(a) Each member shall receive full credit for all employment, whether or not continuous, as either a policeman or fireman prior to the entry date with his such member's employer who is his such member's employer on the entry date; for all continuous employment with the same employer other than either as policeman or fireman, immediately preceding such service as a policeman or fireman, the member shall receive twelve (12) 12 months of credit for each twenty-four (24) 24 months of service. Any member or retirant who has been credited with prior service as hereinbefore provided may apply to the board on such forms as it may prescribe for prior service credit with a participating employer under the Kansas police and firemen's retirement system other than his such member's entry date employer. Each member shall receive full credit for all employment as either a policeman or fireman with such other participating employers and shall receive twelve (12) 12 months of credit for each twenty-four (24) 24 months of continuous service with other participating employers for continuous employment preceding service as a policeman or fireman. Upon receipt of written verification of such employment from such other participating employer, the board may grant such additional prior service credit. With respect to a retirant, the board shall adjust the amount of the retirement benefit accordingly commencing with the next monthly benefit payment due following receipt of said written verification. In the case of any person other than a retirant receiving a retirement benefit, such person may make application for an adjustment in the benefit amount in the same manner as a member or retirant, and in such case the adjustment in the benefit amount shall be determined by the board upon the advice of the actuary, and shall commence with the next monthly benefit payment due following receipt of said written verification, except that no additional prior service credit shall be granted for any service with another participating employer for which benefits are being received or will be received.

If a member was employed as a fireman (other than as a volunteer fireman) by a township which is annexed by a participating employer the member's retirement benefits and death and disability benefits shall be computed on the basis of credited service and credited service shall mean and include only "participating service" with the participating employer. Continuous service as a fireman with a township prior to annexation by a member, who became a member immediately following the annexation, shall be considered and included in determining if the death or disability of such member was "service-connected" under the provisions of K.S.A. 74-4052 (10) and for the purpose of determining eligibility of such member for nonservice-connected death and disability benefits under the provisions of K.S.A. 74-4059 (2) and 74-4060 (2) credited service.

Notwithstanding the provisions of K.S.A. 74-4057 and 74-4063, all service of any fireman (other than as a volunteer fireman) with a township prior to becoming a member of the Kansas police and firemen's retirement system shall be included and counted together for the meeting of requirements of years of service fixed under the provisions of such sections. No such service shall be considered credited service for the purpose of computing years of service if such fireman is receiving or will become eligible to receive benefits as a result of such service with the township.

(b) Leaves of absence and military service shall not be counted as breaks in continuous employment; however, military service which is preceded within thirty (30) 30 days and followed by employment with a participating employer shall be credited, except that after July 1, 1974, not more than five (5) years credit for military service shall be granted hereunder, but leaves of absence shall not be credited.

(2) Participating service shall be credited as follows: (a) A member shall receive credit for participating service with a participating employer in accordance with the rules and regulations established by the board: *Provided, however, That*. No more than one (1) calendar quarter of participating service shall be credited for employment within any one (1) calendar quarter.

(b) No credit shall be allowed for service after the first day of the month coinciding with or following the attainment of age sixty (60) 60 except for the purpose of fulfilling the required years of service as provided in K.S.A. 1981 Supp. 74-4957.

(c) Leaves of absence shall not be counted as a termination of employment provided the member leaves his such member's accumulated contributions on deposit with the system and returns to employment with the employer granting such leave; however, the period of leave of absence shall not be credited service.

(d) Military service shall not count as a break in continuous employment provided the member leaves his such member's accumulated contributions on deposit with the system and returns to employment within twelve (12) 12 months of his such member's discharge from military service without voluntarily extending his such member's service. Such member shall receive credited service for such period of military service.

(e) Termination of employment with a participating employer followed by employment with the same or another participating employer within two (2) years shall not constitute a termination of membership provided the member leaves his such member's accumulated contributions on deposit with the system; however, the period while not employed shall not be credited.

(3) In determining the number of years of credited service for calculation of retirement benefits a fractional year of six (6) months or more of credited service shall be considered as one (1) year and a fractional year of less than six (6) months of credited service shall be disregarded.

Sec. 35. On July 1, 1982, K.S.A. 74-4958 is hereby amended to read as follows: 74-4958. (1) Any member who shall retire retires on or after such member's normal retirement date shall be entitled to receive an age and service retirement benefit equal to two percent (2%) 2% of such member's final average salary multiplied by the number of years of credited service except that in no case shall such retirement benefit exceed seventy percent (70%) 70% of such member's final average salary.

(2) Any member who shall retire retires before such member's normal retirement date shall receive an early retirement benefit

(continued)

equal to the annual retirement benefit payable had the member retired on the normal retirement date reduced by an amount equal to the product of (A) such annual retirement benefit payable had the member retired on the normal retirement date, multiplied by (B) the product of ~~four-tenths of one percent (-4%)~~ .4% multiplied by the number of months difference, to the nearest whole month, between the member's attained age at the time of retirement and age ~~fifty-five (55)~~ 55.

(3) Upon the death after retirement of a member who was covered, up to the entry date of the member's employer, covered by a pension system under the provisions of K.S.A. 13-14a01 to 13-14a14, and any amendments thereto, or K.S.A. 14-10a01 to 14-10a15, and any amendments thereto, and who had not elected to retire under one of the options provided under K.S.A. 74-4964 and amendments thereto, the member's spouse, if such spouse was the member's lawfully wedded spouse for a period of not less than one year at the time of the member's retirement, shall receive a lump-sum benefit equal to ~~one-half (1/2)~~ 1/2 the member's final average salary at the time of the member's retirement and shall receive an annual spouse's benefit equal to ~~seventy-five percent (75%)~~ 75% of the member's retirement benefit payable in monthly installments, to accrue from the first day of the month following the member's date of death and ending on the first day of the month in which the spouse dies or remarries. If there is no surviving spouse, or if after the death of the spouse there remain one or more unmarried children under the age of ~~eighteen (18)~~ 18, the annual spouse's benefit shall be payable in equal shares to such child or children and each child's share shall end on the first day of the month in which such child or children shall attain attains the age of ~~eighteen (18)~~ 18; die or marry 18, dies or marries, whichever occurs earlier. All payments due hereunder under this section to a minor shall be made to a legally appointed conservator of such minor as provided in subsection (7) of K.S.A. 1981 Supp. 74-4902 and amendments thereto.

(4) Upon the death after retirement of a member who had not elected to retire under one of the options provided under K.S.A. 74-4964 and amendments thereto, such member's beneficiary shall receive an amount equal to the excess, if any, of such member's accumulated contributions over the sum of all retirement benefit payments made.

Sec. 36. On July 1, 1982, K.S.A. 74-4959 is hereby amended to read as follows: 74-4959. (1) Upon the death from service-connected causes as defined in this act, of an active contributing member prior to his retirement, the following benefits shall be payable if a report of the event, in a form acceptable to the board, is filed in the office of the executive secretary of the board within ~~two hundred (200)~~ 200 days after the date of the act of duty causing such death and an application for such benefits, in such form and manner as prescribed by the board shall prescribe, is filed in the office of the executive secretary of the board within ~~two (2)~~ years of the date of death, but the board may waive such time limits for a reasonable period if in the judgment of the board the failure to meet these limits was due to lack of knowledge or incapacity:

(a) To his widow the member's spouse, if she was his lawfully wedded wife to the member at the time of his the member's death, an annual widow's spouse's benefit equal to ~~fifty percent (50%)~~ 50% of his the member's final average salary, which shall accrue from the first day of the month coinciding with or following his the member's death and shall end on the first day of the month in which the widow's spouse's death or remarriage occurs.

(b) To his the member's unmarried children under the age of ~~eighteen (18)~~ 18 an annual children's benefit equal to ~~ten percent (10%)~~ 10% of his the member's final average salary for each such child, which shall accrue from the first day of the month coinciding with or following the member's death and shall end on the first day of the month in which such child or children shall have attained attains the age of ~~eighteen (18)~~ 18 or their earlier death or marriage. *Provided* 18, dies or marries, whichever occurs earlier, except that if there be is no eligible widow spouse, or if upon the death of the widow spouse there remain one or more unmarried children under the age of ~~eighteen (18)~~ 18, the annual widow's spouse's benefit shall be paid in equal shares to such child or children and each child's share shall end on the first day of the month in which each of them shall have attained such child

attains the age of ~~eighteen (18)~~ 18 or until their earlier death or marriage 18, dies or marries, whichever occurs earlier.

(c) In no case shall benefits payable under the provisions of clauses (a) and (b) above of this subsection (1) exceed ~~seventy-five percent (75%)~~ 75% of the member's final average salary.

(2) Upon the death from causes not service-connected of an active contributing member prior to retirement following five (5) or more years of credited service, his widow, if she was his the member's spouse, if lawfully wedded wife to the member at the time of his the member's death, shall receive immediately a lump-sum benefit equal to ~~one-half (1/2)~~ 1/2 of his the member's final average salary and shall be entitled to receive an annual death benefit equal to the member's retirement benefit calculated as if the member had retired on his the member's normal retirement date, but based upon the member's final average salary and years of credited service on the date of death but not to exceed the amount of the annual widow's spouse's benefit provided in clause (a) of subsection (1) of this section. An application for such benefits in such form and manner as prescribed by the board shall prescribe must be filed in the office of the executive secretary of the board within two (2) years of the date of death, but the board may waive such time limit for a reasonable period if in the judgment of the board the failure to meet this limit was due to the lack of knowledge or incapacity. Such The annual widow's spouse's benefit under this subsection (2) shall accrue from the first day of the month coinciding with or following the widow's ~~fiftieth (50th)~~ spouse's 50th birthday and shall continue until her the spouse's death or remarriage. *Provided*, except that if the widow has in her care an spouse is caring for one or more unmarried child or children of the member under the age of ~~eighteen (18)~~ 18, such annual widow's spouse's benefit shall accrue from the first day of the month coinciding with or following the member's death and shall end on the first day of the month in which all such child or children shall attain have attained the age of ~~eighteen (18)~~ 18; die or marry 18, or have died or married, whichever occurs earlier. Such benefit shall then resume when said widow shall reach the spouse attains the age of ~~fifty (50)~~ 50 as provided above. *Provided further*, That in this subsection (2). If there is no eligible widow spouse or if after the death of the widow spouse there remain one or more unmarried children of the member under the age of ~~eighteen (18)~~ 18, the widow's spouse's benefit shall be payable in equal shares to such child or children and each child's share shall end on the first day of the month in which such child or children shall attain attains the age of ~~eighteen (18)~~ 18; die or marry 18, or dies or marries, whichever occurs earlier.

(3) Upon the death of a member prior to retirement, if no benefits are payable under the provisions of subsections (1) or (2) above, the sum of the member's accumulated contributions without interest shall be paid to his the member's beneficiary.

(4) All payments due hereunder under this section to a minor shall be made to a legally appointed guardian conservator of such minor as provided in K.S.A. 74-4002(7) subsection (7) of K.S.A. 1981 Supp. 74-4902 and amendments thereto.

Sec. 37. On July 1, 1982, K.S.A. 74-4960 is hereby amended to read as follows: 74-4960. (1) If any active contributing member shall become becomes totally and permanently disabled due to service-connected causes as defined in subsection (10) of K.S.A. 74-4952 and amendments thereto, such member shall be retired and the following benefits shall become payable and shall continue until the member's death or until the member recovers from the disability if a report of the event, in a form acceptable to the board, is filed in the office of the executive secretary of the board within ~~two hundred twenty (220)~~ 220 days after the date of the event or act of duty causing such disability and an application for such benefit, in such form and manner as the board shall prescribe, is filed by the member or the member's authorized representative in the office of the executive secretary of the board within two years of the date of disability:

(a) The member shall receive a retirement benefit equal to ~~fifty percent (50%)~~ 50% of the member's final average salary. Such benefit shall accrue from the day upon which the member ceases to draw compensation.

(b) Each of the member's unmarried children under the age of

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eighteen (18) 18 shall receive an annual benefit equal to ten percent (10%) 10% of the member's final average salary. Such benefit shall accrue from the day upon which the member ceases to draw compensation and shall end on the first day of the month in which each such child or children shall attain the age of eighteen (18) 18, die or marry, whichever occurs earlier.

(c) In no case shall the total of the benefits payable under paragraphs (a) and (b) above of this subsection (1) be in excess of seventy-five percent (75%) 75% of the member's final average salary.

(d) In the event a member who is retired under clause paragraph (a) of this subsection (1) of this section, dies within two years after the date of such retirement and no benefits are payable under subsection (3) of K.S.A. 74-4958 and amendments thereto, then benefits may be payable under subsection (1) of K.S.A. 74-4959 and amendments thereto.

(e) In the event a member who is retired under clause paragraph (a) of this subsection (1) of this section dies more than two years after the date of such retirement, and the proximate cause of such death is the service-connected cause from which the disability resulted and no benefits are payable under subsection (3) of K.S.A. 74-4958 and amendments thereto, then benefits may be payable under subsection (1) of K.S.A. 74-4959 and amendments thereto. The provisions of this clause paragraph (e) of this subsection (1) shall apply in all cases of such members who die after June 30, 1978.

(2) If any active contributing member, prior to such member's normal retirement but after five years or more of credited service shall become, becomes totally and permanently disabled for a period of one hundred eighty (180) 180 days from causes not service-connected, and not as the result of a willfully negligent or intentional act of the member, such member shall be retired and the following benefit shall become payable and shall continue until the member's death or until the member recovers from such disability, whichever shall be the earlier occurs first, if a report of the disability, in a form acceptable to the board, is filed in the office of the executive secretary of the board within two hundred twenty (220) 220 days after the date of the commencement of such disability and if an application for such benefit in such form and manner as the board shall prescribe is filed in the office of the executive secretary of the board within two years of the date of disability.

(a) A retirement benefit equal to two percent (2%) 2% of the member's final average salary multiplied by the number of years of credited service, but not to exceed the amount of the retirement benefit provided in clause paragraph (a) of subsection (1) of this section. Such benefit shall not become payable until satisfactory evidence shall be presented to the board that the member is and has been for a period of one hundred eighty (180) days totally and permanently disabled for a period of 180 days, but benefits shall accrue from the day upon which the member ceases to draw compensation.

(3) Any member who shall be was employed for compensation by an employer other than the member's participating employer and whose disability shall be was incurred in the course of such other employment shall not be eligible for any of the benefits provided in subsection (2) above.

(4) If a member shall become becomes totally and permanently disabled and no benefits shall be are payable under subsections (1) or (2) above, the sum of the member's accumulated contributions shall be paid to the member without interest.

(5) Any member receiving benefits under this section shall submit to medical examination, not oftener than annually, by one or more physicians or any other practitioners of the healing arts holding a valid license issued by Kansas state board of healing arts, as the board of trustees may direct. If upon such medical examination the examiners report to the board that the retirant is physically able and capable of resuming employment with the participating employer from whose employment he or she such member retired, the disability benefits shall terminate. A retirant who has been receiving benefits under the provisions of this section and who returns to employment of a participating employer shall immediately commence accruing service credit which shall be added to that which has been accrued by virtue of previous service.

(6) Any retirant who has been receiving benefits under the provisions of this section for a period of five years shall be deemed finally retired and shall not be subject to further medical examinations, except that if the board of trustees shall have reasonable grounds to question whether the retirant remains totally and permanently disabled, a further medical examination or examinations may be required.

(7) Refusal or neglect to submit to examination as provided in subsection (5) above shall be sufficient cause for suspending or discontinuing benefit payments as provided herein under this section and if such refusal or neglect shall continue for a period of one year, the member's rights in and to all benefits under this act system may be revoked by the board.

(8) Any retirement benefits payable under the provisions of this section shall be in lieu of normal retirement benefits as provided in subsections (1) and (2) of K.S.A. 74-4958 and amendments thereto.

(9) Each member shall report to such member's participating employer any event or act of duty causing disability within two hundred (200) 200 days after such event or act of duty. The member's participating employer shall file in the office of the executive secretary of the board, in a form acceptable to the board, a report of the event or act of duty causing disability within two hundred twenty (220) 220 days after the event or act of duty.

(10) In any case of any event occurring prior to July 1, 1979, for which a report of the event was made by the participating employer to the director of workers' compensation in accordance with K.S.A. 1070 Supp. 44-557, such report to the director of workers' compensation shall satisfy the requirement under subsection (1) of this section to file a report of such event, in a form acceptable to the board within two hundred twenty (220) 220 days. No such report to the director of workers' compensation shall be deemed to satisfy such requirement with respect to events occurring on or after July 1, 1979.

Sec. 38. On July 1, 1982, K.S.A. 74-4963 is hereby amended to read as follows: 74-4963. (1) Upon termination of employment prior to the completion of twenty (20) 20 years of credited service, a member may withdraw his or her such member's accumulated contributions or elect to leave such accumulated contributions on deposit with the system. If the member elects to leave his or her the accumulated contributions on deposit with the system and if he or she the member returns to employment with the same or another participating employer within two (2) years, such member shall receive credit for his or her such member's service prior to such termination. If the member does not elect to leave his or her the accumulated contributions on deposit or if he or she the member does not return to covered employment within two (2) years, such member shall no longer be a member of the system and the sum of his or her such member's accumulated contributions under then on deposit with this system shall be paid to such member after making application in such form as may be prescribed by the board and after the system shall have has a reasonable time to receive all proper contributions due the system and to process the application for withdrawal. Upon proper notification by the system, member contributions not on deposit with the system shall be paid to the member by the participating employer.

(2) If, after termination and withdrawal of accumulated contributions, a former member returns to covered employment, he or she the former member shall become a member of the system as provided in subsection (2) of K.S.A. 74-4955. Any former member returning to covered employment may, at his or her the former member's option, pay to the system within thirty-one (31) 31 days of his or her the former member's return to covered employment, the total of his or her the former member's withdrawn accumulated contributions plus interest at a rate specified by the board, in which case he or she the member shall receive full credit for his or her the member's service prior to his or her the member's termination. Members who do not elect to repay within thirty-one (31) 31 days of return to covered employment may elect to purchase previously forfeited service any time prior to retirement. Such purchase shall be made by a lump-sum payment equal to one and seventy-five hundredths percent (1.75%) 1.75% of the

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member's current annual salary for each quarter of previously forfeited participating service which the member elects to repurchase. Upon receipt of such payment by the system the member shall receive full credit for the number of previously forfeited quarters of participating service which the member has elected to repurchase. Any member who repurchases all of his or her the member's previously forfeited participating service credit shall also receive all of his or her the member's previously forfeited prior service credit.

(3) Upon termination and withdrawal of accumulated contributions, any member whose employment was, up to his or her the member's employer's entry date, covered by a pension system established under the provisions of K.S.A. 13-14a01 to 13-14a14, and amendments thereto, or K.S.A. 14-10a01 to 14-10a15, and amendments thereto, shall be entitled to receive from his or her the member's employer the sum of his or her the member's accumulated contributions to said the previous pension system.

(4) If a member has completed ~~twenty (20)~~ 20 years of credited service at date of termination, ~~he or she will automatically~~ the member shall be granted ~~automatically~~ a vested retirement benefit in the system, but any time prior to the commencement of retirement benefit payments and before attaining age ~~fifty-five (55)~~ 55 the member may withdraw his or her the member's accumulated contributions, whereupon his or her the member's membership in this system ceases and no other amounts shall be payable for his or her the member's prior and participating service credit. Eligibility of such member, who has not withdrawn his or her the member's accumulated contributions, for retirement benefits and procedures for making application for retirement benefits shall be in accordance with K.S.A. 1981 Supp. 74-4957, except that in lieu of the ~~three (3) month~~ three-month notice of intention to retire being made to the employer, such member shall make application for retirement in such form as may be prescribed by the board and retirement benefits shall accrue from the first day of the month following receipt of such application. The amount of the retirement benefit shall be determined as provided in K.S.A. 74-4958 and amendments thereto.

(5) If a member, who has a vested retirement benefit, again becomes an employee of a participating employer, the amount of his or her the member's vested retirement benefit shall remain in effect, and any retirement benefit such member subsequently accrues shall be calculated separately based on credited service after again becoming such an employee and shall be added to that which had been vested by virtue of previous service. Eligibility of such member for retirement benefits and procedures for making application for retirement benefits shall be in accordance with K.S.A. 1981 Supp. 74-4957.

Sec. 39. On July 1, 1982, K.S.A. 74-4964 is hereby amended to read as follows: 74-4964. (1) A member may elect to have such member's retirement benefit paid under one of the options provided in this section in lieu of having it paid in the form stated in subsections (1) and (2) of K.S.A. 74-4958 and amendments thereto. Such election must be made at least three years before date of actual retirement, on the entry date or on the effective date of this amendment whichever is latest, unless the member submits evidence, satisfactory to the board, of such member's good health, except that if option A is elected, and the spouse or, a dependent child of the member is named joint annuitant, such good health requirement will be waived. Only a specific individual person may be designated as a joint annuitant at the time of election of option A or B. The same requirements and limitations shall apply in the event a member wishes to change the named joint annuitant or cancel or change the option selected.

(2) The amount of a retirement benefit payable under an option shall be based on the age of the member and, if applicable, the age of the joint annuitant, and shall be such amount as to be the actuarial equivalent of the retirement benefit otherwise payable under subsections (1) or (2) of K.S.A. 74-4958 and amendments thereto as prescribed under subsection (5). In no case shall the total amount of retirement benefit paid under any option provided in this section be more than 100% of the retirement benefit which would have been otherwise payable if no option had been elected under this section.

(3) If a member who was, up to the entry date of such member's employer, covered by a pension system under the

provisions of K.S.A. 13-14a01 to 13-14a14 or K.S.A. 14-10a01 to 14-10a15 so elects one of the options under this section, payment of such option shall be in lieu of any payments provided in subsection (3) of K.S.A. 74-4958 and amendments thereto.

(4) Such election of an option shall become null and void upon the death of a member prior to such member's retirement, except that if a member, who is eligible to retire in accordance with the provisions of subsections (1) and (2) of K.S.A. 74-4958 and amendments thereto, dies without having actually retired the member's spouse, if the spouse is beneficiary for the member's accumulated contributions, and no benefits are payable under subsections (1) and (2) of K.S.A. 74-4959 and amendments thereto, may elect to receive benefits as a joint annuitant under option A, calculated as if the member retired on date of death, in lieu of receiving the member's accumulated contributions.

(5) The retirement options are:

(A) Option A. ~~Joint and one-half 1/2 to joint annuitant survivor.~~ A reduced retirement benefit is payable to the retirant during the retirant's lifetime in a monthly amount equal to the product of (A) the monthly payment of the retirement annuity otherwise payable under K.S.A. 74-4958 and amendments thereto and (B) the percentage equal to ~~ninety percent (90%)~~ 89% minus ~~four-tenths of one percent (-4%)~~ .4% for each year by which the age of the retirant's joint annuitant is less than the retirant's age, computed to the nearest whole year, or plus ~~four-tenths of one percent (-4%)~~ .4% for each year by which the age of the retirant's joint annuitant is more than the retirant's age, computed to the nearest whole year, with ~~one-half (1/2)~~ 1/2 of that monthly amount continued to the retirant's joint annuitant during such joint annuitant's remaining lifetime, if any, after the death of the retirant. In the event that the designated joint annuitant under option A predeceases the retirant, the amount of the retirement benefit otherwise payable to the retirant under option A shall be adjusted automatically to the retirement benefit which the retirant would have received if no option had been elected under this section.

(B) Option B. ~~Joint and survivor.~~ A reduced retirement benefit is payable to the retirant during the retirant's lifetime in a monthly amount equal to the product of (A) the monthly payment of the retirement annuity otherwise payable under K.S.A. 74-4958 and amendments thereto and (B) the percentage equal to ~~eighty-two percent (82%)~~ 80% minus ~~seven-tenths of one percent (-7%)~~ .7% for each year by which the age of the retirant's joint annuitant is less than the retirant's age, computed to the nearest whole year, or plus ~~seven-tenths of one percent (-7%)~~ .7% for each year by which the age of the retirant's joint annuitant is more than the retirant's age, computed to the nearest whole year, with that monthly amount continued to the joint annuitant during the joint annuitant's remaining lifetime, if any, after the death of retirant. In the event that the designated joint annuitant under option B predeceases the retirant, the amount of the retirement benefit otherwise payable to the retirant under option B shall be adjusted automatically to the retirement benefit which the retirant would have received if no option had been elected under this section.

(C) Option C. ~~Life with ten 10 years certain.~~ A reduced retirement benefit is payable to the retirant during the retirant's lifetime in a monthly amount equal to ~~ninety-seven percent (97%)~~ 97% of the monthly payment of the retirement benefit otherwise payable under K.S.A. 74-4958 and amendments thereto, and if the retirant dies within the ten-year certain period, measured from the commencement of retirement benefit payments, such payments will be continued to the retirant's beneficiary during the balance of the ten-year certain period.

(6) Benefits payable to a joint annuitant shall accrue from the first day of the month following the death of a member or retirant and, in the case of option A and option B, shall end on the first day of the month in which the joint annuitant dies.

(7) The provisions of the law in effect on the retirement date of a member under the system shall govern the retirement benefit payable to the retirant and any joint annuitant.

Sec. 40. On July 1, 1982, K.S.A. 74-4965 is hereby amended to read as follows: 74-4965. (1) Except as otherwise provided in this section, each participating employer shall, beginning with the first payroll period for services performed after the entry date, deduct from the compensation of each member ~~seven percent (7%)~~ 7% of such member's compensation as employee contribu-

(continued)

tions, except that in the case of a member whose employment is covered by social security, the deduction from such member's compensation shall be reduced by the amount of such member's contributions to social security.

(2) On and after January 1, 1976, no employee contributions shall be reduced because of contributions to social security.

(3) All such deductions shall be remitted quarterly, or as the board may otherwise provide, to the executive secretary for deposit in the Kansas public employees retirement fund and shall be credited to the members' individual accounts. *Interest on each member's accumulated contributions at the rate determined under subsection (1)(a) of K.S.A. 74-4922 and amendments thereto shall be added annually to the member's individual account for periods commencing after June 30, 1982.*

(4) For all payroll periods commencing on or after the effective date of this act, each participating employer shall deduct from the compensation of each member who has received ~~thirty-five (35)~~ 35 years of credited service or who has attained age ~~sixty (60)~~ 60 and who has received ~~twenty (20)~~ 20 years of credited service, ~~two percent (2%)~~ 2% of such member's compensation as employee contributions.

Sec. 41. On July 1, 1982, K.S.A. 1981 Supp. 74-4967 is hereby amended to read as follows: 74-4967. (1) Upon the basis of an annual actuarial valuation and appraisal of the system conducted in the manner provided for in K.S.A. 1981 Supp. 74-4908 and amendments thereto, the board shall certify, on or before July 15 of each year to each participating employer an actuarially determined estimate of the rate of contribution which shall be required to be paid by each such participating employer to pay all of the liabilities which shall accrue under the system from and after the entry date ~~and the cost of administration of the system~~, as determined by the board, upon recommendation of the actuary. Such rate shall be termed the employer's participating service contribution and shall be uniform for all participating employers. *The employer's rate of contribution determined under this section shall not include the costs of administration of the system.*

(2) The board shall determine for each employer separately an amount sufficient to amortize over a period of not to exceed 40 years all liabilities for past service costs which shall have accrued at the time of entry into the system. On the basis of such determination the board shall annually certify to each participating employer separately an actuarially determined estimate of the rate of contribution which shall be required to be paid by that participating employer to pay all of the liabilities for such past service costs. Such rate shall be termed the employer's prior service contribution. The board may enter into agreements with any participating employer which has employees or retirants under the special pension systems established under K.S.A. 13-14a01 to 13-14a14, inclusive, and amendments thereto or K.S.A. 14-10a01 to 14-10a15, inclusive, and amendments thereto, for the purpose of scheduling the payment of such past service costs in an orderly manner which will tend to stabilize the annual total financial burden on such employers in meeting their present and future obligations under this system and such special systems, but in no event shall the annual prior service contribution be less than the interest cost on the total of such past service liability.

(3) Each participating employer shall appropriate and pay to the system a sum sufficient to satisfy the obligations under this act as certified by the board.

(4) Each participating employer is hereby authorized to pay the employer's contribution from the same fund that the compensation for which ~~said such~~ contribution is made is paid from or from any other funds available to it for such purpose. Each employer may levy annually at the time of its levy of taxes, a tax which may be in addition to all other taxes authorized or limited by law and shall not be subject to any tax levy limit or aggregate tax levy limit prescribed by article 19 of chapter 79 of the Kansas Statutes Annotated, or any other law for the purpose of making its contributions under this act, and, in the case of cities and counties, to pay a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. ~~1980~~ 1981 Supp. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located in such county which tax, together with any other fund available, shall be sufficient to enable it to make such contribution. In lieu of levying the tax authorized in

this subsection, any taxing subdivision may pay such costs from any employee benefits contribution fund established pursuant to K.S.A. ~~1980~~ 1981 Supp. 12-16,102.

(5) Employer contributions shall in no way be limited by any other act which now or in the future establishes or limits the compensation of any member.

(6) The rates of contribution certified to a participating employer as provided in this section shall apply during the fiscal year immediately following such certification, but the rate of contribution during the first year following the employer's entry date shall be equal to 16% of the amount of compensation on which members contribute during the year. Any amount of such first year's contribution which may be in excess of the necessary current service contribution shall be credited by the board to the respective employer's prior service liability.

(7) Each participating employer shall remit quarterly, or as the board may otherwise provide, all employee deductions and required employer contributions to the executive secretary for deposit in the Kansas public employees retirement fund within 20 days after the end of the period covered by the remittance or within 25 days after forms or written instructions from the system were mailed by the system to such employer, whichever is later. Remittances of such deductions and contributions received after such date are delinquent. Delinquent payments due under this subsection (7) shall be subject to interest at the rate established for interest on judgments under subsection (a) of K.S.A. 16-204 and amendments thereto. At the request of the board, delinquent payments which are due or interest owed on such payments, or both, may be deducted from any other moneys payable to such employer by any department or agency of the state.

Sec. 42. On July 1, 1982, K.S.A. 74-4968 is hereby amended to read as follows: 74-4968. (1) All employee and employer contributions shall be deposited in the Kansas public employees retirement fund created by K.S.A. 74-4921 and shall be accounted for and invested as a part of ~~said that~~ fund.

(2) Portions of ~~said such~~ contributions shall be credited to the reserve funds provided for by K.S.A. 1981 Supp. 74-4922 and amendments thereto or to such comparable funds as the board may establish and payments shall be made from such reserves in the same manner as provided in ~~said that~~ section: ~~Provided, That no credits for interest shall be made to the members accumulated contribution reserve for interest on policemen's and firemen's contributions.~~

Sec. 43. On July 1, 1982, K.S.A. 74-4995 is hereby amended to read as follows: 74-4995. (1) Employer and employee contributions shall be governed by the provisions of K.S.A. 1981 Supp. 74-4919 and 74-4920 and any amendments thereto. For purposes of contributions to and benefits under the Kansas public employees retirement system, *except as provided in subsection (2)*, compensation of members under this act shall be a monthly amount equal to the compensation to which the member was entitled for services as a member of the legislature during the period January 15 to February 14 inclusive of the most recent session in which ~~he the member~~ has served and employer and employee rate of contribution shall be applied to such amounts monthly. The employee and employer contributions shall be remitted to the system quarterly with a report of same as may be required by the board. The employee contributions may be deducted from either any compensation of the member or any expense allowance or reimbursement of the member, or any combination thereof.

(2) *For service as a member after July 18, 1982, a member of the legislature may elect to participate with a rate of compensation that includes a monthly amount equal to 1/12 of the annualized amount received for monthly allowance under subsection (c) of K.S.A. 46-137a and amendments thereto. Such changes in the member's rate of compensation and contributions shall be effective the first day of the payroll period coinciding with or following the calendar quarter in which the election is received by the board of trustees of the system. All elections shall be in the form and manner prescribed by the board of trustees.*

Sec. 44. On July 1, 1982, K.S.A. 74-49,104 is hereby amended to read as follows: 74-49,104. Notwithstanding any provision of K.S.A. 74-4915 and amendments thereto to the contrary, any

(continued)

person who is a member of the Kansas public employees retirement system pursuant to subsection (b) of K.S.A. 74-4999 and who retires on or after July 1, 1975, shall be entitled to the greater total retirement benefit of the following:

(a) The retirement benefit provided for in K.S.A. 74-4915 and any amendments thereto; or

(b) the retirement benefit provided for members of the retirement system for court reporters, as such phrase is defined in subsection (a) of K.S.A. 74-4999, under the laws in effect on the date immediately preceding the effective date of this act; or

(c) *The retirement benefit provided for members of the retirement system for court reporters, as such phrase is defined in subsection (a) of K.S.A. 74-4999, under the laws in effect on the date immediately preceding July 1, 1975, except that such benefit shall be computed on the basis of final average salary, as such phrase is defined in subsection (17) of K.S.A. 1981 Supp. 74-4902 and amendments thereto, and there shall be no reduction in such payments for any benefits which such member is receiving or is eligible to receive under the federal social security act. As used in this section and K.S.A. 74-49,106 and amendments thereto, "federal social security act" includes the Kansas and federal old-age survivors and disability insurance acts.*

Each person who is a member of the Kansas public employees retirement system pursuant to subsection (a) of K.S.A. 74-4999 and who retired prior to July 1, 1982, shall have such member's retirement benefit recalculated under this section as amended by this act. If such recalculation results in an increase in such member's retirement benefit, such increase shall accrue and be payable to such member on and after July 1, 1982.

Sec. 45. On July 1, 1982, K.S.A. 74-49,106 is hereby amended to read as follows: 74-49,106. (a) Each person who is a special member of the Kansas public employees retirement system under subsection (c) of K.S.A. 74-4999 shall be entitled to receive from the Kansas public employees retirement system a retirement benefit, annuity, pension or other benefit to the same extent and subject to the same conditions as existed under the laws in effect on the day immediately preceding the effective date of this act, *except that each person who is a special member of the Kansas public employees retirement system pursuant to subsection (c) of K.S.A. 74-4999 shall have such person's retirement benefit, annuity, pension or other benefit recalculated under subsection (c) of K.S.A. 74-49,104 and amendments thereto. If such recalculation results in an increase in such special member's retirement benefit, annuity, pension or other benefit, such increase shall accrue and be payable to such special member on and after July 1, 1982.*

(b) Every retirement benefit, annuity, pension or other benefit received by any person pursuant to subsection (a) is hereby made and declared exempt from any tax of the state of Kansas or any political subdivision or taxing body thereof, and shall not be subject to execution, garnishment, attachment or any other process or claim whatsoever, including decrees for support or alimony, and shall be unassignable.

New Sec. 46. Commencing with the first day of the first payroll period of the fiscal year ending June 30, 1983, the optional death benefit plan established by the board of trustees of the Kansas public employees retirement system under subsection (6) of K.S.A. 1981 Supp. 74-4927 and amendments thereto shall be made available to all persons who are in service as judges, who are members of the retirement system for judges and who have not retired thereunder, subject to and in accordance with all provisions of that statute and in the same manner that the plan is made available to other employees of the state under that statute, notwithstanding any provision of K.S.A. 40-433 or other section of the insurance code of the state of Kansas, or any acts amendatory thereof or supplementary thereto. As used in this section, "judges" has the meaning ascribed thereto in K.S.A. 20-2601 and amendments thereto.

New Sec. 47. (1) Each person who has served as a member of the Kansas legislature, whose service as a member of the Kansas legislature was not covered by the federal social security act and who had 10 or more years of such service prior to January 1, 1974, shall become a member of the Kansas public employees retirement system upon receipt by the board of trustees of the system of an application in a manner prescribed by the board of trustees.

(2) Any person becoming a member of the system under this

section shall receive prior service credit for all service as a member of the legislature which is not covered by the federal social security act. No service credit shall be granted under the provisions of this section for service as a member of the legislature while not covered by the federal social security act for any service which has previously been credited under the system.

(3) Any member of the system, who has become a member of the system prior to the effective date of this act and who has had 10 or more years of service as a member of the legislature while not covered by the federal social security act prior to January 1, 1974, shall receive prior service credit for any such service which has not previously been credited under the system.

(4) Benefits for prior service credited under this section shall accrue from the first day of the month coinciding with or following a receipt of the application and verification by the board of trustees under this section. For members receiving prior service credit under the provisions of this section, benefits for such service shall be computed on the basis of a prior service annual salary of \$3,720 unless such member has a prior service annual salary or final average salary which is greater.

(5) The surviving spouse of any deceased former member of the legislature whose service prior to January 1, 1974, was not covered by social security and who would have been otherwise eligible for benefits under this section except for being deceased, may receive benefits under the provisions of this section under option A as though the deceased former member of the legislature had been eligible for benefits under this section and had retired on the date of death. Such benefits shall be payable only if the surviving spouse was the spouse of the deceased on the date of death. Such benefits shall accrue from the first day of the month coinciding with or following the receipt of an application in a manner prescribed by the board of trustees.

New Sec. 48. Notwithstanding the provisions of K.S.A. 74-4913, 74-4936, 74-4956, 74-4994 and 74-49,103, and any amendments to such statutes, to the contrary, any member of the Kansas public employees retirement system or any other retirement plan under the laws of this state whose date of birth is June 30, 1921, and who has a minimum of seven years service credit shall receive prior service credit under the Kansas public employees retirement system for any service as a member of the Kansas legislature which is not otherwise credited under the Kansas public employees retirement system, except that in no event, shall any such individual receive credit for any legislative service for a period in which such individual elected not to participate in the Kansas public employees retirement system while such individual served in the legislature or for any legislative service for which such individual had previously received credit and forfeited it as a result of withdrawal of contributions. If a prior service salary is not otherwise available or has not been established under the Kansas public employees retirement system for any individual receiving credit under this section, the prior service salary shall be the total compensation received as a member of the legislature in the last full year of service as a member of the legislature.

New Sec. 49. Notwithstanding the provisions of K.S.A. 74-4913 to the contrary, an employee whose date of birth was March 27, 1916, and who became a member of the Kansas public employees retirement system on September 1, 1966, and who was first employed by the same participating employer from August 1, 1938, through July 17, 1948, shall receive prior service credit for such employment prior to January 1, 1962. Prior service annual salary for any such member shall be \$2,820. Any additional benefits accruing as a result of this section shall accrue from the first day of the month coinciding with or following the effective date of this act.

New Sec. 50. Notwithstanding the provisions of subsection (2)(b) of K.S.A. 74-4913 and subsection (17) of K.S.A. 1981 Supp. 74-4902, and any amendments to such statutes, to the contrary, an individual who was born October 3, 1908, and who became a member of the Kansas public employees retirement system on January 1, 1962, and who was first employed by the entry date employer on March 1, 1954, and continued in employment with such participating employer until such member's retirement under the Kansas public employees retirement system on No-

(continued)

ember 1, 1981, shall have such member's salary for the three years immediately preceding retirement included in calculation of final average salary for the purpose of determining monthly retirement benefits. Any increase in monthly retirement benefits as a result of this recalculation shall commence on the first day of the month coinciding with or following the effective date of this act.

New Sec. 51. Notwithstanding the provisions of K.S.A. 74-4911 and 74-4913 and K.S.A. 1981 Supp. 74-4902, and any amendments to such statutes, to the contrary, an employee whose date of birth is May 30, 1920, and who was employed by a participating employer on June 18, 1979, shall be a member of the Kansas public employees retirement system as of the first day of the first payroll period chargeable to the fiscal year ending June 30, 1980. Upon the attainment of membership under this section and payment of employee and employer contributions, such employee and such employee's participating employer shall thereafter be governed by the provisions of the law governing the Kansas public employees retirement system, K.S.A. 74-4901 *et seq.*, and acts amendatory thereof or supplemental thereto.

New Sec. 52. Notwithstanding the provisions of subsection (2)(b) of K.S.A. 74-4913 and subsection (17) of K.S.A. 1981 Supp. 74-4902, and any amendments to such statutes, to the contrary, an individual who was born November 24, 1910, and who became a member of the Kansas public employees retirement system on February 1, 1969, and who was first employed by the entry date employer on February 1, 1968, and who continued in employment with such participating employer until such member's retirement under the Kansas public employees retirement system on January 1, 1982, shall have such member's salary for the 13 months immediately preceding retirement included in calculation of final average salary for the purpose of determining monthly retirement benefits. Any increase in monthly retirement benefits as a result of this recalculation shall commence on the first day of the month coinciding with or following the effective date of this act.

New Sec. 53. Notwithstanding the provisions of K.S.A. 74-4911 and 74-4913 and K.S.A. 1981 Supp. 74-4902, and any amendments to such statutes, to the contrary, an employee who was born October 25, 1920, and who was employed by a participating employer on August 17, 1981, shall be a member of the Kansas public employees retirement system as of August 18, 1982. Such employee shall be considered to have been in the year of waiting for membership for purposes of group insurance benefits. Upon the attainment of membership under this section, such employee and such employee's participating employer shall thereafter be governed by the provisions of the Kansas public employees retirement system, K.S.A. 74-4901 *et seq.*, and acts amendatory thereof or supplemental thereto.

New Sec. 54. Notwithstanding the provisions of K.S.A. 74-4911 and 74-4913 and K.S.A. 1981 Supp. 74-4902, and any amendments to such statutes, to the contrary, an employee who was born July 7, 1920, and who was employed by a participating employer on February 1, 1980, shall be a member of the Kansas public employees retirement system as of February 18, 1980. Upon the attainment of membership under this section and payment of employee and employer contributions, such employee and such employee's participating employer shall thereafter be governed by the provisions of the Kansas public employees retirement system, K.S.A. 74-4901 *et seq.*, and acts amendatory thereof or supplemental thereto.

New Sec. 55. Notwithstanding the provisions of K.S.A. 74-4913 to the contrary, an employee whose date of birth was November 15, 1918, who became a member of the Kansas public employees retirement system on January 1, 1964, and who was first employed by another participating employer from August 1, 1946, through January 10, 1955, shall be entitled to receive upon retirement prior service credit for such employment prior to January 1, 1962.

New Sec. 56. Notwithstanding the provisions of K.S.A. 74-4960, and amendments thereto, to the contrary, the surviving spouse of a member of the Kansas police and firemen's retirement system who retired on a service-connected disability on March 8, 1972, who died on September 15, 1980, and whose death was not

from the same proximate cause as such member's service-connected disability shall be entitled to benefits under subsection (1)(a) of K.S.A. 74-4959.

New Sec. 57. Commencing with the first day of the first payroll period of the fiscal year ending June 30, 1983, the optional death benefit plan established by the board of trustees of the Kansas public employees retirement system under subsection (6) of K.S.A. 1981 Supp. 74-4927 and amendments thereto shall be made available to all persons who are in service as officers or employees of the Kansas bureau of investigation or the Kansas highway patrol, who are members of the Kansas police and firemen's retirement system and who have not retired thereunder, subject to and in accordance with all provisions of that statute and in the same manner that the plan is made available to other employees of the state under that statute, notwithstanding any provision of K.S.A. 40-433 or other section of the insurance code of the state of Kansas, or any acts amendatory thereof or supplementary thereto.

Sec. 58. K.S.A. 74-4909 and 74-4940 and K.S.A. 1981 Supp. 74-4920, 74-4922 and 74-4937 are hereby repealed.

Sec. 59. On July 1, 1982, K.S.A. 20-2601, 20-2603, 20-2605, 20-2606, 20-2607, 20-2610, 20-2610a, 74-4914a, 74-4914b, 74-4914c, 74-4914d, 74-4916, 74-4917, 74-4918, 74-4919a, 74-4936a, 74-4952, 74-4956, 74-4958, 74-4959, 74-4960, 74-4963, 74-4964, 74-4965, 74-4968, 74-4995, 74-49,104 and 74-49,106 and K.S.A. 1981 Supp. 74-4902, 74-4908, 74-4915, 74-4920a, 74-4927, 74-4967 and 75-2935b are hereby repealed.

Sec. 60. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the HOUSE, and passed that body March 17, 1982.

House adopted Conference Committee report April 28, 1982.

WENDELL LADY
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

Passed the SENATE as amended April 2, 1982.

Senate adopted Conference Committee report April 28, 1982.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

APPROVED May 13, 1982.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 13th day of May, 1982.

(SEAL)

JACK H. BRIER
Secretary of State.

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